

Des Moines Township Resolution No. \_\_\_\_\_ City of Jackson Resolution No. 069-1208

**JOINT RESOLUTION DESIGNATING THE 'ZIEGLER TRACT' IN THE S½NE¼ OF SECTION 13, DES MOINES TOWNSHIP, 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, previously adopted joint resolutions for the orderly annexation of land in Section 13, Des Moines Township, and now find:

**A.** The Township and City intended that pursuant to such joint resolutions all land in Section 13 that was not already within the corporate limits of the City would be annexed to and would become a part of the City immediately.

**B.** Certain real property in the S½NE¼ of said Section 13, Des Moines Township, Jackson County, Minnesota, described as follows ("Ziegler Tract"):

**Commencing at an existing iron monument at the northeast corner of said Section 13, thence South 01°20'40" East, assumed bearing, 1997.90 feet along the east line of the NE¼ of said Section 13; thence South 88°02'50" West, along the centerline of CSAH 38, as exists, 1171.26 feet to the point of beginning; thence continuing South 88°02'50" West, along said centerline, 517.00 feet; thence North 01°20'40" West 675.00 feet to the south right-of-way line of Minnesota Interstate Highway 90; thence North 88°20'40" East, along said right-of-way line, 517.00 feet; thence South 01°20'40" East 675.00 feet, more or less, to the point of beginning; containing 8.0 acres, more or less;**

was unintentionally omitted from said previous joint resolutions by mistake or inadvertence.

**C.** The Zeigler Tract is now entirely surrounded by the corporate limits of the City.

**D.** The Township doesn't provide and isn't capable of providing any municipal services in or to the Ziegler Tract.

**E.** The Ziegler Tract (tax parcels 05.012.0250, 05.012.0255, and 05.012.0275) contains 8.0 acres, is "industrial", is in a "JOBZ" zone, and has a population of 0.

**F.** The Ziegler Tract is being developed with a "JOBZ" business subsidy.

**G.** The Ziegler Tract is in the City's designated territory for electric utility service, and no change in electric service is contemplated as a result of annexation pursuant to this resolution.

**H.** The Township hasn't assigned any special assessments to the Ziegler Tract.

**I.** The Township and City intended that a cash payment in the sum of \$40,000 previously made by the City to the Township included reimbursement for annexation of the Ziegler Tract.

**J.** The Township and the City have agreed upon terms for orderly annexation of the Ziegler Tract.

Now, therefore, **BE IT RESOLVED** by and between the Township and the City as follows:

1. **Need for orderly annexation.** The Township and City hereby find that the Ziegler Tract is in need of orderly annexation and request that the Ziegler Tract be annexed to the City pursuant and according to the terms hereof and Minnesota Statutes §414.0325.

2. **Designation for orderly annexation.** The Township and City hereby [a] declare that the Ziegler Tract is properly subject to orderly annexation, and [b] designate the Ziegler Tract for orderly annexation under and pursuant to this resolution and the statute.

3. **Jurisdiction.** The Township and City hereby confer on the chief administrative law judge of the Office of Administrative Hearings and his/her duly authorized delegate ("CALJ") jurisdiction over annexation of the Ziegler Tract.

4. **Immediate annexation.** The CALJ may enter an order annexing the Ziegler Tract to the City immediately.

5. **No alteration of boundaries or consideration.** No alteration of the stated boundaries of the area to be annexed is appropriate, and no consideration by the CALJ is necessary.

6. **Review and comment.** Upon receipt of this joint resolution, the CALJ may review and comment but within 30 days shall order the annexation in accordance with the terms of this resolution.

7. **No differential taxation.** Because "JOBZ" benefits apply to – and all City services are immediately available to – the Ziegler Tract, the tax rate on the Ziegler Tract shall be increased from the Township rate to the City rate immediately upon annexation.

8. **Collection of property taxes.** Property taxes payable [a] in 2009 shall be paid to the Township, and [b] in 2010 and thereafter shall be paid to the City.

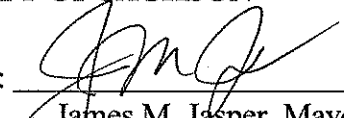
9. **Map.** City shall file with the CALJ a copy of the City's corporate boundary map and shall delineate the Ziegler Tract on that map.

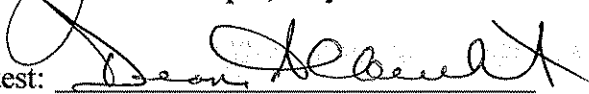
10. **No additional reimbursement by City to Township.** The City shall not be required to make any additional reimbursement to the Township as a result of the annexation contemplated by this resolution.

11. **Initial zoning.** Upon annexation the Ziegler Tract 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.

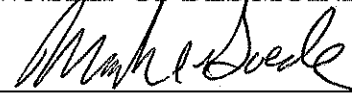
**Duly adopted** at a meeting of the City Council of the City of Jackson, Minnesota, held on December 16, 2008, and at a meeting of the Board of Supervisors of Des Moines Township, Jackson County, Minnesota, held on December 9, 2008.


**CITY OF JACKSON**

By:   
James M. Jasper, Mayor

Attest:   
Dean Albrecht, City Administrator

**TOWNSHIP OF DES MOINES**

By:   
Mark Goede, Chairman

Attest:   
Mark Eggimann, Clerk

City of Jackson  
Annexation Map

REC'D BY  
M.M.B.

FEB 06 2009

