

RESOLUTION NUMBER 2722, SECOND SERIES

STATE OF MINNESOTA

REC'D BY
MMB

JUN 28 2005

DEPARTMENT OF ADMINISTRATION

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 petitioned the City of Marshall ("City") regarding annexation of that property and extension of City services to that property; and

WHEREAS, for ease of reference, the areas of the Township proposed for annexation in accordance with this Joint Resolution and legally described in Exhibit A are listed as Tract No. 1, Tract, No. 2, and Tract No. 3; 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 34.95 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 35.

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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 the State of Minnesota Department of Administration-Municipal Boundary Adjustments Office is necessary. Upon the execution and filing of this Joint Resolution, the State of Minnesota Department of Administration-Municipal Boundary Adjustments Office 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 annexation of the area legally described in Exhibit A, the City shall reimburse the Township for the loss of taxes from the property so annexed for the period and in accordance with the following schedule: 1) In the first year following the year the City could first levy on the annexed area, an amount equal to ninety (90) percent of the property taxes distributed to the Township in regard to the annexed area in the last year that property taxes from the annexed were payable to the Township; 2) In the second year, an amount equal to seventy (70) percent; 3) In the third year, an amount equal to fifty (50) percent; 4) In the fourth year, an amount equal to thirty (30) percent; and 5) In the fifth and final year, an amount equal to ten (10) percent. Thereafter, the City will no longer reimburse the Township.
7. Following annexation of the area legally described in Exhibit A, the tax rate of the City applied to the area of the Township hereby annexed shall be increased in substantially equal proportions over ~~two (2)~~ ^{five (5)} years to equality with the City's tax rate applicable to other property already within the City. *J. V. 5/20/05*
8. The City and Township agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the State of Minnesota Department of Administration-Municipal Boundary Adjustments Office.
9. In the event there are errors, omissions or any other problems with the legal descriptions provided in Exhibit A in the judgment of the State of Minnesota Department of Administration-Municipal Boundary Adjustments Office, 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 State of Minnesota Department of Administration-Municipal Boundary Adjustments Office as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution.
10. 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.

Passed, adopted, and approved by the Township Board of Supervisors of the Township of Lake Marshall, Lyon County, Minnesota, this 13 day of October, 2004.

ATTEST:

TOWNSHIP OF LAKE MARSHALL

By: James Doty
James Doty, Township Clerk

By: Joe Verkinderen
Joe Verkinderen, Chair

Passed, adopted, and approved by the City Council of the City of Marshall, Lyon County, Minnesota, this 16 day of May, 2005 ~~2004~~.

ATTEST:

CITY OF MARSHALL

By: Thomas M. Meulebroeck
Thomas M. Meulebroeck, City Clerk

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

EXHIBIT A**TRACT NO. 1**

A parcel of land located in the Northwest Quarter of Section 15 and Southwest Quarter of Section 15 and the Southwest Quarter of Section 10, Township 111 N, Range 41 W, Lyon County, Minnesota, being more particularly described as follows:

All of that property located west of the Trunk Highway 59 right of way up to the current City of Marshall city limits.

Said parcel of land contains 13.66 acres more or less.

AND

TRACT NO. 2

A parcel of land located in the Southwest Quarter of Section 10, Township 111 N, Range 41 W, Lyon County, Minnesota, being more particularly described as follows:

All of that property located east of Trunk Highway 59 right of way up to the current City of Marshall city limits.

Said parcel of land contains 8.98 acres more or less.

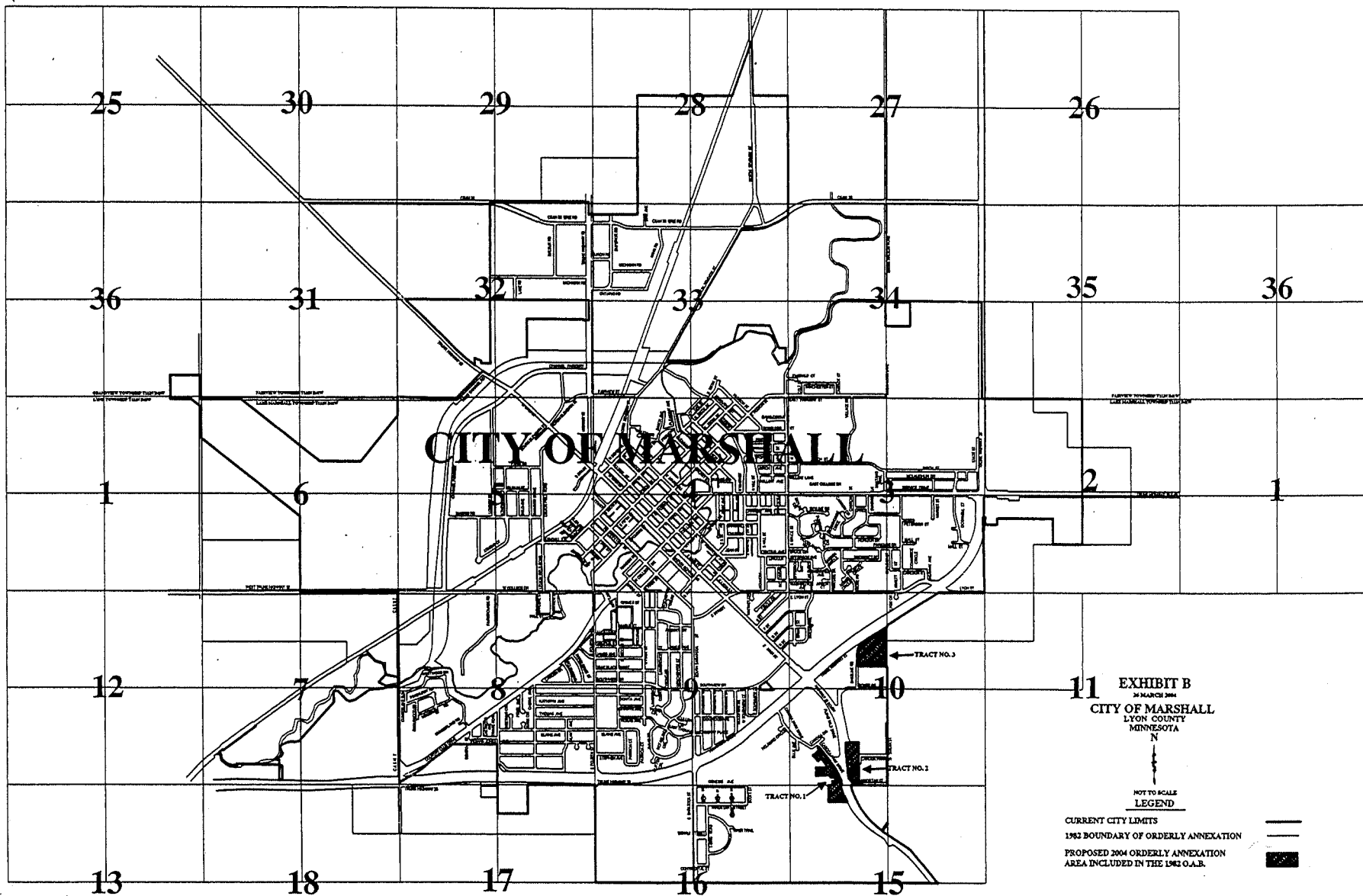
AND

TRACT NO. 3

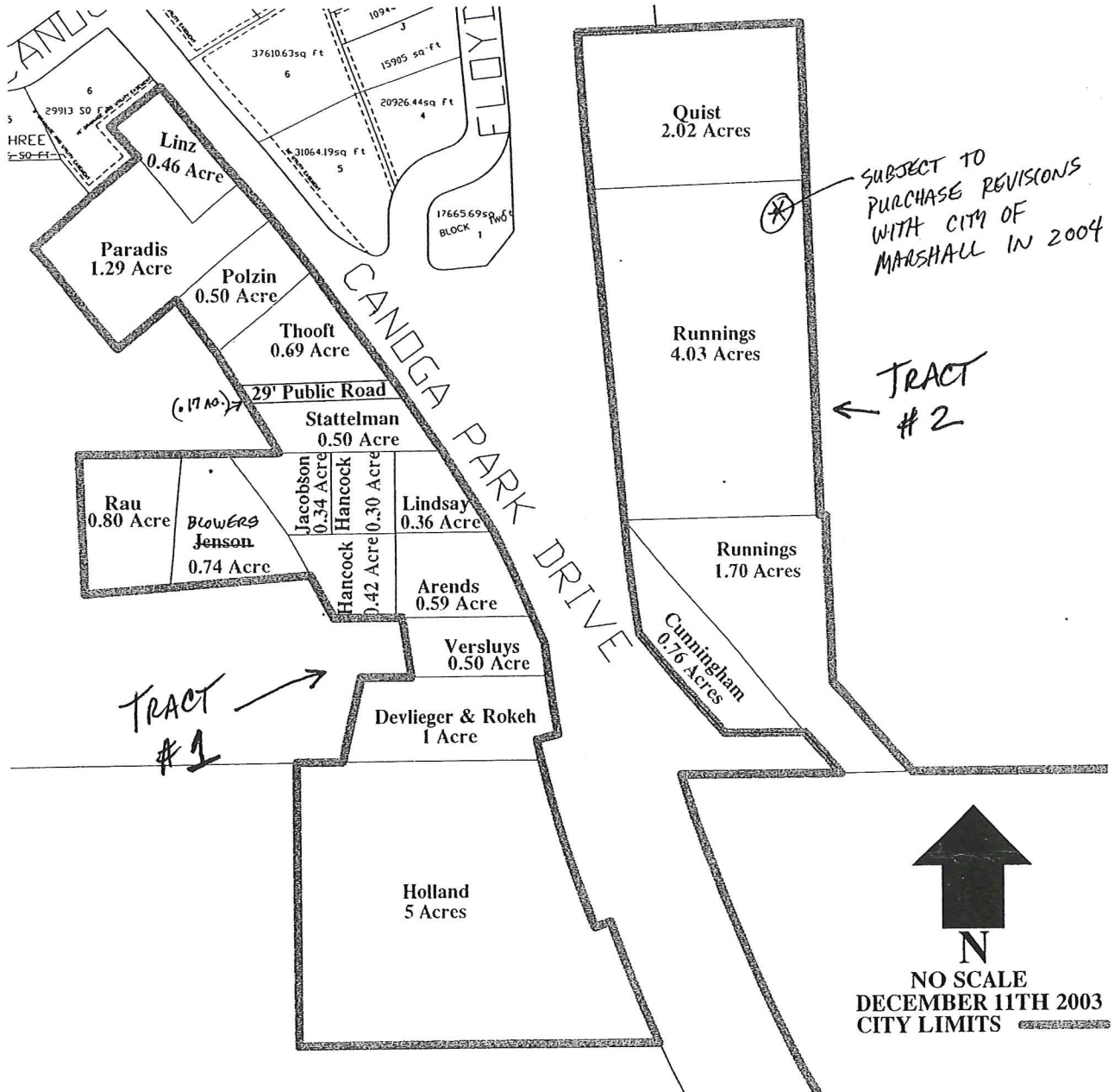
A parcel of land located in the Northwest Quarter of Section 10, Township 111 N, Range 41 W, Lyon County, Minnesota, being more particularly described as follows:

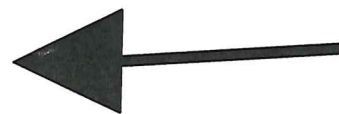
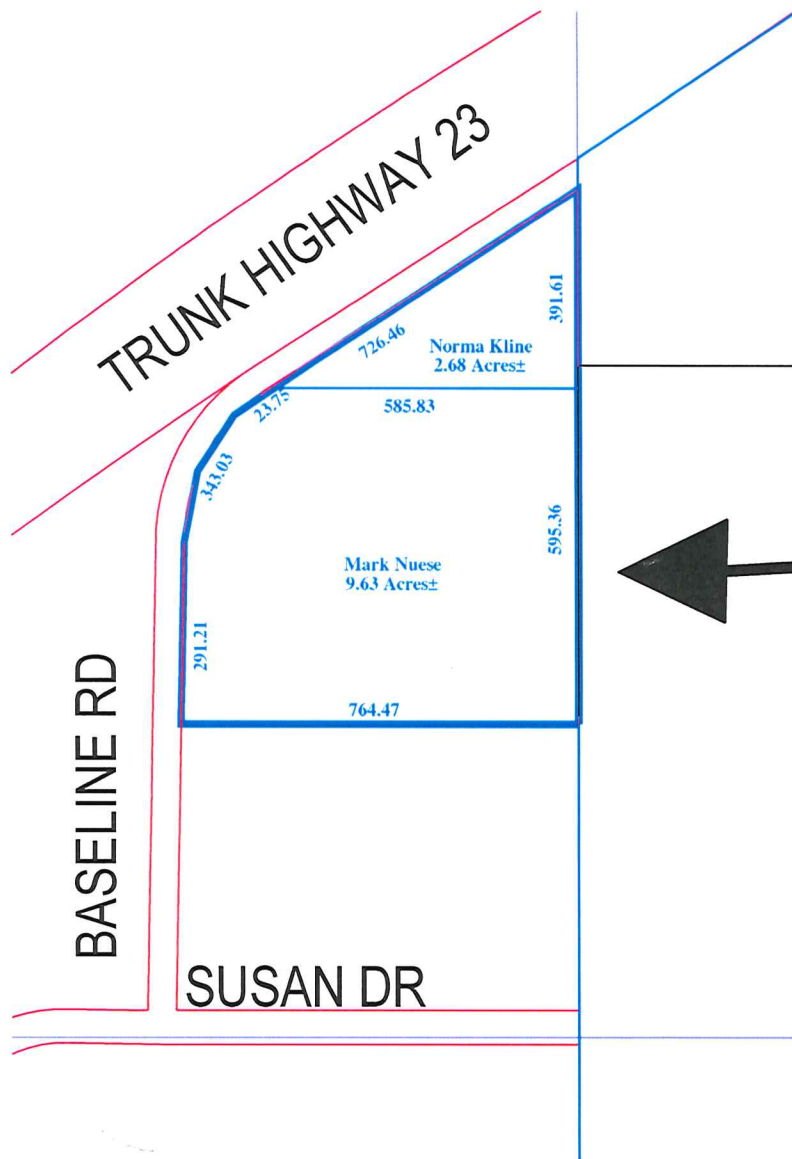
All of that property located north and east of the current City of Marshall city limits to the east line of said Northwest Quarter.

Said parcel of land contains 12.31 acres more or less.



REC'D BY
M.M.B.
JUN 28 2005





TRACT NO. 3 12.31 Acres +/-

LENGTH CONTIGUOUS TO CITY LIMITS - 2149'
TOTAL PERIMETER LENGTH - 3136'
PERCENT OF PERIMETER CONTIGUOUS TO CITY LIMITS - 68.5%

May 11, 2005

REC'D BY
MMB

JUN 28 2005