

RESOLUTION NUMBER 3480, SECOND SERIES

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

REC'D BY
MBA

DEC 09 2010

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

**AMENDMENT TO THE
JOINT RESOLUTION FOR
ORDERLY ANNEXATION**

WHEREAS, the City of Marshall ("City") and the Township of Fairview ("Township") have designated an orderly annexation area, OA-142, via Resolution No. 516, Second Series, in January 1982; and

WHEREAS, the Town of Fairview and the City of Marshall hereby jointly agree that the Joint Resolution Between the Town of Fairview and the City of Marshall designating an area for Orderly Annexation OA-142, via Resolution No. 516, Second Series, in January 1982 be amended to include the area legally described as Tract 1 in Exhibit A; and

WHEREAS, individual property owners with property located within the Township and legally described as Tract 2 in Exhibit A, which is attached hereto and incorporated herein by reference, have approached the 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 as Tract 2 in Exhibit A; and

WHEREAS, the above-mentioned property is proposed to be developed, abuts the City, and is in need of orderly annexation 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 as Tract 2 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 as Tract 2 in Exhibit A is designated as in need of orderly annexation; and

WHEREAS, the City and Township desire to accomplish the orderly annexation of the property legally described as Tract 2 in Exhibit A without the need for a hearing; and

WHEREAS, the City of Marshall has complied with Minnesota Statutes §414.0325, Subd. 1b., "Notice of intent to designate an area", and has published a notice of the intent to include property in an orderly annexation in a newspaper of general circulation in both the township and municipality at least ten days before the municipality or township adopted an orderly annexation agreement.

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

1. The City and Township agree that the area legally described as Tract 1 in Exhibit A and designated as in need of orderly annexation is approximately 120.35 acres; and, the City and Township agree that the area legally described as Tract 2 in Exhibit A for immediate annexation is approximately 146.70 acres.
2. A boundary map showing the area legally described Tract 2 in Exhibit A is attached hereto as Exhibit B and is hereby incorporated by reference.
3. The City and Township agree that the population of the area legally described as Tract 2 in Exhibit A and designated as in need of orderly annexation is 0.

4. 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 areas legally described as Tract 2 in Exhibit A are contained in this Joint Resolution, and that no consideration by Office of Administrative Hearings-Municipal Boundary Adjustments is necessary. Upon the execution and filing of this Joint Resolution, Office of Administrative Hearings-Municipal Boundary Adjustments may review and comment thereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the area legally described as Tract 2 in Exhibit A in accordance with the terms and conditions contained in this Joint Resolution.
5. The City of Marshall and the Town of Fairview have agreed, pursuant to Minnesota Statutes, Section 414.036, that with respect to property taxes payable on the area legally described as Tract 2 in Exhibit A, hereby annexed, the City of Marshall shall make a cash payment to the Town of Fairview in the first year following the year the City of Marshall could first levy on the annexed area, an amount equal to \$510.00.
6. That pursuant to Minnesota Statutes, Section 414.036 with respect to any special assessments assigned by the Township to the annexed property for the area legally described as Tract 2 in Exhibit A, there are no special assessments or debt incurred by the Township on the subject area for which reimbursement is required.
7. The City and Township agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the Office of Administrative Hearings-Municipal Boundary Adjustments.
8. In the event there are errors, omissions or any other problems with the legal descriptions provided in Exhibit A in the judgment of the Office of Administrative Hearings-Municipal Boundary Adjustments, 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 Office of Administrative Hearings-Municipal Boundary Adjustments as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution.
9. 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 areas legally described in Exhibit A.

Passed, adopted, and approved by the Township Board of Supervisors of the Township of Fairview, Lyon County, Minnesota, this 6 day of December, 2010.

TOWNSHIP OF FAIRVIEW

By: Dean Louwagie
Dean Louwagie, Chair

ATTEST:

Bruce DeVos
Bruce DeVos, Township Clerk/Treasurer

Passed, adopted, and approved by the City Council of the City of Marshall, Lyon County, Minnesota, this 14th day of September, 2010.

CITY OF MARSHALL

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

ATTEST:

Thomas M. Meulebroeck
Thomas M. Meulebroeck, City Clerk

EXHIBIT A

REC'D BY
MBA

DEC 09 2010

TRACT 1

A tract or parcel of land lying in Lyon County, Minnesota being more particularly described as follows:

The Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-Nine (29), Township One Hundred Twelve North (112N) Range Forty-One West (41W), Lyon County, Minnesota.

EXCEPT:

The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Twenty-Nine (29)

AND FURTHER EXCEPT:

The South 33 feet of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty-Nine (29), Township One Hundred Twelve North (112N) Range Forty-One West (41W), Lyon County, Minnesota.

Said parcel contains 120.35 acres more or less.

TRACT 2

A tract or parcel of land lying in Lyon County, Minnesota being more particularly described as follows:

The Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-Nine (29), Township One Hundred Twelve North (112N), Range Forty One West (41W).

EXCEPT:

The North Half of the Southeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty-Nine (29), Township One Hundred Twelve North (112N), Range Forty One West (41W).

EXCEPT THEREFROM:

The West 562.00 feet thereof.

AND FURTHER EXCEPT:

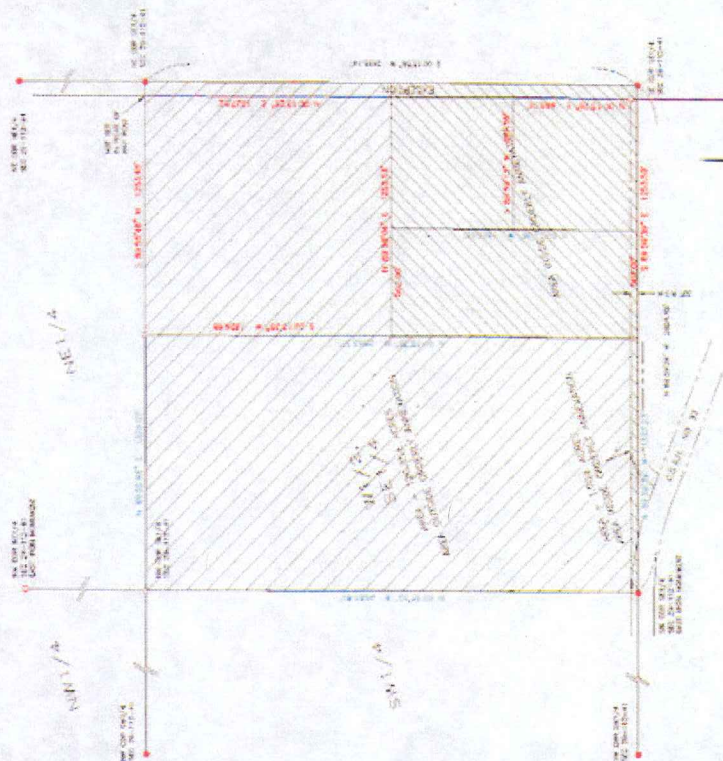
All that part of the East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Twenty-Nine (29), Township One Hundred Twelve North (112N), Range Forty One West (41W), Lyon County, Minnesota, which lies within a distance of 75 feet on the West side of the following described line: Beginning at a point on the North line of Section Twenty-One (21), Township One Hundred Twelve North (112N), Range Forty One West (41W), Lyon County, Minnesota, a distance of 1.8 feet East of the northwest corner thereof; thence run southerly through a point on the South line of said Section 21, a distance of 1 foot East of the southwest corner thereof, for 5303.9 feet; thence deflect 0°47'20" for 5310.5 feet; thence deflect to the left at an angle of 0°16'40" for 500 feet and there terminating.

Said parcel contains 146.70 acres more or less.

EXHIBIT B

TRACT 1

ADD 120.35 +/- ACRES TO THE ORDERLY ANNEXATION AREA



LAND IN SECTION

The Southwest Quarter of Section 25, Township 25N, Range 25E, Meridian 10W.

DEEDS

The Southwest Quarter of Section 25, Township 25N, Range 25E, Meridian 10W.

ADDITIONAL DEEDS

The Southwest Quarter of Section 25, Township 25N, Range 25E, Meridian 10W.

STANDARD SURVEYING SYSTEM
STANDARD SURVEYING SYSTEM
STANDARD SURVEYING SYSTEM

TRACT 2

ANNEX 146.70 +/- ACRES TO THE CITY OF MARSHALL



LAND IN SECTION

The Southwest Quarter of Section 25, Township 25N, Range 25E, Meridian 10W.

DEEDS

The Southwest Quarter of Section 25, Township 25N, Range 25E, Meridian 10W.

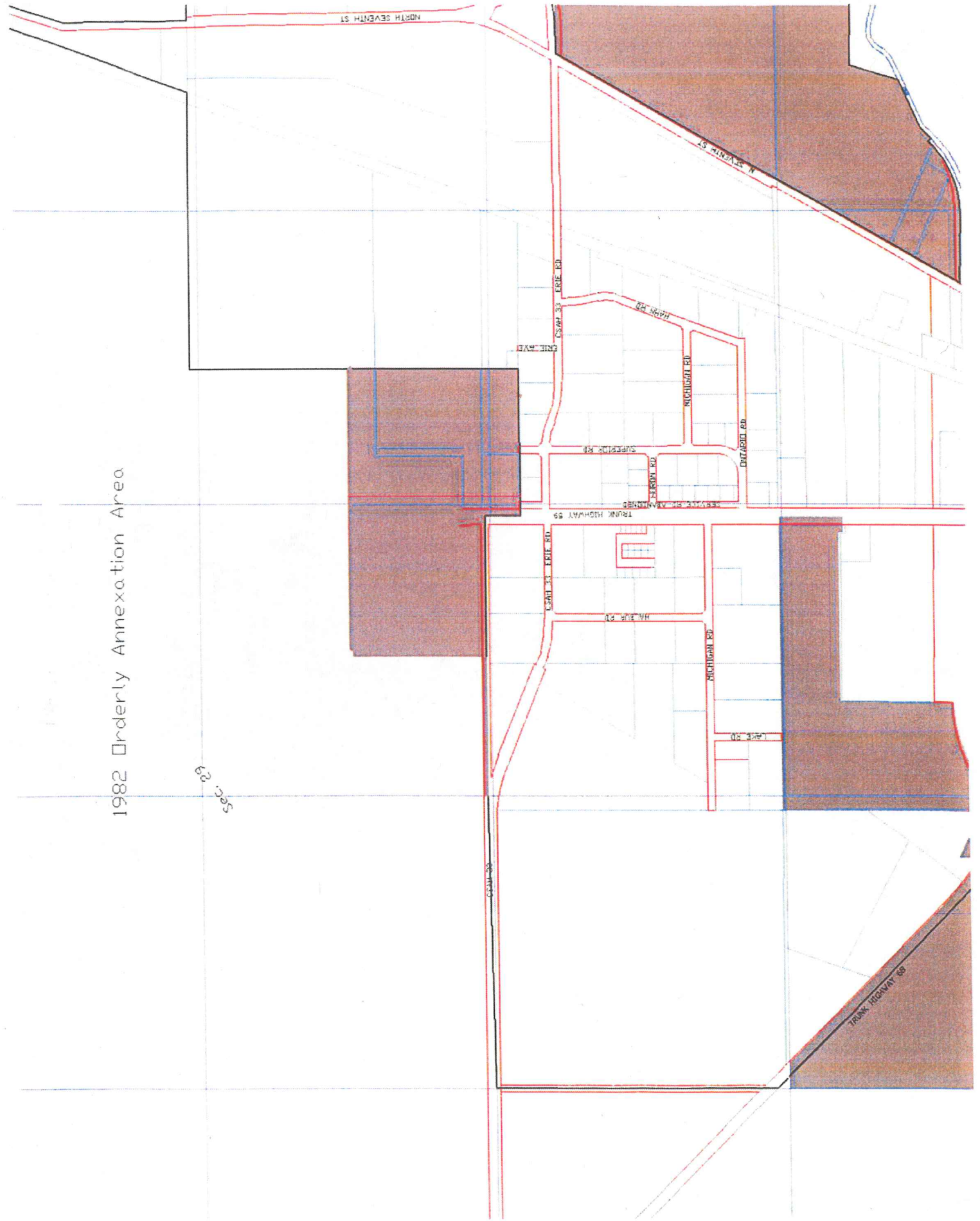
ADDITIONAL DEEDS

The Southwest Quarter of Section 25, Township 25N, Range 25E, Meridian 10W.

STANDARD SURVEYING SYSTEM
STANDARD SURVEYING SYSTEM
STANDARD SURVEYING SYSTEM

1982 Orderly Annexation Area

Sec 29



2020



RESOLUTION NUMBER 3250, SECOND SERIES

IN THE MATTER OF THE AMENDMENT TO THE JOINT RESOLUTION
FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF LAKE MARSHALL
AND THE CITY OF MARSHALL, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.0325, SUBD. 1

TO: Office of Administrative Hearings
Municipal Boundary Adjustments
P. O. Box 64620
St. Paul, MN 55164-0620
651-361-7900

The Town of Lake Marshall and the City of Marshall hereby jointly agree that the Joint Resolution Between the Town of Lake Marshall and the City of Marshall designating an area for Orderly Annexation dated January 18, 1982 be amended to include the property legally described in Exhibit A.

Both the Town and the City agree that the above-referenced Joint Resolution be amended to include, in addition to the lands originally designated; and the immediate annexation of the property legally described in Exhibit B.

The area being annexed is owned by the City of Marshall, and the City of Marshall has requested annexation of the property legally described in Exhibit B.

Both the Town and the City agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no consideration by the director is necessary. Upon receipt of this resolution, the director may review and comment, but shall, within 30 days, order the annexation of the following-described property in accordance with the terms of the joint resolution.

Both the Town and the City agree, pursuant to Minnesota Statutes, Section 414.036, that with respect to property taxes payable on the area legally described, hereby annexed, the City of Marshall shall make a lump sum cash payment to the Town of Lake Marshall in the amount of \$6.70.

In the event there are errors, omissions or any other problems with the legal descriptions provided in Exhibit A and/or Exhibit B in the judgment of the Office of Administrative Hearings, the City and Township agree to make such corrections and file any additional documentation, including a new Exhibit A and/or Exhibit B making the corrections requested or required by the Office of Administrative Hearings as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution.

With respect only to the area legally described in Exhibit A and/or Exhibit B, 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 and/or Exhibit B.

*** The remainder of this page has been intentionally left blank. ***

RESOLUTION NUMBER 3250, SECOND SERIES
IN THE MATTER OF THE AMENDMENT TO THE JOINT RESOLUTION
FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF LAKE MARSHALL
AND THE CITY OF MARSHALL, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.0325, SUBD. 1

Page 2

Passed, adopted, and approved by the Township Board of Supervisors of the Township of Lake Marshall, Lyon County, Minnesota, this 9 day of June, 2009.

TOWNSHIP OF LAKE MARSHALL

By: Joe Verkinderen
Joe Verkinderen, Chair

ATTEST:

James Doty
James Doty, Township Clerk

Passed, adopted, and approved by the City Council of the City of Marshall, Lyon County, Minnesota, this 23rd day of June, 2009

CITY OF MARSHALL

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

ATTEST:

Thomas M. Meulebroeck
Thomas M. Meulebroeck, City Clerk

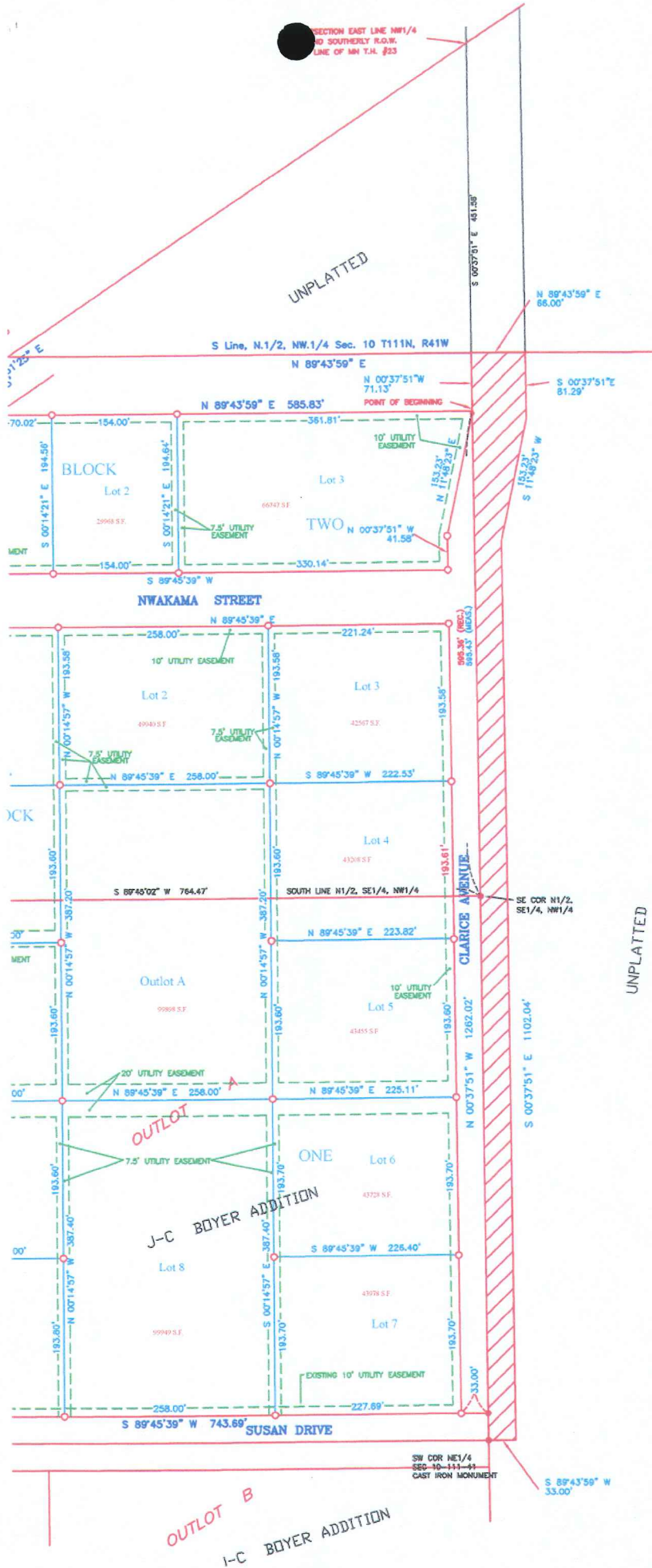
JUL 15 2009

EXHIBIT A

All that part of the Northeast Quarter, Section 10, Township 111 North, Range 41 West, located in the County of Lyon, State of Minnesota, being more particularly described as follows:

Beginning at the northeast corner of Lot 3, Block 2, Nwakama Addition as platted in the City of Marshall, Minnesota; thence North 00 degrees 37 minutes 51 seconds west, a distance of 71.13 feet to a point on the south line of the North Half of said Northwest Quarter, Section 10; thence North 89 degrees 43 minutes 59 seconds East, along said south line, a distance of 66.00 feet; thence South 00 degrees 37 minutes 51 seconds East, a distance of 81.29 feet; thence South 11 degrees 48 minutes 23 seconds West, a distance of 153.23 feet; thence South 00 degrees 37 minutes 51 seconds East, a distance of 1102.04 feet to a point on the south line of the Northeast Quarter of Section 10, Township 111 North, Range 41 West; thence South 89 degrees 43 minutes 59 seconds West, along said south line, a distance of 33.00 feet to the southwest corner of said Northeast Quarter; thence North 00 degrees 37 minutes 51 seconds West along the west line of said Northeast Quarter, a distance of 1262.02 feet to the point of beginning. Said tract containing 1.13 acres more or less.

REC'D BY
MBA JUL 15 2009



Not to Scale

LEGEND

These standard symbols will be found in the drawing.

- MONUMENTS FOUND
- MONUMENTS SET - 5/8" IRON W/SEAL #43644

Area 1.13 Acres ±

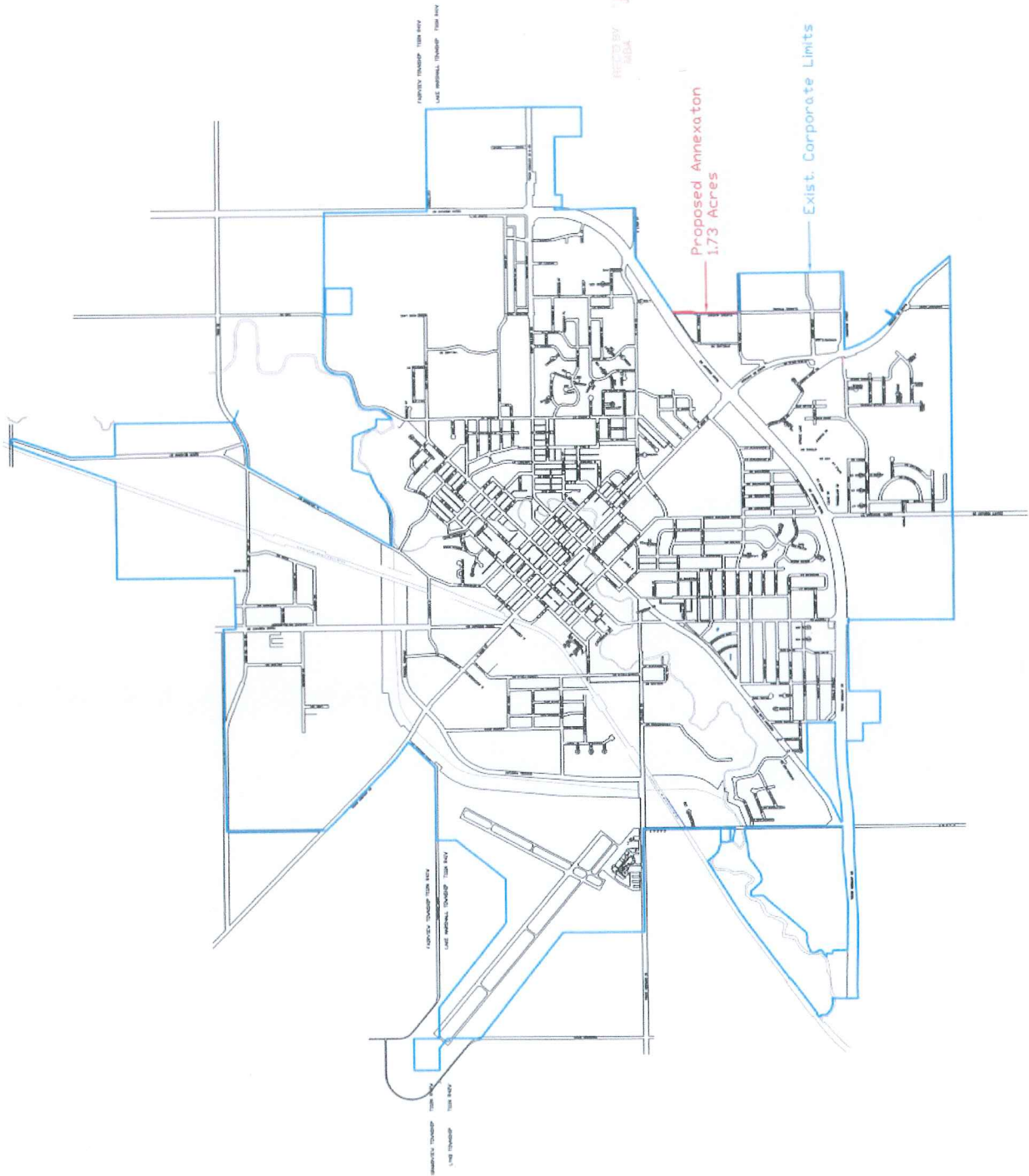
JUL 15 2009

EXHIBIT B

All that part of the Northeast Quarter of Section 10, Township 111 North, Range 41 West, located in the County of Lyon, State of Minnesota, being more particularly described as follows:

Beginning at the intersection of the southeast right-of-way line of Trunk Highway 23 and the westerly line of the Northeast Quarter of Section 10, Township 111 North, Range 41 West; thence South 00 degrees, 37 minutes, 51 seconds East along the westerly line of the Northeast Quarter (also the current City of Marshall Corporate Limits Line) a distance of 1715.15 feet to the southwest corner of the Northeast Quarter of Section 10, Township 111 North, Range 41 West; thence North 89 degrees 43 minutes 59 seconds East along the south line of the Northeast Quarter (also the current City of Marshall Corporate Limits Line) a distance of 33.00 feet; thence North 00 degrees, 37 minutes, 51 seconds West, a distance of 505.90 feet to the southerly right-of-way line of Trunk Highway 23 (also the current City of Marshall Corporate Limits Line); thence South 55 degrees 51 minutes 25 seconds West along the southerly right-of-way line of Trunk Highway 23 (also the current City of Marshall Corporate Limits Line), a distance of 79.16 feet to the point of beginning. Said tract containing 1.73 acres more or less.





JUN 14 1989

AMENDMENT TO THE JOINT RESOLUTION FOR ORDERLY ANNEXATION

IN THE MATTER OF THE AMENDMENT TO THE JOINT RESOLUTION
FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF FAIRVIEW
AND THE CITY OF MARSHALL, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.0324, SUBD. 1

TO: Minnesota Municipal Board
165 Metro Square Building
St. Paul, Minnesota 55101

The Township of Fairview and the City of Marshall hereby jointly agree that the area designated for orderly annexation in the Joint Resolution Between the Town of Fairview and the City of Marshall Designating an Area for Orderly Annexation dated April 23, 1982 be amended to include the following:

Both the Town and the City agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no consideration by the Board is necessary. Upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order the annexation of the following-described property in accordance with the terms of the joint resolution.

ALL THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 32,
TOWNSHIP 112 NORTH, RANGE 41 WEST. SAID PARCEL CONTAINING 80 ACRES
MORE OR LESS.

Approved by the City of Marshall this 5th day of June, 1989.

John J. Fida
Mayor

Thomas M. Deulbroeck
City Clerk/Financial Director

Approved by the Town of Fairview this 25 day of May, 1989.

Bob Harris
Town Board Chairman

Bruce DeVos
Town Board Clerk

JUN 14 1989

AMENDMENT TO THE JOINT RESOLUTION FOR ORDERLY ANNEXATION

IN THE MATTER OF THE AMENDMENT TO THE JOINT RESOLUTION
FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF LAKE MARSHALL
AND THE CITY OF MARSHALL, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.0324, SUBD. 1

TO: Minnesota Municipal Board
165 Metro Square Building
St. Paul, Minnesota 55101

The Township of Lake Marshall and the City of Marshall hereby jointly agree that the area designated for orderly annexation in the Joint Resolution Between the Town of Lake Marshall and the City of Marshall Designating an Area for Orderly Annexation dated April 23, 1982 be amended to include the following:

Both the Town and the City agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no consideration by the Board is necessary. Upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order the annexation of the following-described property in accordance with the terms of the joint resolution.

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 111, RANGE 41 WEST, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 0 DEGREES, 0 MINUTES, 0 SECONDS EAST, ASSUME BEARING ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1308 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0 DEGREES 0 MINUTES 0 SECONDS EAST ALONG SAID WEST LINE 500 FEET, THENCE NORTH 90 DEGREES 0 MINUTES 0 SECONDS EAST 625.45 FEET TO A POINT ON THE CENTER LINE OF SOUTH 2ND STREET EXTENDED AS SHOWN ON THE PLAT OF NIELSEN'S 8TH ADDITION AS FILED AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER IN AND FOR SAID LYON COUNTY; THENCE NORTH 0 DEGREES 0 MINUTES 0 SECONDS EAST ALONG SAID CENTER LINE EXTENDED 500 FEET; THENCE NORTH 90 DEGREES 0 MINUTES 0 SECONDS WEST 625.45 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 7.179 ACRES MORE OR LESS.

Approved by the City of Marshall this 5th day of June, 1989.

Mayor Jack J. Fiedler

Thomas M. Mauderbach
City Clerk/Financial Director

Approved by the Town of Lake Marshall this 25 day of May, 1989.

Carl Hukins
Town Board Chairman

James Doty
Town Board Clerk

JOINT RESOLUTION OF THE TOWNSHIP OF LAKE MARSHALL AND THE
TOWNSHIP OF FAIRVIEW AND THE CITY OF MARSHALL DESIGNATING
AN UNINCORPORATED AREA AS IN NEED OF ORDERLY ANNEXATION
AND CONFERRING JURISDICTION OVER SAID AREA TO AND UPON THE
MINNESOTA MUNICIPAL COMMISSION

WHEREAS, Certain property now located within the Township of Lake Marshall and the Township of Fairview is in need of orderly annexation to the City of Marshall pursuant to the provisions of M.S.A., Chapter 414, as amended; and

WHEREAS, The property is shown on the plat attached hereto, marked Exhibit 'A' and made a part hereof, and situated in the County of Lyon, State of Minnesota, and described as follows, to-wit:

The N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 7, T111N, R41W.

The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7, T111N, R41W.

The S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7, T111N, R41W, except that part lying West of the following described line: Commencing at the intersection of the North line of the above-described property and the center of the Redwood River; thence upstream on the center of the Redwood River to a point of intersection with the South line of said S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7, T111N, R41W.

The SE $\frac{1}{4}$ of Section 7, T111N, R41W.

That portion of the SW $\frac{1}{4}$ of Section 8, T111N, R41W, lying southerly and easterly of the South right-of-way line of Country Club Drive.

The S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 8, T111N, R41W.

The N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 17, T111N, R41W.

The N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 17, T111N, R41W.

The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T111N, R41W.

That part of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 9, T111N, R41W, described as follows: Beginning at the center of said Section 9; thence North to a point 33 feet East of the Southeast corner of Lot 2, Block 7, Viking Addition; thence West 313.8 ft; thence South 38.0 ft; thence West 130.0 ft. to the Northeast of Lot 3, Block 6, Viking Addition, Plat Two; thence South 572.41 ft; thence West 135 ft; thence South 48 ft. thence West 390 ft; thence South to the East-West Quarter line; thence East to the point of beginning.

The E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 9, T111N, R41W.

The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 9, T111N, R41W.

That part of the NW $\frac{1}{4}$ of the SW $\frac{1}{2}$ of Section 9, T111N, R41W, described as follows: Beginning at a point 43 ft. East of the Southeast corner of Lot 8, Block 3, Nielsen's 8th Addition; thence West 742.92 ft; thence North 78.0 ft. to the Southeast corner of Freedom Park; thence West along the South line of Freedom Park 592 ft. to the section line; thence South to the South line of said NW $\frac{1}{4}$ of the SW $\frac{1}{2}$ of Section 9; thence East to the Southeast corner of said NW $\frac{1}{4}$ of the SW $\frac{1}{2}$ of Section 9; thence North to the point of beginning.

The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9, T111N, R41W, lying southerly and easterly of the Southeasterly right-of-way line of Trunk Highway No. 23.

That part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 9, T111N, R41W, described as follows: Commencing at a point of intersection of the East-West Quarter line of said Section 9 and the Westerly right-of-way line of the Chicago & Northwestern

Railroad; thence Northwesterly along the Westerly right-of-way line of said railroad 339 ft; thence at right angles 192 ft; thence southerly 126 ft; thence Easterly 345 ft. to the Point of Beginning.

The N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 16, T111N, R41W, except the North 260.0 ft. of the West 1,717.40 ft.

The N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 16, T111N, R41W.

The N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 15, T111N, R41W.

That part of the SW $\frac{1}{4}$, Section 10, T111N, R41W described as follows: Beginning at the intersection of the Northeasterly right-of-way line of the Chicago and Northwestern Railroad and the West line of said Section 10; thence Southeasterly on the Northeasterly right-of-way line of the Chicago and Northwestern Railroad for a distance of 1,698.59 ft; thence easterly 424.53 ft. to the Easterly right-of-way line of Trunk Highway 59; thence Northerly on the Easterly right-of-way line of Trunk Highway 59 for a distance of 815 ft; thence Easterly to a point 920 ft. Westerly of the North-South quarter line of said Section 10; thence Northerly to the North line of the SW $\frac{1}{4}$ of said Section 10; thence Easterly on the East-West quarter line for a distance of 920.0 ft. to the center of said Section 10; thence Southerly on the North-South quarter line to the South line of said Section 10; thence West on the South line of said Section 10 to the Southwest corner of the SW $\frac{1}{4}$ of said Section 10; thence North on the West line of said Section 10 to the Point of Beginning.

That part of the NW $\frac{1}{4}$ of Section 10, T111N, R41W described as follows: Beginning at the center of said Section 10; thence Westerly on the East-West quarter line a distance of 920.0 ft; thence Northerly 660.0 $\pm$ ft. to the North line of the South quarter of the Northwest quarter of said Section 10; thence Westerly to the Southeasterly right-of-way line of Trunk Highway 23; thence Northeasterly on the Southeasterly right-of-way line of Trunk Highway 23 to the North-South quarter line of said Section 10; thence Southerly to the Point of Beginning.

The N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 10, T111N, R41W, lying Southerly and Easterly of Trunk Highway No. 23.

The NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, T111N, R41W.

The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3, T111N, R41W, lying Southerly and Easterly of Trunk Highway No. 23.

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2, T111N, R41W; except the North 633.0 $\pm$ ft. thereof.

The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2, T111N, R41W, except the Easterly 700.0 ft. and except the Westerly 307.41 ft. of the Easterly 1,007.41 ft. of the Northerly 641.8 ft.

The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2, T111N, R41W.

The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, T111N, R41W, except the West 325.0 ft. of the Southerly 754.61 ft.

The N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 2, T111N, R41W.

The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 2, T111N, R41W.

The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, T111N, R41W.

That part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, T111N, R41W described as follows: Beginning at a point 733.19 ft. North and 73.80 ft. East of the West quarter corner of said Section 2; thence Easterly 310.0 ft; thence Northeasterly 365.02 ft; thence Northwesterly 247.00 ft; thence Westerly 363.00 ft; thence Southerly 450.01 ft. to the Point of Beginning.

The $W\frac{1}{2}$ of the $SW\frac{1}{4}$ of Section 35, T112N, R41W.

The $SE\frac{1}{4}$ of Section 34, T112N, R41W, lying North of County Ditch No. 62 as now located.

That part of the $SW\frac{1}{4}$ of Section 34, T112 N, R41W, lying Westerly of the Easterly right-of-way line of County Road No. 67.

The North 440 ft. of the South 525 ft. of the West 433 ft. of the $SW\frac{1}{4}$ of Section 34, T112N, R41W.

The $NE\frac{1}{4}$ of Section 33, T112N, R41W, lying Easterly of the Westerly right-of-way line of North 7th St. (Township road)

The $SE\frac{1}{4}$ of Section 33, T112N, R41W, except a parcel of land 3.18 acres in area presently in use as a Natural Gas facility and located at the intersection of North 4th St. and Bruce St.; and except the following described parcel: Beginning at the intersection of the Southeasterly line of North 5th St. extended and the South line of the Southeast quarter of said Section 33; thence North $44^{\circ}52'00''$ East 118.0 $\pm$ ft; thence North $44^{\circ}59'58''$ West parallel with Hudson Ave. to a point on the centerline of the now vacated Redwood River; thence Northwesterly along said centerline to a point on the Northerly right-of-way line of the Redwood River Diversion Channel; thence Westerly to the West line of the $SE\frac{1}{4}$ of said Section 33; thence southerly to the Southeast corner of the $SE\frac{1}{4}$ of said Section 33; thence Easterly to the Point of Beginning.

That part of the $SW\frac{1}{4}$ of Section 33, T112N, R41W, lying North of the North right-of-way line of the Redwood River Diversion Channel and Easterly and Southerly of the centerline of North 7th St.

The North 330.0 ft. of the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 33, T112N, R41W.

The South 475 ft. of the North 1077 ft. of the West 565.3 ft. and the South 240 ft. of the North 1317 ft. of the West 300 ft. of the $NW\frac{1}{4}$ of Section 33, T112N, R41W.

The $SW\frac{1}{4}$ of the $SW\frac{1}{4}$ of Section 28, T112N, R41W.

The South 33.0 ft. of the $SW\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 29, T112N, R41W.

The $SE\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 29, T112N, R41W.

The $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of Section 32, T112N, R41W.

That part of the $SE\frac{1}{4}$ of Section 32, T112N, R41W, lying North of the North right-of-way line of the Redwood River Diversion Channel.

That part of the $SW\frac{1}{4}$ of Section 32, T112N, R41W, lying North and West of the Northwesterly right-of-way line of the Redwood River Diversion Channel.

NOW, THEREFORE, BE IT RESOLVED, That upon adoption of this joint resolution by the Town Board of the Township of Lake Marshall and the Town Board of the Township of Fairview and the Common Council of the City of Marshall (1) jurisdiction to order annexations within the above described area be and the same is hereby conferred upon the Minnesota Municipal Commission and (2) said parties to this resolution hereby agree to review the described area as in need of orderly annexation at the expiration of five years from the execution of this resolution.

PASSED AND ADOPTED by the Town Board of the Township of Lake Marshall this

8th day of January, 1982.

TOWNSHIP OF LAKE MARSHALL

BY Carl A. Hamann
Its Chairman

BY Cecil W. Krieff
Its Clerk

PASSED AND ADOPTED by the Town Board of the Township of Fairview this

Aug 10 day of Aug, 1981.

TOWNSHIP OF FAIRVIEW

BY Maurice Blomme
Its Chairman

BY Donald Kirksted
Its Clerk

PASSED AND ADOPTED by the Common Council of the City of Marshall this

18th day of January, 1982

CITY OF MARSHALL

BY Robert J. DeLuca
Its Mayor

BY James Diller
Its City Administrator

Attest:

Thomas M. Meulbroeck
City Clerk

IT IS FURTHER RESOLVED, That, in order for the City of Marshall more effectively to exercise planning and zoning authority within the area designated as in need of orderly annexation, (1) The County of Lyon agrees to exclude the designated area from its zoning ordinances; (2) The City of Marshall agrees to extend its planning and zoning regulations to include the entire orderly annexation area as provided in M.S.A. 462.357 Subd. 1, and M.S.A. 414.068; and (3) The Lyon County Board of Commissioners agrees to recommend the appointment of two non-Marshall residents of Lyon County, one from the Township of Lake Marshall, and one from the Township of Fairview, to serve on the Marshall Planning Commission, with full voting rights, when planning and zoning applications are received and reviewed from the area designated as in need of orderly annexation.

PASSED AND ADOPTED by the Board of Commissioners of Lyon County this 16th day of February, 1982.

COUNTY OF LYON

BY George Davis
VICE Chairman of its Board of County
Commissioners
BY Catherine Seibert
Its Auditor

PASSED AND ADOPTED by the Common Council of the City of Marshall this 18th day of January, 1982.

CITY OF MARSHALL

BY Robert D. Reagel
Its Mayor
BY James Deller
Its City Administrator

ATTEST:

Thomas M. Meulbroeck
City Clerk