

TO: OFFICE OF ADMINISTRATIVE HEARINGS
PO BOX 64620
ST. PAUL, MN 55164-0620

REC'D BY
MBA

MAR 17 2014

IN THE MATTER OF THE JOINT RESOLUTION
OF THE TOWNSHIP OF OSAKIS AND THE
CITY OF OSAKIS DESIGNATING AN
UNINCORPORATED AREA AS IN NEED OF
ORDERLY ANNEXATION AND CONFERRING
JURISDICTION OVER SAID AREA TO THE
OFFICE OF ADMINISTRATIVE HEARINGS
PURSUANT TO MINN. STAT. §414.0325

JOINT RESOLUTION
FOR ORDERLY ANNEXATION

WHEREAS, individual property owners with property located within the Township of Osakis ("Township") and legally described in EXHIBIT A and represented on the map marked as EXHIBIT B, both of which are attached hereto and incorporated by reference, have approached the City of Osakis ("City") requesting annexation of their property; and

WHEREAS, the Township and City have agreed to work together to accomplish the orderly annexation of that portion of the property as legally described in EXHIBIT A and located within the Township; and

WHEREAS, the owners of the parcel located within the proposed annexation area are as follows:

OSAKIS CREAMERY ASSOCIATION,
a cooperative association under the laws of the State of Minnesota,

WHEREAS, the above-described designated property is presently urban or suburban or industrial in nature or is about to become so. Osakis Creamery Association desires to become annexed into the City so that municipal services may be made available to them. Public sewer and water facilities are not otherwise available in the area proposed to be annexed.

WHEREAS, the City is capable of providing services to this area within a reasonable time.

WHEREAS, the City and Township agree that orderly annexation of the property legally described in EXHIBIT A would be in the best interests of the area proposed for annexation.

WHEREAS, the City and Township agree that the property legally described in EXHIBIT A is designated as in need of immediate orderly annexation; and

WHEREAS, the City and Township desire to accomplish the immediate orderly annexation of the property legally described in EXHIBIT A without the need for a hearing.

NOW, THEREFORE, BE IT RESOLVED by the City of Osakis and the Township of Osakis as follows:

1. The City and Township hereby designate that portion of the property described in EXHIBIT A and located in the Township for immediate orderly annexation pursuant to Minn. Stat. §414.0325.

2. The City and Township agree that the property legally described in EXHIBIT A and located in the Township contains approximately 8.89 acres.

3. The area described above as being in need for orderly annexation is not presently included within the corporate limits of any incorporated city.

4. Real estate taxes payable during the year in which the annexation becomes effective shall be paid to the Township. The real estate taxes on the area designated for annexation for 2015 and 2016 shall be paid to the City, subject to the responsibility of the City to make the following cash payment to the Township for 2015 and 2016 real estate taxes:

- a. In 2015, the City shall pay an amount equal to 50% of the real estate taxes for property to be annexed to the Township.
- b. In 2016, the City shall pay an amount equal to 50% of the real estate taxes for property to be annexed to the Township.
- c. In 2017 and thereafter, the City shall retain all real estate taxes for the property to be annexed to the Township.

It is the parties' intention that the Township shall for one year receive one-half of the real estate taxes for the property to be annexed to the Township for the year in which the anticipated improvements to the property are reflected, not only in the valuation for the property, but in the property taxes payable in that year. Notwithstanding the foregoing payment schedule, the parties agree that the Township shall only be entitled for one year to one-half of the real estate for the property after the planned improvements are made to the property and the property taxes are increased for these improvements.

5. Upon its execution, the City shall submit this Joint Resolution for Orderly Annexation to the municipal board and the City, Township and all the named people agree that this Joint Resolution may be submitted to the Office of Administrative Hearings - Municipal Boundary Adjustments (Municipal Boundary Adjustments) without further notice to any party.

6. No alteration of the stated boundaries of the area designated for annexation as above-described is appropriate. No consideration by the Municipal Boundary Adjustments is necessary. Upon receipt of this Joint Resolution, the Municipal Boundary Adjustments may review and comment but shall, within thirty (30) days thereafter, order the annexation in accordance with the terms of this Joint Resolution.

7. In the event there are any errors, omissions or any other problems with the legal descriptions provided in EXHIBIT A in the judgment of the 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 Municipal Boundary Adjustments as necessary to make effective the annexation in accordance with the terms of this Joint Resolution.

MAR 17 2014

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF OSAKIS THIS
7 DAY OF March, 2014.

CITY OF OSAKIS

By

Keith E. Emerson
Keith Emerson, Its Mayor

Attest:

Angela A. Jacobson
Angela Jacobson, Its City Clerk

PASSED AND ADOPTED BY THE TOWN BOARD OF THE TOWNSHIP OF OSAKIS THIS
7 DAY OF March, 2014.

TOWNSHIP OF OSAKIS

By

B. J. Jett
Osakis Town Board Chairman

Attest:

Dawn McNeal
Town Board Clerk



EXHIBIT A

That part of Government Lot 2, Section 36, Township 128 North, Range 36 West, Douglas County, Minnesota, described as follows: Commencing at the north quarter corner of said Section 36; thence South 00 degrees 46 minutes 00 seconds West, assumed bearing along the west line of the Northeast Quarter of said Section 36, a distance of 1308.38 feet to a point on the north line of Government Lot 2 of said Section 36, said point being the point of beginning of the land to be described; thence continuing South 00 degrees 46 minutes 00 seconds West, along the west line of said Government Lot 2, a distance of 391.88 feet; thence North 89 degrees 40 minutes 00 seconds East 566.69 feet; thence South 00 degrees 46 minutes 00 seconds West 100.02 feet; thence North 89 degrees 40 minutes 00 seconds East 453.25 feet; thence North 01 degrees 37 minutes 00 seconds East 221.25 feet; thence North 20 degrees 38 minutes 00 seconds West 289.78 feet to the north line of aforesaid Government Lot 2; thence South 89 degrees 35 minutes 55 seconds West, along said north line of Government Lot 2, a distance of 917.49 feet to the point of beginning. The tract contains 9.93 acres more or less subject to an existing public roadway easement of record (Trunk Highway No. 127).

EXCEPTING THEREFROM THE FOLLOWING:

That part of Government Lot 2, Section 36, Township 128 North, Range 36 West, Douglas County, Minnesota, described as follows: Commencing at the north quarter corner of said Section 36; thence South 00 degrees 46 minutes 00 seconds West, assumed bearing along the west line of the Northeast Quarter of said Section 36, a distance of 1308.38 feet to the north line of Government Lot 2 of said Section 36; thence continuing South 00 degrees 46 minutes 00 seconds West, along the west line of said Government Lot 2, a distance of 391.88 feet; thence North 89 degrees 40 minutes 00 seconds East 566.69 feet to the point of beginning of the land to be described; thence South 00 degrees 46 minutes 00 seconds West 100.02 feet; thence North 89 degrees 40 minutes 00 seconds East 453.25 feet; thence North 01 degrees 37 minutes 00 seconds East 100.06 feet; thence South 89 degrees 40 minutes 00 seconds West 454.73 feet to the point of beginning. Said tract contains 1.04 acres more or less.

EXHIBIT A

REC'D BY
MBA

APR 01 2014

CERTIFICATE OF SURVEY

