

**CITY OF FARIBAULT RESOLUTION 2005-172  
WELLS TOWNSHIP RESOLUTION #2005-60**

**JOINT RESOLUTION FOR ORDERLY ANNEXATION  
(Valley Mining/Schema/Peterson)**

The Town of Wells and the City of Faribault hereby jointly agree to the following:

1. The following described area in the Town of Wells is subject to orderly annexation pursuant to M.S. 414.0325 and the parties hereto designate this area for orderly annexation to wit:  
  
See attached **Exhibit A** (Survey/Sketch) and **Exhibit B** (Legal Descriptions)
2. The property to be annexed shall be zoned as described in the attached **Exhibit B** (Legal Descriptions), and as shown on the attached **Exhibit C** (Zoning Map).
3. The Town Board of the Town of Wells and the City Council of the City of Faribault, upon passage and adoption of this resolution and upon acceptance by the Minnesota Municipal Boundary Adjustments, confer jurisdiction upon the Minnesota Municipal Boundary Adjustments over the various provisions contained in the agreement.
4. This certain property, which abuts the City of Faribault, is presently urban or suburban in nature or about to become so. In addition, the City of Faribault is capable of providing services to this property, as they are currently installed adjacent to thereto, and the annexation is in the best interest of the area proposed for annexation. Therefore, the property as described above would be immediately annexed to the City of Faribault.
5. Both the Town of Wells and the City of Faribault agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, each party agrees that no consideration by the Minnesota Municipal Boundary Adjustments is necessary. Upon receipt of this resolution, passed and adopted by each party, the Minnesota Municipal Boundary Adjustments may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this joint resolution.
6. Both the Township of Wells and the City of Faribault agree that the Township shall be reimbursed the Township share of the current year's taxes based on the standards as provided in Minnesota Statutes for property subject to orderly annexation, which shall be detailed in a separate letter of agreement between the City of Faribault and Township of Wells.

Approved by the Town of Wells  
this 14<sup>th</sup> day of Sept., 2005.

TOWN OF WELLS

Kenneth Brozel  
Town Board Chair

Marlene E. Pohl  
Town Board Clerk/Recorder

Approved by the City of Faribault  
this 23<sup>rd</sup> day of August, 2005.

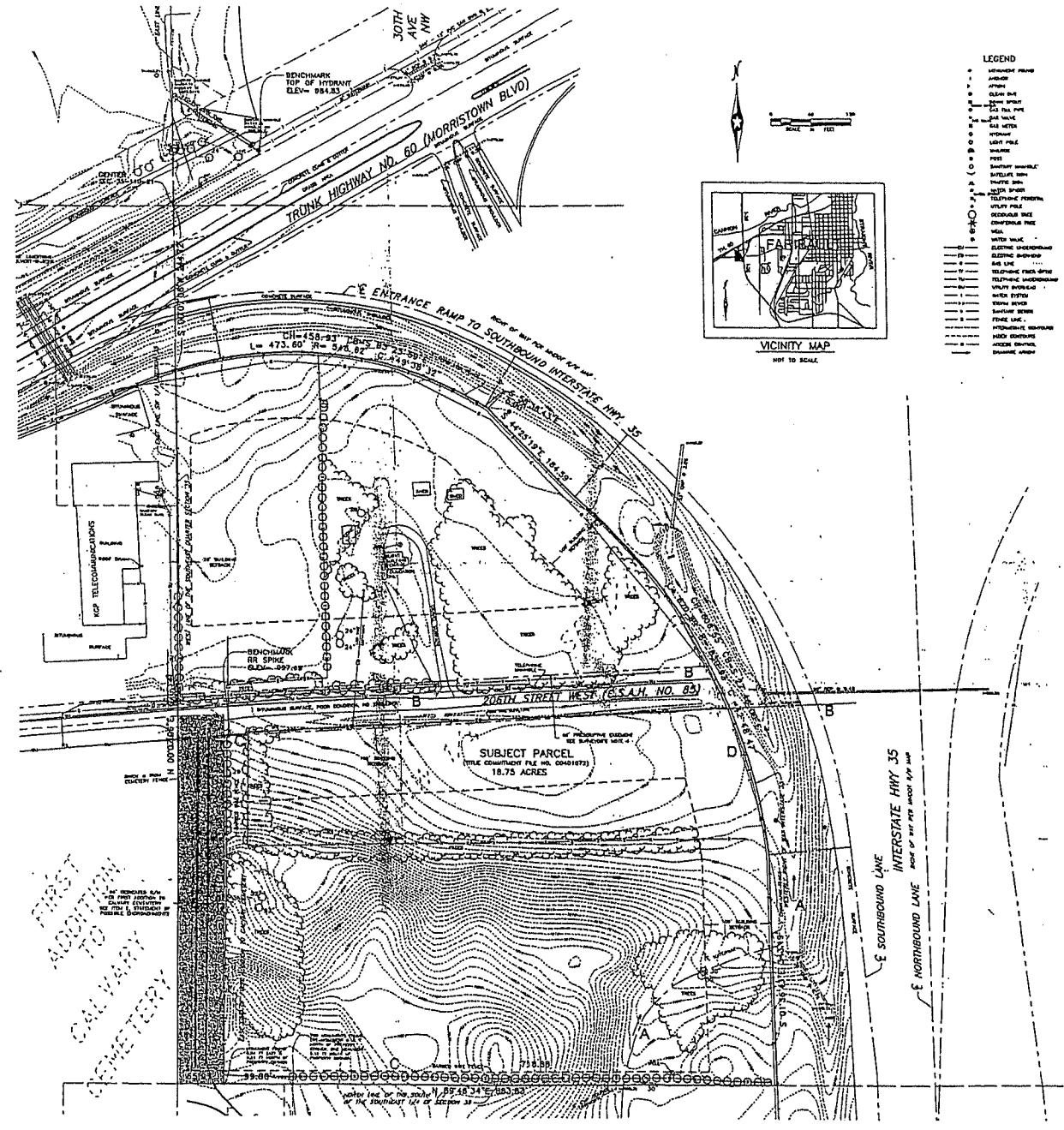
CITY OF FARIBAULT

Pat Rice  
Pat Rice, President Pro Tem

Michelle Mahowald  
Michelle Mahowald  
Assistant to the City Administrator

# EXHIBIT A-1

RECD BY  
B&M B  
10/15/2004



## LEGAL DESCRIPTION

The following was prepared by Fidelity National Title Insurance Company, File Number 09491022, Effective date October 29, 2004 at 7:00 a.m., Schedule A, At the west end of the Northern Route (I-95) of the Southeast Expressway (I-95/195), West South and West of Interstate Highway No. 282, in Section 25, Township 15 North, Range 21 West, of the First Precinct, Franklin, New Jersey, USA.

## UTILITY & SITE DATA

All findings and exhibits information were gathered from Town Hall/Planning & Zoning, New Jersey, Government Services Building, 220 New Jersey St., Trenton, NJ, 08601, on December 3, 2004. For detailed zoning information and specific interpretations of state requirements, contact the Zoning Administrator, (609) 292-5182.

ZONING: IC, Highway Commercial.

STRUCTURE: The structures depicted for new construction in the IC, Highway Commercial District area.

FOOT: 100'

Note: Existing structures are considered "Old" unless they are 1 Year old.

FLOOR: Existing buildings may vary based on the status of their State Right of Way.

PLAT: Existing buildings may vary based on the status of their State Right of Way.

STRUCTURE: Underneath utility lines and structures are shown in an approximate way, according to information provided by others. A request that utility be located under a building or other structure should be made to the appropriate utility company. The surveyor does not guarantee that the information provided is accurate. The surveyor does not guarantee that there are no other underground utility lines and structures, active or abandoned, on or adjacent to the subject property. The surveyor does not guarantee that there are no other underground utility lines and structures, active or abandoned, on or adjacent to the subject property.

## SURVEYOR'S NOTES

- Subject property contains 18.75 acres (81932 square feet) of land.
- Historical boundaries are based upon MGRS 2005 File County Survey, a State Plane Coordinate System. The survey has been tied to the NAD 83 Vertical Datum.
- Barton & Monk, Inc. determined the Interstate Highway 282 right of way based on maps provided by the New Jersey Department of Transportation. [Surveying information not provided or confirmed].
- Roadway information for the right of way for I-95, St. West (C.R.A.M. #282) through subject property was not provided to the surveyor. Barton & Monk, Inc. did not determine the exact location of the roadway and therefore did not map it. Barton & Monk, Inc. does not guarantee that map mapping indicates a 60 foot right of way state through subject property for I-95, St. West (C.R.A.M. #282).
- Subject property has access and agrees to Minnesota Trace Highway 50 via 2004 St. West (C.R.A.M. #282). Barton & Monk, Inc. did not determine the status of said right of way. Said right of way may exist only per a previous survey.

## NOTES CORRESPONDING TO SCHEDULE B - EXCEPTIONS

The following were prepared by Fidelity National Title Insurance Company, File Number 09491022, Effective date October 29, 2004 at 7:00 a.m., Schedule B - Section 2, Exceptions to the title referenced pursuant to the items listed in the Title Commitment's Schedule B, Exceptions, and are referenced on survey drawings by item number.

Item 1: STAKEOUT DISCONTINUED.

Item 2: SURVEYORS DISCONTINUED.

Item 3: Subject property contains a comprehensive survey of the premises herein described.

Any facts that Barton & Monk, Inc. has become aware of after having performed a comprehensive survey of the premises herein described have undergone review and consideration by Barton & Monk, Inc. Any opinion or estimate of parties or professionals relied upon by Barton & Monk, Inc. has been reviewed and accepted by Barton & Monk, Inc. in the preparation of this survey.

Item 4: Item 28: Except for plots held in trust of Minnesota Northern Indiana Company as trustee in documents dated September 11, 1933, recorded September 20, 1933 in Book 127 of Deeds, Page 192.

Item 5: Item 29: Subject property contains unrecorded surveys of the plots held in trust of Minnesota Northern Indiana Company as trustee in documents dated September 11, 1933, recorded September 20, 1933 in Book 127 of Deeds, Page 192.

Item 6: Item 30: Boundary line to South of Northern Gas and Pipeline Company, a corporation, dated January 1, 1952, recorded March 1, 1952, in Book 127 of Deeds, Page 193.

Item 7: Item 31: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 8: Item 32: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 9: Item 33: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 10: Item 34: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 11: Item 35: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 12: Item 36: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 13: Item 37: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 14: Item 38: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 15: Item 39: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 16: Item 40: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 17: Item 41: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 18: Item 42: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 19: Item 43: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 20: Item 44: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 21: Item 45: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 22: Item 46: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 23: Item 47: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 24: Item 48: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 25: Item 49: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 26: Item 50: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 27: Item 51: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 28: Item 52: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 29: Item 53: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 30: Item 54: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 31: Item 55: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 32: Item 56: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 33: Item 57: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 34: Item 58: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 35: Item 59: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

Item 36: Item 60: Judgment and Settlement Agreement dated February 7, 2001, recorded March 7, 2001, in Book 127 of Deeds, Page 217.

## SURVEYOR'S CERTIFICATION

The following are possible encroachments that may affect the Subject Property. Barton & Monk, Inc. do not guarantee that all encroachments have been identified.

A. There exists an adjacent property, known subject property, and its public right of way of Interstate Highway 282.

B. The Subjacent utility services, underground telephone lines and associated utility lines across subject property held subject and telephone service may be within or adjacent to the subject property.

C. A fence along North, South, or adjacent to the East and West of subject property or crosses into adjacent properties. Barton & Monk, Inc. do not determine ownership of such fence.

D. Areas along subject property 30 feet or more from subject property. Barton & Monk, Inc. do not determine ownership of such land.

E. The recorded and FIRST ACTON TO THE PROPERTY line contains a reference right of way through part of subject property. A boundary surface has width and right of way currently being used for access to the subject property.

## STATEMENT OF POSSIBLE ENCROACHMENTS

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E. The recorded and FIRST ACTON TO THE PROPERTY line contains a reference right of way through part of subject property. A boundary surface has width and right of way currently being used for access to the subject property.

Barton & Monk, Inc. is not specifically named in this document and should be bypassed. See Item E under the Statement of Possible Encroachments for additional information.

*[Signature]*

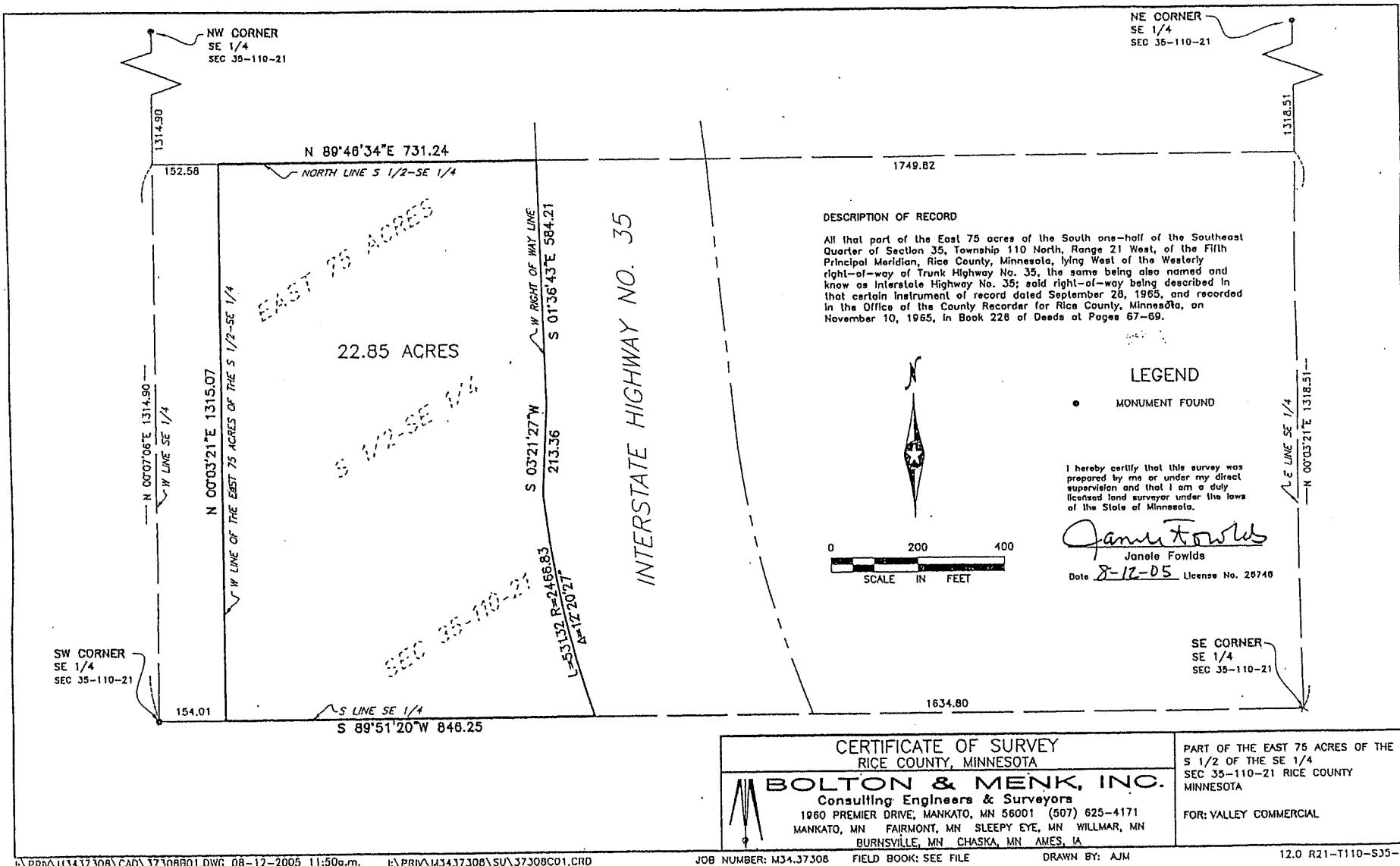
Barton & Monk, Inc.

Attest:

That this is to certify that this map or plan and the survey on which it is based were made on the data shown below of the property described in Fidelity National Title Insurance Company, File Number C0010172, Effective date October 29, 2004 at 7:00 a.m., in accordance with Uniform Standard Detail Requirements (USD) of the American Land Title Association (ALTA) and the National Society of Professional Surveyors (NSPS) in 1992, and includes Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, Article 1, Article 2, Article 3, Article 4, Article 5, Article 6, Article 7, Article 8, Article 9, Article 10, Article 11, Article 12, Article 13, Article 14, Article 15, Article 16, Article 17, Article 18, Article 19, Article 20, Article 21, Article 22, Article 23, Article 24, Article 25, Article 26, Article 27, Article 28, Article 29, Article 30, Article 31, Article 32, Article 33, Article 34, Article 35, Article 36, Article 37, Article 38, Article 39, Article 40, Article 41, Article 42, 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**EXHIBIT A-2**  
**RESOLUTION 2005-172**

RECD BY  
RICE CO.  
MAY 15 2006



**EXHIBIT A-3**  
**RESOLUTION 2005-172**

RECD BY  
 MM 15 NOV 2005

NORTH

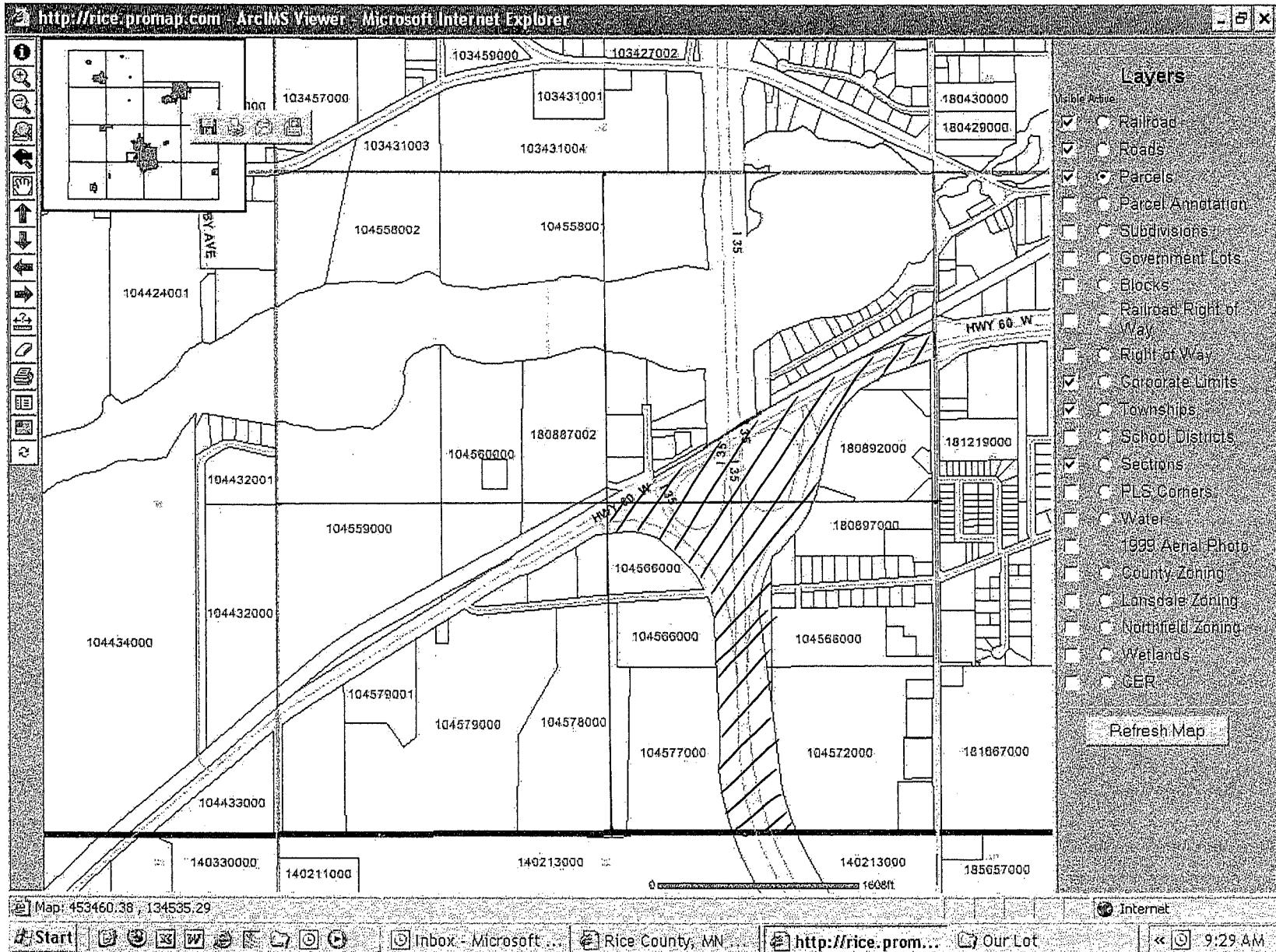


EXHIBIT B-1  
RESOLUTION 2005-172

RECD BY  
MMB

NOV 15 2005

DESCRIPTION OF RECORD

All that part of the East 75 acres of the South one-half of the Southeast Quarter of Section 35, Township 110 North, Range 21 West, of the Fifth Principal Meridian, Rice County, Minnesota, lying West of the Westerly right-of-way of Trunk Highway No. 35, the same being also named and known as Interstate Highway No. 35; said right-of-way being described in that certain instrument of record dated September 28, 1965, and recorded in the Office of the County Recorder for Rice County, Minnesota, on November 10, 1965, in Book 226 of Deeds at Pages 67-69.

NOV 15 2005

**EXHIBIT B-2**  
**RESOLUTION 2005-172**

All that part of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4), lying South and West of Interstate Highway No. 35, in Section 35, Township 110 North, Range 21 West, of the Fifth Principal Meridian, Rice County, Minnesota, except that part thereof within the plat of First Addition to Calvary Cemetery.

All that part of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4), lying East of Interstate Highway No. 35, in Section 35, Township 110 North, Range 21 West of the Fifth Principal Meridian, Rice County, Minnesota.

EXHIBIT B-3  
RESOLUTION 2005-172

RECD BY  
MMB

NOV 15 2005

**RIGHT OF WAY ANNEXATION DESCRIPTION**

That part of Interstate Highway Number 35 and that part of Minnesota Trunk Highway Number 60 in the East Half of Section 35, Township 110, Range 21, lying southerly of the northerly right of way line of said Minnesota Trunk Highway Number 60 and its extensions.

**EXHIBIT C  
RESOLUTION 2005-172**

RECD BY  
MAB

NOV 15 2005

**City of Faribault Official Zoning Map**

July 25, 2005

**Proposed Zoning  
Valley Mining/Peterson/Schema Annexation**

