

JAN 13 2003

RESOLUTION NUMBER 2505 , SECOND SERIES

STATE OF MINNESOTA

OFFICE OF STRATEGIC AND LONG-RANGE PLANNING

IN THE MATTER OF THE JOINT RESOLUTION
OF THE CITY OF MARSHALL AND THE TOWNSHIP
OF LAKE MARSHALL DESIGNATING CERTAIN
AREAS AS IN NEED OF ORDERLY ANNEXATION
PURSUANT TO MINNESOTA STATUTES,
SECTION 414.0325

**JOINT RESOLUTION FOR
ORDERLY ANNEXATION**

WHEREAS, individual property owners with property located within the Township of Lake Marshall ("Township") and legally described in Exhibit A, which is attached hereto and incorporated herein by reference, have approached the City of Marshall ("City") regarding annexation of that property and extension of City services to that property; and

WHEREAS, the Township and City have agreed to work cooperatively to accomplish the orderly annexation of the areas legally described in Exhibit A; and

WHEREAS, the above-mentioned property is proposed to be developed for residential and commercial purposes, abuts the City, and is in need of orderly annexation and extension of services from the City since the property is urban or suburban or about to become so; and

WHEREAS, the City has available capacity to provide needed services to the above-mentioned property;
and

WHEREAS, the City and Township agree that orderly annexation of the property legally described in Exhibit A is in the best interest of the property owners and would benefit the public health, safety, and welfare of the community; and

WHEREAS, the City and Township agree that the property legally described in Exhibit A is designated as in need of immediate orderly annexation; and

WHEREAS, the City and Township desire to accomplish the immediate orderly annexation of the property legally described in Exhibit A without the need for a hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marshall and the Board of Supervisors of the Township of Lake Marshall as follows:

1. The City and Township hereby designate the area legally described in Exhibit A for immediate orderly annexation pursuant to Minnesota Statutes, Section 414.0325:
2. The City and Township agree that the area legally described in Exhibit A and designated as in need of immediate orderly annexation is approximately 477.69 acres.
3. A boundary map showing the area legally described in Exhibit A is attached hereto as Exhibit B and is hereby incorporated by reference.
4. The City and Township agree that the population of the area legally described in Exhibit A and designated as in need of immediate orderly annexation is 0.
5. Pursuant to Minnesota Statutes, section 414.0325, the City and Township agree that no alteration of the boundaries stated herein is appropriate, that all conditions for annexation of the area legally described in Exhibit A are contained in this Joint Resolution, and that no consideration by Minnesota Planning is necessary. Upon the execution and filing of this Joint Resolution, Minnesota Planning may review and comment thereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the area legally described in Exhibit A in accordance with the terms and conditions contained in this Joint Resolution.

6. The City and Township agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the Minnesota Planning Municipal Boundary Adjustments Office.
7. In the event there are errors, omissions or any other problems with the legal descriptions provided in Exhibit A in the judgment of the Minnesota Planning Agency, the City and Township agree to make such corrections and file any additional documentation, including a new Exhibit A making the corrections requested or required by the Minnesota Planning Agency as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution.
8. With respect only to the area legally described in Exhibit A, which is attached hereto and incorporated herein by reference, the terms and conditions of this Joint Resolution, shall constitute the entire agreement between the parties hereto superseding all prior agreements and negotiations between the parties hereto, but only with respect to the area legally described in Exhibit A.
9. This resolution shall supersede and replace City of Marshall Resolution Number 2494, Second Series, which was passed, adopted, and approved by the Township Board of Supervisors of the Township of Lake Marshall, Lyon County, Minnesota, on October 14, 2002 and the City Council of the City of Marshall, Minnesota, Lyon County, Minnesota, on October 21, 2002.

Passed, adopted, and approved by the Township Board of Supervisors of the Township of Lake Marshall, Lyon County, Minnesota, this ____ day of December, 2002.

TOWNSHIP OF LAKE MARSHALL

By: Joe Verkinderen
Joe Verkinderen, Chair

ATTEST:

James Doty
James Doty, Township Clerk

16th Passed, adopted, and approved by the City Council of the City of Marshall, Lyon County, Minnesota, this day of December, 2002.

CITY OF MARSHALL

By: Robert J. Byrnes
Robert J. Byrnes, Mayor

ATTEST:

Thomas M. Meulebroeck
Thomas M. Meulebroeck, City Clerk

EXHIBIT ATRACT NO. 1

All that part of the North One-half (1/2) of Section 16, Township 111 North, Range 41 West of the 5th Principal Meridian, Lyon County, Minnesota, bounded and described as follows: bounded on the west by a line parallel with and 27 feet east of the west line of Section 16, bounded on the south by the south line of the North Half of Section 16, bounded on the east by the east line of Section 16, bounded on the north by the current city limits of the City of Marshall, Minnesota.

AND

All that part of Section 9, Township 111 North, Range 41 West of the 5th Principal Meridian, bounded and described as follows: bounded on the south by the south line of Section 9, on the east by the present city limits of the City of Marshall, Minnesota, on the west by the present city limits of the City of Marshall, Minnesota, and on the north by the present city limits line of the City of Marshall, Minnesota, which contains a portion of Trunk Highway 23 right of way.

Said parcel of land contains 320.73 acres more or less.

AND

TRACT NO. 2

All that part of the Northwest Quarter of Section Fifteen (15), Township One Hundred Eleven (111) North, Range Forty-one (41) West, Lyon County, Minnesota, lying westerly and southwesterly of the westerly right of way line of the highway now known as Highway No. 59. EXCEPTING THEREFROM: A parcel of land located in the Northwest Quarter of Section 15, Township 111 North, Range 41 West, Lyon County, Minnesota, more particularly described as follows: Commencing at the Northwest corner of said Section 15; thence proceed east along the north section line a distance of 987.0 feet, to the point of beginning; thence south and parallel to the west section line a distance of 450 feet; thence east and parallel to the north section line a distance of 579.7 feet to the westerly right of way line of U.S. Highway 59; thence northwest along the highway right of way line a distance of 219.7 feet; thence in a westerly direction perpendicular to the last line described highway right of way line, a distance of 25.2 feet; thence northwest along the highway right of way line a distance of 258 feet to a point on the north section line, which is 1,387.0 feet east of the northwest corner of said Section 15, thence west along the north section line a distance of 400 feet to the point of beginning. Said exception contains five acres.

Said parcel of land contains 126.66 acres more or less.

AND

TRACT NO. 3

All that portion of the following described tract of land lying north of the south line of the Northeast Quarter of Section 15, Township 111 North, Range 41 West, being more particularly described as follows: A tract of land located in the East Half (E½) of Section Fifteen (15), Township One Hundred Eleven (111) North of Range Forty One (41) West, Lyon County, Minnesota, being more particularly described as follows: Commencing at the Southwest corner of the SE¼ of said Section 15, thence South 89°50'02" East, assumed bearing, along the south line of said SE¼, 467.00 feet to the Point of Beginning; thence continuing South 89°50'02" East along said south line 639.23 feet; thence North 00°09'16" East parallel with the west line of said E½ 2715.94 feet to a point on the on the Southwesterly right-of-way of U.S. Highway Number 59; thence North 39°56'07" West along said right-of-way 481.36 feet; thence continuing along said right of way Northwesterly along a tangential curve to the left having a central angle of 15°50'21", a radius of 3508.5 feet, and an arc length of 969.91 feet; thence North 55°46'28" West tangent to said curve and along said right-of-way 93.72 feet to a point on said west line of the E½; thence South 00°09'16" West along said west line 1583.27 feet to a point which is 2200.00 feet north of said southwest corner of the SE¼; thence South 89°50'44" East 483.00 feet; thence South 00°34'16" West 2200.15 feet to the Point of Beginning.

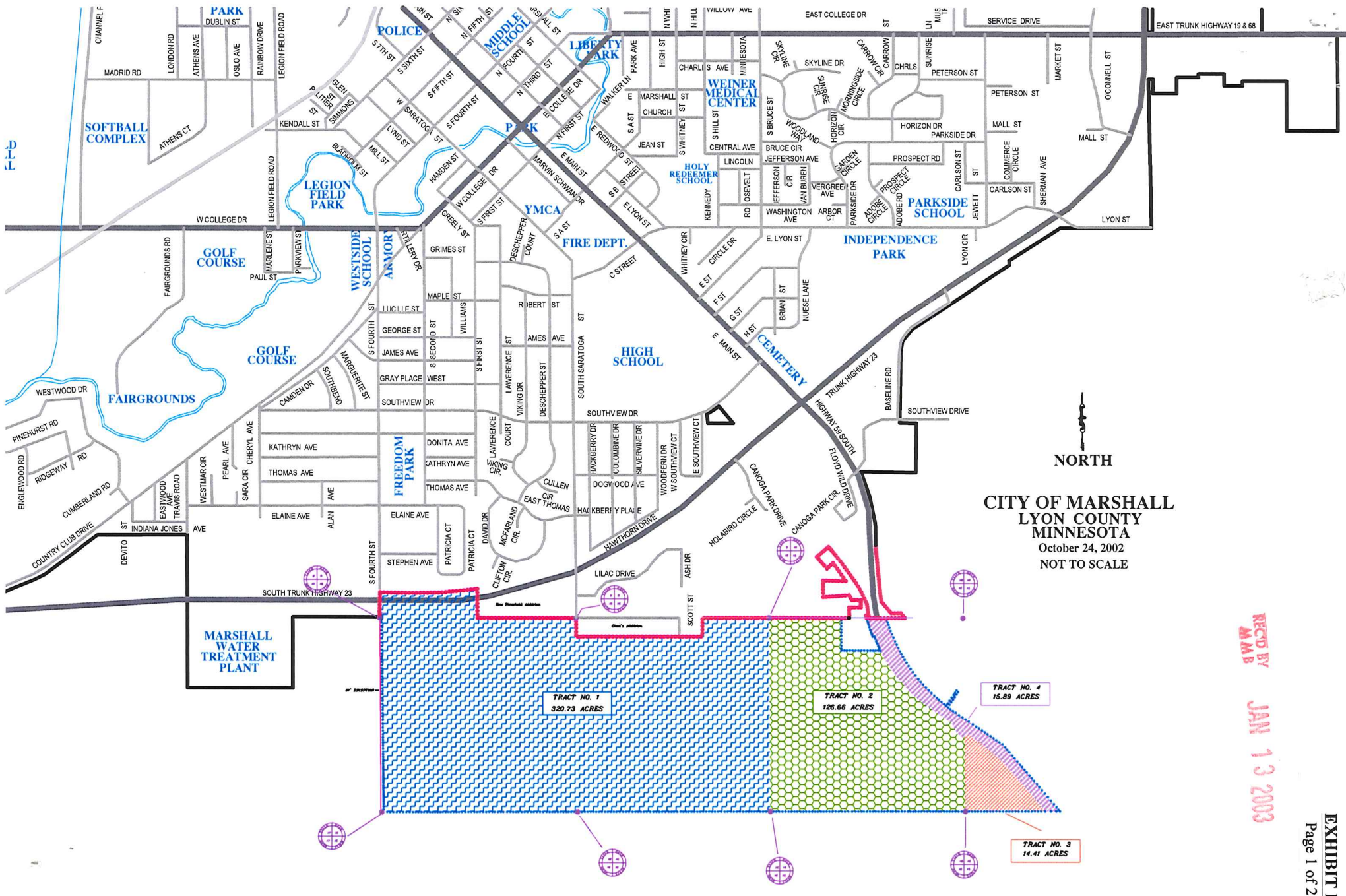
Said parcel of land contains 14.41 acres more or less.

AND

TRACT NO. 4

All that portion of U.S. Highway No. 59 right of way located north and west of the south line of the north half of Section 15, Township 111 North, Range 41 West of the 5th Principal Meridian to the current city limits line.

Said parcel of land contains 15.89 acres more or less.



REC'D BY
M.M.B.
JAN 13 2003

REC'D BY
MMB JAN 13 2003

City of Marshall
Proposed Annexation Map
Portions of SW 1/4 of Section 9, and NW and NE 1/4 of Section 15, and NW and NE 1/4 of Section 16
Township 111, Range 41W, Lyon County Minnesota
Existing City Limits =
Proposed City Limits =
Not to Scale

NORTH

