

RESOLUTION 23-34

RECOMMENDATION FROM THE DILWORTH PLANNING COMMISSION TO COMMENCE ANNEXATION OF PARCELS 21.001.0400 AND 21.001.1100, PURSUANT TO THE ORDERLY ANNEXATION AGREEMENT BETWEEN THE CITY OF DILWORTH, CITY OF MOORHEAD, AND MOORHEAD TOWNSHIP

WHEREAS, the City of Dilworth, City of Moorhead, and Moorhead Township entered into a “Joint Resolution for Orderly Annexation” agreement (the “Agreement”) on September 9, 2008; and

WHEREAS, the Agreement was accepted by the Minnesota Office of Administrative Hearings and filed as docket #OA-1421 on December 18, 2008; and

WHEREAS, the Agreement designates, in part, the following area (the “Property”) as in need of orderly annexation by the City of Dilworth:

The Northeast Quarter of Section 1, Township 139 North, Range 48 West of the Fifth Principal Meridian in Clay County, Minnesota EXCEPTING THEREFROM the south 58.24 feet of said Northeast Quarter.

WHEREAS, the necessary criteria for annexation of the Property pursuant to the Agreement have been met; and

WHEREAS, on July 5, 2023, the Dilworth Planning Commission reviewed this annexation, believed it to be in conformance with the Dilworth Comprehensive Plan, and has forwarded a recommendation to the City Council to annex the Property.

NOW, THEREFORE, BE IT RESOLVED by the Dilworth City Council and Moorhead Township:

1. Annexation. The City is hereby authorized to annex the Property into its City limits and shall follow all procedures set forth in the Agreement to complete such annexation. Once the annexation is complete, the City shall provide notice of the same to the City of Moorhead and Moorhead Township. The Property contains approximately 155.55 acres. Upon annexation, the Property will be subject to the City’s zoning and land use controls.

2. Timing of Tax Levy. For the purposes of taxation, as set forth in Minnesota Statutes § 414.0325, the City and Moorhead Township hereby agree that if annexation becomes effective on or before August 1 of a levy year, the City may levy on the Property beginning with that same levy year. If the annexation becomes effective after August 1 of a levy year, Moorhead Township may continue to levy on the Property for that levy year, and the City may not levy on the Property until the following levy year.

3. Lost Tax Reimbursement to Moorhead Township. Pursuant to Minnesota Statute § 414.036, the City and Moorhead Township have, in good faith, negotiated lost tax revenue on

the Property for Moorhead Township due to the annexation. The City and Moorhead Township hereby agree that the City will make the following reimbursement payments to Moorhead Township for lost tax revenue over the course of two (2) years:

- A. \$201.39 due by May 1, 2024
- B. \$201.39 due by May 1, 2025

4. Assessments and Debt. Also pursuant to Minnesota Statute § 414.036, Moorhead Township hereby agrees and acknowledges that special assessments in the amount of \$0 have been levied against the Property and remain outstanding and that debt incurred by Moorhead Township prior to the annexation and attributable to the Property but for which no special assessments are outstanding is \$0. The City will reimburse Moorhead Township for such amounts over the course of zero (0) years in the following amounts:

- A. \$0 due by May 1, 2024
- B. \$0 due by May 1, 2025

5. Governing Law. This resolution shall be governed by the laws of the State of Minnesota.


6. Effective Date. This resolution shall be effective upon adoption by the City, the City of Moorhead, and Moorhead Township.

ADOPTED by the City of Dilworth the 14th day of August, 2023.

MAYOR:



Chad Olson, Mayor

ATTEST:


L. Peyton Mastera, City Administrator

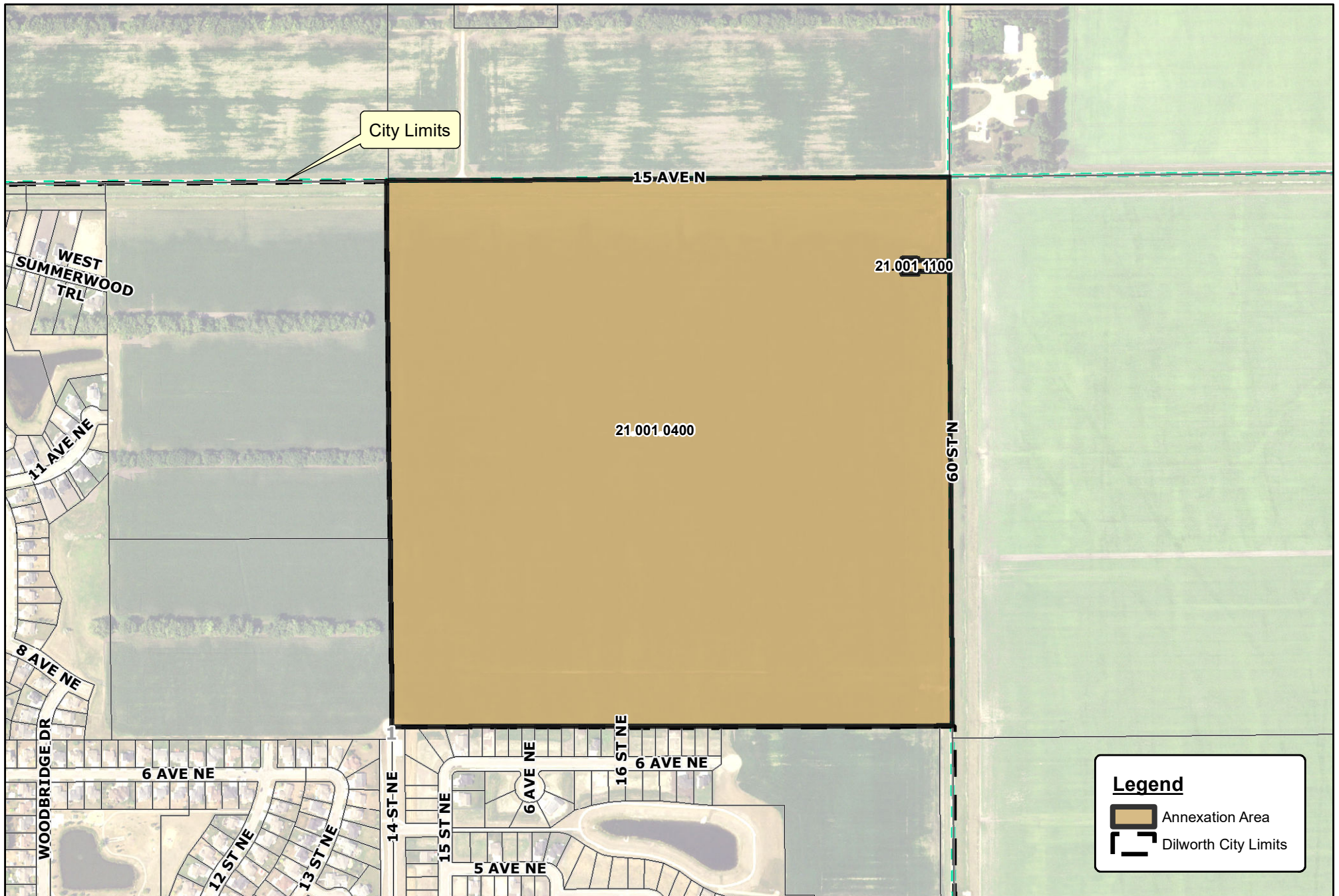
ADOPTED by the Moorhead Township the 21st day of August, 2023.

CHAIR:


Kevin Martin, Chair

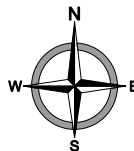
ATTEST:


Matthew Raisl, Clerk



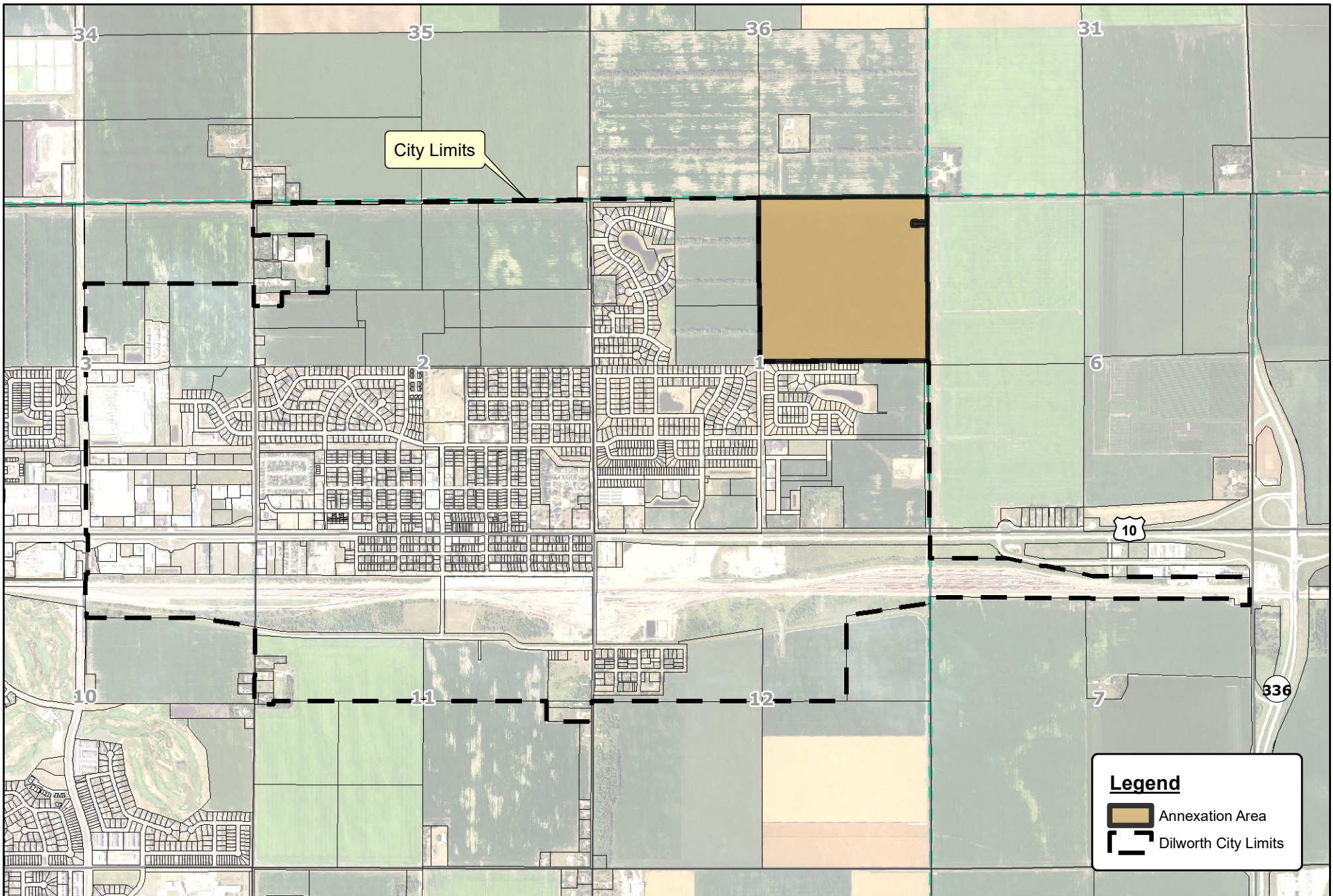
ANNEXATION EXHIBIT DILWORTH, MINNESOTA

Created By: TJS/KMV Date Created: 03/08/22 Date Saved: 09/13/23 Date Exported: 09/13/23
 Plotted By: kyle.volk Parcel Date: 12/20/21 Aerial Image: 2021 County NAIP SIDS Elevation Data: N/A
 Horizontal Datum: NAD 1983 HARN Adj MN Clay Feet Vertical Datum: NAVD1988
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0 300 600 1,200
 Feet
 1 in = 600 feet





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