

**ORDERLY ANNEXATION AGREEMENT
BETWEEN THE TOWNSHIP OF BEN WADE
AND THE CITY OF LOWRY MINNESOTA**

REC'D BY
MEA

JAN 11 2010

Agreement entered into on December 1, 2009, between the Township of Ben Wade of the County of Pope, State of Minnesota, herein called Township and the City of Lowry of the County of Pope, State of Minnesota, a Municipal Corporation, herein called, City.

RECITALS

- A. City and Township desire to establish and Orderly Annexation of a designated area.
- B. The establishment of an Orderly Annexation appears to be the most desirable and economic plan for both the City and the Township.
- C. The establishment of such an Orderly Annexation is authorized by Minnesota Statute §414.0325.

IN CONSIDERATION OF THE MUTUAL COVENANTS contained herein and for other good and valuable consideration, the parties agree as follows:

- 1) The following described area in the Township, pursuant to Minnesota Statute §414.0325, is subject to an Orderly Annexation and is described as follows:
 - a) Two parcels in Ben Wade Township which are located in NE ½ NW ¼ of Section 25, Township 126N Range 39W known as tax parcel 04-0139-001 and tax parcel 04-0140-000 or a combined parcel starting from the NE corner and measuring 595.16' West, then 775.16' South, then 453.5' East to the Highway ROW and then North approximately 780' to the point of beginning, hereafter called the Annexation Tract, to the City of Lowry, Minnesota, which petition has been presented to the Council of the said City of Lowry. Area is fully described as Exhibit A (see attached).
- 2) There are two property owners in the area proposed for annexation. The property owned by the City of Lowry is tax exempt and no property taxes are collected from this piece. The 2 acre parcel owned by the Lowry Economic Development Authority generates a negligible amount of property tax and Ben Wade Township agrees that the City of Lowry does not need to offer any reimbursement for lost property tax revenue for this property now or in the future.
- 3) The land abuts the municipality and the area to be annexed is 10 acres or less.
- 4) The Township and the City do upon their adoption and upon acceptance by the Municipal Boundary Adjustments Unit, confer jurisdiction upon the Chief Administrative Law so as to accomplish said Orderly Annexation in accordance with the terms of this Agreement and Resolutions. The Chief Administrative Law Judge may review and comment but shall within 30 days order the annexation in accordance with the terms of this Resolution.
- 5) Annexation into the City of undeveloped parcels within the Orderly Annexation area above described in their entirety or portions thereof shall be uncontested by the Township provided.
- 6) The terms of this Agreement can be altered by joint resolution of the Township and the City. All filing fees incurred for the proper filing of this Agreement shall be paid by the City.

IN WITNESS WHEREOF, the parties have executed this Agreement at Lowry, Minnesota, the day and year first above written.

CITY OF LOWRY

BY:

Bruce Larson
Bruce Larson, Mayor

ATTEST:

Lucy Olson
Lucy Olson, Clerk Treasurer

TOWNSHIP OF BEN WADE <

BY:

Danielson
Chairman

ATTEST:

Vern Hedlin
Town Board Clerk

STATE OF MINNESOTA)

) ss

COUNTY OF POPE)

On this 14 day of December 2009, before me, a notary public within and for said County personally appeared Bruce Larson, Mayor and Lucy Olson, Clerk Treasurer of the City of Lowry named in the foregoing instrument, and that the seal affixed to said instrument is the seal of said city, and that said instrument was signed and sealed on behalf of said city by authority of its council and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Jane M. Lea
JANE M. LEA Notary Public
NOTARY PUBLIC - MINNESOTA
My Comm. Exp. Jan. 31, 2013

STATE OF MINNESOTA)

) ss

COUNTY OF POPE)

On this 6TH day of JANUARY, 2010, before me, a notary public within and for said County personally appeared DENNIS DANIELSON, Township Chair and Vern Hedlin, Township Clerk of Ben Wade Township named in the foregoing instrument, and that the seal affixed to said instrument is the seal of said township, and that said instrument was signed and sealed on behalf of said township by authority of its board. and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Jane M. Lea
JANE M. LEA Notary Public
NOTARY PUBLIC - MINNESOTA
My Comm. Exp. Jan. 31, 2013

Rouban G. Hilde Register of Deeds

By Deputy

This Indenture, Made this 1st day of December, 1954

between Anton I Teigen and Annie Teigen, his wife

of the County of Pope and State of Minnesota
 part 1st of the first part, and Village of Lowry, a municipal corporation of Pope County, Minnesota
~~of the County of~~ ~~and State of~~
 part 2nd of the second part,

Witnesseth, That the said parties of the first part, in consideration of the sum of
 One Dollar and other valuable consideration DOLLARS,
 to them in hand paid by the said part 2nd of the second part, the receipt whereof is hereby acknowledged, do
 hereby Grant, Bargain, Sell, and Convey unto the said part 2nd of the second part, ^{its successors} ~~and assigns~~, Forever,
 all the tract or parcel of land lying and being in the County of Pope and State of Minnesota, described as follows, to-wit:

Beginning Two Hundred Ninety-five and 16/100 (295.16) feet West of the north quarter corner of Section
 Twenty-five (25), Township One Hundred Twenty-six (126), Range Thirty-nine (39), (being the Northwest
 corner of a bulk station tract of two (2) acres);

Thence West on the section line a distance of three hundred (300) feet;

Thence south and parallel with the north and south quarter line a distance of Seven Hundred Seventy-
 five and 16/100 (775.16) feet;

Thence east and parallel with the north section line a distance of Four Hundred Fifty-three and 5/10
 (453.5) feet to the West right of way line of trunk highway No. 114;

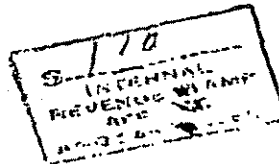
Thence north and northeasterly along said right of way line and following the circumference of a circle
 whose radius is One Thousand Seven Hundred Twelve and 3/10 (1712.3) feet a distance of Three Hundred
 Ninety-five (395) feet to a point One Hundred (100) feet West of the North and south quarter line;

Thence North a distance of Ninety (90) feet to the south line of said bulk station tract and being One
 Hundred Ninety-five and 16/100 (195.16) feet east of the Southwest corner thereof;

Thence West One Hundred Ninety-five and 16/100 (195.16) feet;

Thence north along the west side of said bulk station tract a distance of Two Hundred Ninety-five and
 16/100 (295.16) feet to place of beginning, containing seven (7) acres, more or less.

04-0139-001



To Have and to Hold the Same, Together with all the hereditaments and appurtenances thereunto belonging or in anywise
 appertaining, to the said part 2nd of the second part, ^{its successors} ~~and assigns~~, Forever. And the said

Anton I Teigen and Annie Teigen, his wife,
 parties of the first part, for themselves, their heirs, executors and administrators, do covenant with the said
 part 2nd of the second part, ^{its successors} ~~and assigns~~, that they are well seized in fee of the lands and premises
 aforesaid, and have good right to sell and convey the same in manner and form aforesaid, and that the same are free from all
 incumbrances.

Exhibit A 2 of 2

245082 Page 3 of 3

Exhibit A
(Real Estate)

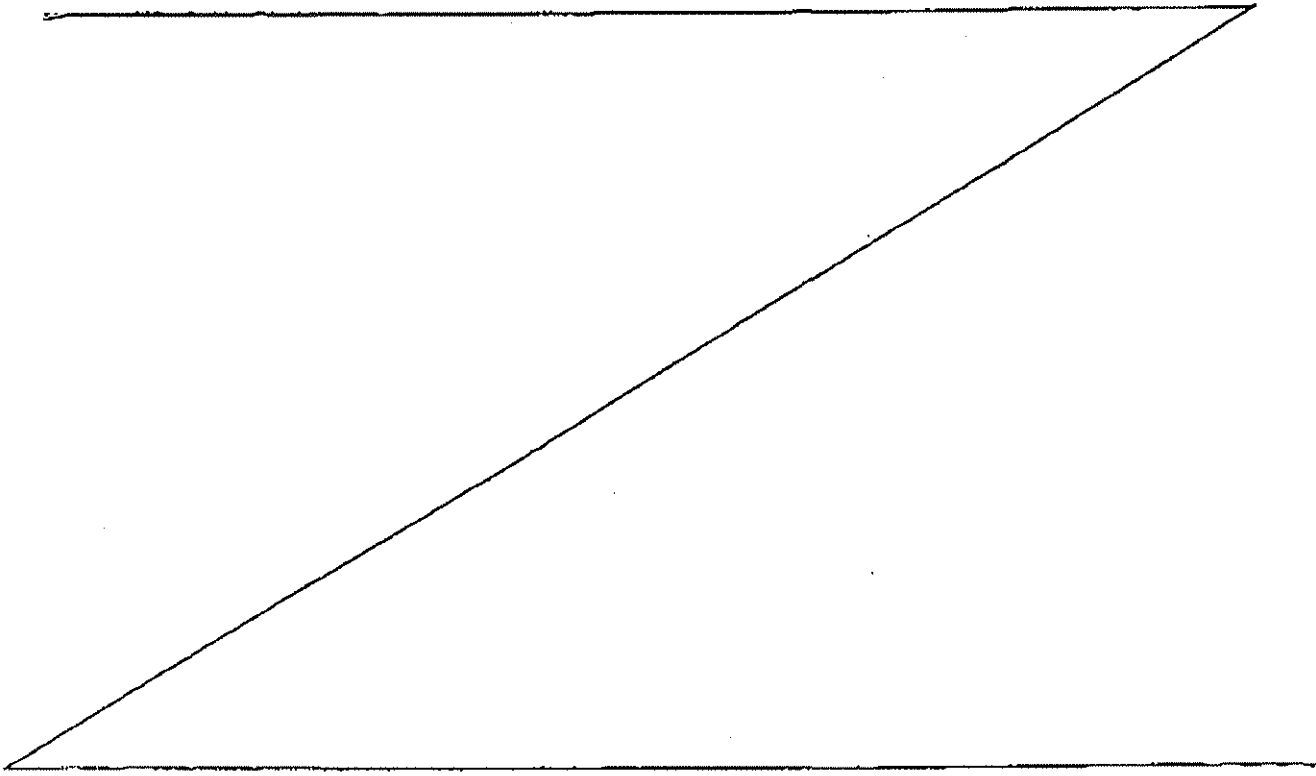
04-0140-000

That part of the Northwest Quarter (NW¼), Section Twenty-five (25), Township One Hundred Twenty-six (126) North, Range Thirty-nine (39) West of the 5th P.M., described as follows:

Commencing at the Northeast corner of said Northwest Quarter (NW¼);
Thence West along Section line 295.16 feet;
Thence South 295.16 feet;
Thence East 295.16 feet to East line of said Northwest Quarter (NW¼);
Thence North along said East line of Northwest Quarter (NW¼) 295.16 feet to point of beginning and there terminating. Containing 2.0 acres more or less, subject to highway easements and restrictions of record.

ALSO DESCRIBED AS:

That part of the Northwest Quarter (NW¼) Section Twenty-five (25), Township One Hundred Twenty-six (126), Range Thirty-nine (39), consisting of a square tract of land in the area of two (2) acres in the Northeast corner of said Northwest Quarter (NW¼), said Section Twenty-five (25), Township One Hundred Twenty-six (126), Range Thirty-nine (39). Subject to highways, easements, reservations, restrictions, covenants and right-of-way of record, if any.



REC'D BY
MBA

1 JAN 11 2009

City of
Lowry

4
140
4
139A

property
to be
annexed

1102

RECORDED
JAN 11 1978

4
142A
4
143

01-0142-000
75.0 AC.

SUBSD

199.4
1102

199.4

199.4