

Township Resolution No. _____

City Resolution No. 022-408

**JOINT RESOLUTION OF CITY OF JACKSON AND TOWNSHIP OF DES MOINES
DESIGNATING PART OF THE SE¼SE¼ OF SECTION 11 AND PARTS OF SECTION
13, DES MOINES TOWNSHIP, JACKSON COUNTY, MINNESOTA, AS BEING IN
NEED OF ORDERLY ANNEXATION, CONFERRING JURISDICTION, AND
AGREEING TO ANNEXATION**

WHEREAS, the Board of Supervisors of the Township of Des Moines ("Township") and the City Council of the City of Jackson ("City"), both located in Jackson County, Minnesota, find:

A. Certain real property in the SE¼SE¼ of Section 11 and in Section 13 of the Township abuts the corporate limits of the City on its north side and is urban or suburban in character or about to become so ("Annexation Area").

B. The owners of the Annexation Area are Jackson Economic Development Corporation, a Minnesota non-profit corporation with offices at 80 West Ashley Street, Jackson, Minnesota ("JED"); AGCO Corporation, a Delaware corporation with principal offices at 4205 River Green Parkway, Duluth, GA 30096, and with manufacturing facilities at 202 Industrial Parkway, Jackson, Minnesota 56143 ("AGCO"); Pioneer Hi-bred International, Inc., an Iowa corporation with principal offices and mailing address at 400 Locust Street, Suite 700, P.O. Box 14454, Des Moines, IA 50306-3454 and with production facilities at 182 Industrial Parkway, Jackson, Minnesota ("Pioneer"); Bosshart Company, Inc., a corporation under the laws of the State of Minnesota, with mailing address of P.O. Box 220, Truman, MN 56088 ("Bosshart"); Mindeer, Inc., a corporation under the laws of the State of South Dakota, with mailing address of 30965 U.S. Hwy. 212, Gettysburg, SD 57442 ("Mindeer"); Wayne Torgerson and Linda Torgerson, husband and wife, with mailing address of 980 Hwy. 71 North, Jackson, MN 56143 ("Torgerson"), hereinafter collectively called "Owners".

C. The tracts comprising the Annexation Area are owned and described as follows:

Owner	Property description
1. <u>In the SE¼SE¼ of Section 11, Des Moines Township:</u>	
Mindeer	The South 620 feet of the East 800 feet of said SE¼, <i>except</i> the South 328 feet of the West 250 feet of said tract (containing 9.49 acres, more or less); and
Bosshart	The South 328 feet of the West 770 feet of said SE¼ (containing 5.8 acres, more or less).
2. <u>In the E½ of Section 13, Des Moines Township:</u>	
JED	<u>TSE:</u> That part of the SW¼NE¼ of said Section 13 described as follows: beginning at a point on the centerline of CSAH 38 that is South 01°20'40" East, assumed bearing, 1,997.90 feet along the east line of said Section 13 and South 88°02'50" West 1,688.26 feet from the northeast corner of said Section 13, thence South 88°02'50" West along said centerline 322.70 feet; thence North 01°20'40" West 675.00

feet to the south right-of-way line of Interstate Hwy. I-90; thence North 88°02'50" East, along said right-of-way line, 322.70 feet; thence South 01°20'40" East 675.00 feet to the centerline of CSAH 38 and the point of beginning (containing 5.00 acres ±);

AGCO

Training Center & "Candy Co." Tracts: Tracts bounded as follows: on the North by the south right-of-way line of Interstate Hwy. I-90; on the East by the east line of the NE¼ of said Section 13; on the South by the centerline of CSAH 38; and on the West by a line parallel with and South 88°02'50" West 1,171.56 feet of the east line of said NE¼ (containing 18.154 acres ±); and

**AGCO &
PIONEER**

Main Plants - South of C/L CSAH 38: Commencing at a point where the centerline of CSAH 38 intersects the east line of the NE¼ of said Section 13, running thence South along the east section line 2,191.34 feet, more or less, to the northeast corner of a tract owned by FCA and already within the corporate limits of the City; thence North 89°49'00" West 265.00 feet along the existing corporate limit line; thence South 00°02'20" West 440.00 feet along the existing corporate limit line; thence North 89°49'00" West 444.50 feet along the existing corporate limit line to a point on the existing northerly railroad right-of-way line; thence Northwesterly along said northerly railroad right-of-way line to its point of intersection with the south line of the N½SE¼ of said Section 13; thence West along said south line N½SE¼ to the existing southerly railroad right-of-way line; thence Southeasterly along said existing southerly railroad right-of-way line to its point of intersection with the westerly line of Ashley and Moore's Second Addition to the Village (now City) of Jackson, as platted; thence South 30°29'14" West 824.92 feet, more or less, along said westerly line as platted to its point of intersection with south line of the SE¼ of said Section 13; thence Westerly 1,322.84 feet, more or less, along said south line SE¼ to the southwest corner of said SE¼; thence North 00°00'08" East, assumed bearing, along the quarter line 2,336.9 feet, more or less, to the southwest corner of a JED tract already within the corporate limits of the City; thence South 89°49'00" East 767.16 feet, more or less, along the existing corporate limit line and the south line of said JED tract to the southeast corner thereof; thence North 00°01'50" East 911.17 feet, more or less, along the existing corporate limit line to the centerline of CSAH 38; thence Easterly 1,908.57 feet, more or less, along the centerline of CSAH 38 to the point of commencement (containing 162.16 acres ±).

3. In the SW¼ of Section 13, Des Moines Township:

Torgerson

Farm: All that part of the SW¼ of said Section 13 not already within the corporate limits of the City (containing 127.00 acres ±).

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D. The Annexation Area comprises approximately 327.604 acres, more or less, subject to existing highways, roadways, or easements; its present use is mixed agricultural, commercial (service business), and industrial; and its anticipated future use is commercial (service business) and industrial.

E. There is one household (Torgerson) in the Annexation Area, and its population is two (2).

F. Those parts of the Annexation Area in Section 13 are within the City's territory for electric utility service; that part of the Annexation Area in the SE¼SE¼ of Section 11 is in Federated Rural Electric Association's territory for electric utility service; and the parties do not anticipate that there will be any immediate change in electric utility service (including rate changes and assessments) resulting from this annexation.

G. The City is capable of providing necessary municipal services to the Annexation Area within a reasonable time; the City's water and sanitary sewer mains already serve part of – and are available to serve the remainder of – the Annexation Area; the Township is not capable of providing the same services as are available through the City; and annexation is in the best interests of the Annexation Area.

H. The Annexation Area (including all streets, roads, alleys, and railroads passing through or adjacent thereto) is properly subject to and in need of orderly annexation under and pursuant to Minnesota Statutes §414.0325, Subd. 1 ("Statute").

Now, therefore, IT IS HEREBY JOINTLY RESOLVED AND AGREED by the Board of Supervisors of the Township and the City Council of the City as follows:

1. **Designation for orderly annexation.** The Township and City do hereby designate the Annexation Area for orderly annexation under and pursuant to the Statute.

2. **Jurisdiction.** Township and City shall and do hereby confer on the Director of the Office of Strategic and Long-range Planning ("Director"), or his/her duly authorized successor, jurisdiction over annexations in the Annexation Area and over the various provisions in this agreement.

3. **Map.** City shall file with the Director a copy of the City's corporate boundary map and shall delineate the Annexation Area on that map.

4. **Initiation of annexation.** The City may adopt resolutions initiating annexations and may submit the resolutions to the executive director charged with administering the affairs of the Board, and immediately thereafter an order may be entered annexing said part(s) to the City:

A. As to the tracts described in recitals "C.1." and "C.2." above, at any time **after March 19, 2008**; and

B. As to each and every part of the Torgerson Farm described in recital "C.3." above, at any time after legal or equitable title in and to any such part is sold and conveyed by Torgerson to a third party.

5. **No alteration of boundaries, conditions, or consideration.** No alteration of the stated boundaries of the Annexation Area is appropriate, and no consideration by the Board is necessary.

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6. **Review and comment.** Pursuant to the Statute, the Board may review and comment, but within 30 days of receipt of the initiating resolution(s) it shall order annexation(s) in accordance with the terms of this agreement and the Statute.

7. **Differential taxation.** Upon annexation the tax rate of the City on an annexed tract shall be increased from the Township rate to the City rate:

A. As to the tracts described in recitals "C.1." and "C.2." above, in substantially equal proportions over six (6) years to equality with the tax rate on property already within the City; and

B. Immediately on annexation of any part of the Torgerson Farm.

8. **Collection of property taxes.** A. Property taxes payable in the year that annexation becomes effective shall be paid to the Township.

B. Property taxes payable in the year next-following the annexation shall be paid [1] to the City if the initiating resolution for annexation is adopted and submitted before July 1 of the immediately preceding year, or [2] to the Township if the initiating resolution for annexation is adopted and submitted after July 1 of the immediately preceding year; and property taxes payable thereafter shall be paid to the City.

C. The City shall not be required to make any reimbursement to the Township after the City can first levy on any annexed tract in the Annexation Area.

9. **Initial land use/zoning.** Upon annexation to the City the Annexation Area shall be classified as a "General Industrial District - GI" under the City's zoning ordinance and on the City's zoning map, subject to amendment as provided by the ordinance, unless a different zoning classification is specified in the initiating resolution.

Duly adopted at a meeting of the City Council of the City of Jackson, Minnesota, held on April 1, 2008, and at a meeting of the Board of Supervisors of Des Moines Township, Jackson County, Minnesota, held on March 11, 2008.

CITY OF JACKSON, MINNESOTA

By: [Signature]
Gary W. Link, Mayor

Attest: [Signature]
James M. Jasper
Dean Albrecht, City Administrator

**TOWNSHIP OF WISCONSIN,
Jackson County, Minnesota**

By: [Signature]
Chairman, Board of Supervisors

Attest: [Signature]
Clerk

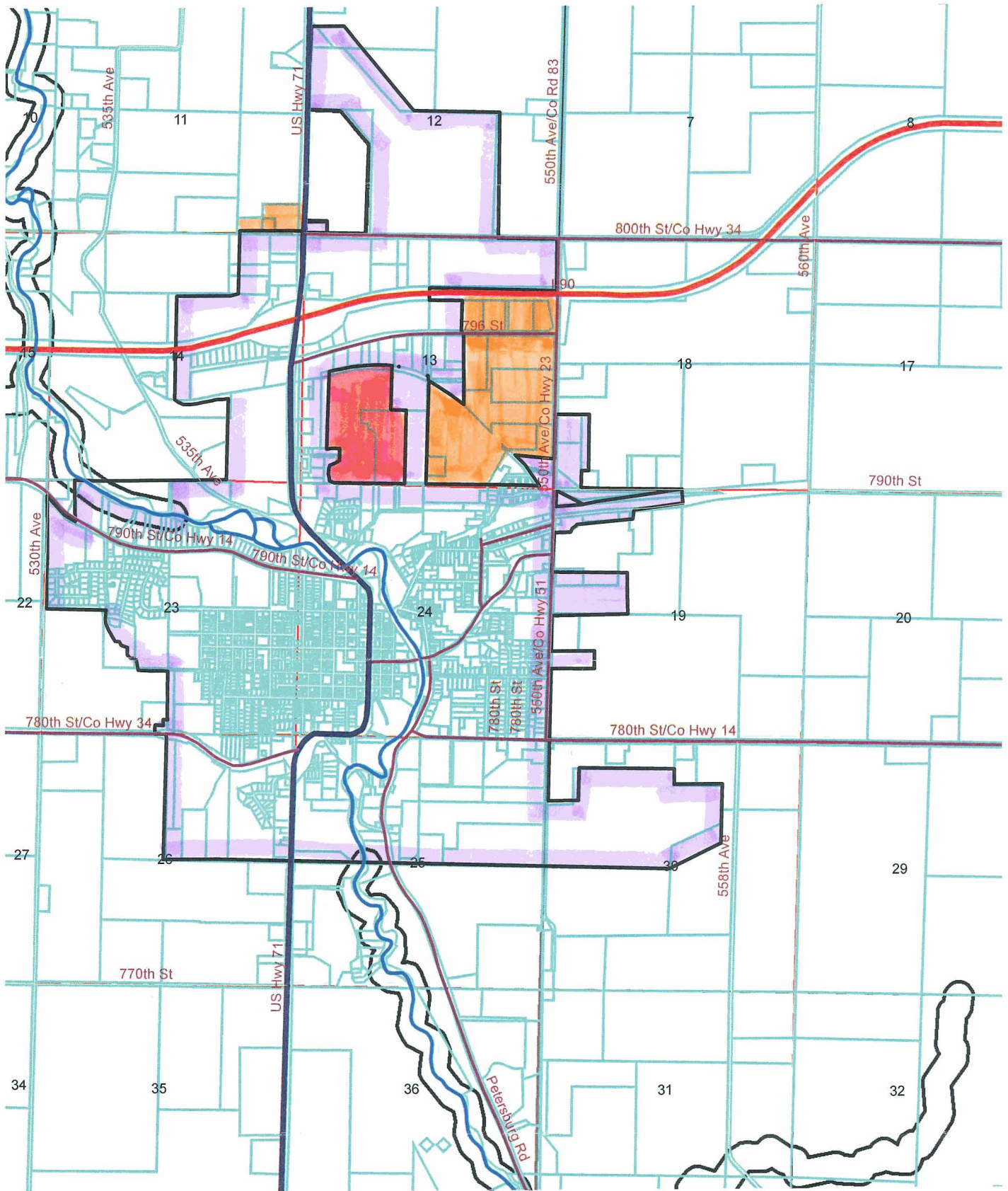
City of Jackson Annexation

Resolution 022-408

0A-1405

REC'D BY
MAM B

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ORANGE = immediate annexation — 0A-1405-1

RED = subsequent annexations as sales occur

6/24/08



This map and map references are provided "as is" with no warranty, expressed or implied, for the information provided.

