

JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN
THE TOWN OF BLOOMING PRAIRIE AND THE CITY OF BLOOMING
PRAIRIE

RECITALS

- A. The Town of Blooming Prairie (the "Town") and the City of Blooming Prairie (the "City") both of Steele County, Minnesota, agree on the orderly annexation of certain real property described in this resolution for orderly and planned services to the community.
- B. The property proposed to be annexed is not already part of another city, and it adjoins and is contiguous to the City (see attached map).
- C. All owners of the property proposed to be annexed have petitioned the City for annexation.
- D. An orderly annexation of the proposed property is in the best interest of the area proposed for annexation.

RESOLUTION

In consideration of this resolution's mutual terms and conditions, the Town and City jointly resolve and enter into this Joint Resolution for Orderly Annexation (the "Joint Resolution") as follows:

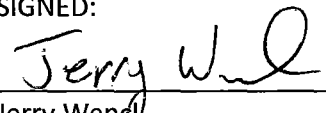
- 1. **Designation of Orderly Annexation Area.** The Town and City designate the area set forth on the map attached as Exhibit A and the legal description of the property attached as Exhibit B (the "Designated Property") as subject to orderly annexation pursuant to Minnesota Statutes Section 414.0325.
- 2. **Office of Administrative Hearings Jurisdiction.** Upon approval by the Town Board and City Council, this Joint Resolution shall confer jurisdiction upon the Office of Administrative Hearings to approve annexation of the designated property pursuant to Minnesota Statutes Section 414.0325.
- 3. **No Alteration of Boundaries.** The Town and City agree and state that no alterations by the Office of Administrative Hearings of the Designated Property's stated boundaries is appropriate.

4. **Office of Administrative Hearings Review and Comment.** The Town and City agree and state that this Joint Resolution sets forth all the conditions for annexation of the designated property, and no consideration by the Office of Administrative Hearings is necessary. The Office of Administrative Hearings may review and comment, but shall order the annexation of the designated property according to this Joint Resolution's terms within thirty (30) days of the Office of Administrative Hearings' receipt of this Joint Resolution.
5. **Planning and Land Use Control Authority.** Upon the annexation's effective date, the City's zoning regulations and land use controls shall govern the Designated Property.
6. **Acreage and Population.** The Designated Property consists of .25 acres, more or less and has a current population of 0.
7. **Authorization.** The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.
8. **Modification.** The Town and City may modify, amend or terminate this Joint Resolution only by a mutually signed, written agreement.
9. **Severability.** A determination by any court of competent jurisdiction that any provision of this Joint Resolution is invalid, illegal or unenforceable shall not affect the validity of this Joint Resolution's other provisions. If any of this Joint Resolution's provisions is inapplicable to any person or circumstances, it shall still remain applicable to all other persons or circumstances.
10. **Tax Pay Back.** The City shall pay to Town in two (2) payments 1) January 2012 and 2) January 2013 the sum of ~~Two~~ Hundred (\$200.00) Dollars.
11. **Effective Date.** This Joint Resolution shall be effective from the date of the Office of Administrative Hearings' order calling for the Designated Property's annexation to the City.
12. **Governing Law.** Minnesota law will govern this Agreement.

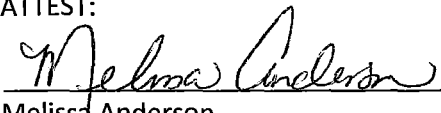
The Town of Blooming Prairie Board of Supervisors adopts this Joint Resolution on the 19th day of ~~December~~, 2011.

Town of Blooming Prairie

SIGNED:

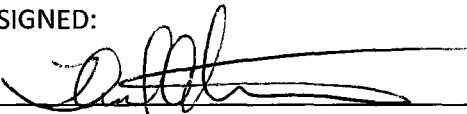

Jerry Wend
Board of Supervisors, Chairperson

ATTEST:


Melissa Anderson
Town Clerk

City of Blooming Prairie

SIGNED:


Harold Peterson
Mayor

ATTEST:



Michael G. Jones
City Administrator

EXHIBIT A

REC'D BY
MBA

DEC 29 2011

140361048

010361201

275.40'

HWY AVE S

Blooming Prairie

DEEDED ROW

140361050

100'

010361401

121.55'

56.37'

185.76'

010361303

437.66'

010361300

271.13'

218

0 7,000 14,000 28,000 Feet

Tom Vavra's Proposed Annexation

9/28/2011 4:36:54 PM

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

EXHIBIT B

REC'D BY
MBA

DEC 29 2011

Legal Description

Commencing at a point 1,911 feet East and 1657.4 feet South of the northwest corner of the NE $\frac{1}{4}$ of Section 36, Township 105 North, Range 19 West; thence South 100 feet; thence East to U.S. Highway 218; thence along the west side of U.S. Highway 218 in a Northwesterly direction to a point due East of the point of beginning; thence due West to the point of beginning; being in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, Township 105 North, Range 19 West.