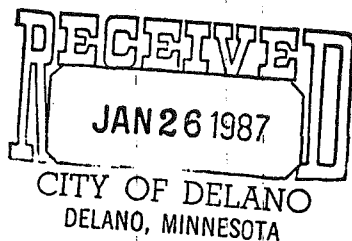


January 21, 1987
January 23, 1987 (Revised)



RECD. BY
MNB FEB 6 1987

TOWN OF FRANKLIN
CITY OF DELANO
GEORGE FAKE (1987)

JOINT RESOLUTION BETWEEN THE TOWN OF
FRANKLIN AND THE CITY OF DELANO, DESIGNATING
AN AREA FOR ORDERLY ANNEXATION

The Town of Franklin and the City of Delano hereby jointly agree to the following:

1. a.) That the following described area in the Town of Franklin is subject to orderly annexation pursuant to Minnesota Statutes 414.0325, and the parties hereto designate this area for orderly annexation as described in Exhibit "A" and "B" attached hereto and made a part hereof consisting of approximately 50 acres.

b.) As part of this agreement herein and more specifically set out is a proposed residential plat of the area to be annexed showing roads and topography. Said plat is attached hereto and made a part hereof and marked Exhibit "C". Said plat is included only for reference purposes and the descriptions Exhibits "A" and "B" shall govern.

2. That the Town of Franklin and the City of Delano do, upon their adoption, and upon acceptance by the Minnesota Municipal Board, confer jurisdiction upon the Minnesota Municipal Board over the various tracts described in this agreement so as to accomplish said orderly annexation in accordance with the terms of this Resolution. No consideration by the Minnesota Municipal Board is necessary; the board may review and comment, but shall, within 30 days, order the annexation in accordance with the terms of this joint resolution. No alteration of the stated boundaries of the orderly annexation area is appropriate. The above described tracts shall be annexed to the City of Delano upon the Minnesota Municipal Boards order.

3. The above described properties is abutting the City of Delano and is presently urban or suburban in nature or is about to become so. Further, the City of Delano is now or within a reasonable time shall be capable of providing City sanitary sewer and city water to this area.

4. The above described property, subject to a public hearing duly held, shall be platted pursuant to Exhibit "C" as above described and the roads, landscaping, and platting shall be completed ~~xxxx before October 1, 1987~~ accordingly.

The City of Delano shall be capable of providing sanitary sewer ~~xxxx~~ accordingly. Further, the City shall be capable of providing city water services to the above described property ~~xxxx~~ accordingly.

5. a.) The land owner, George Fake, has submitted to the Town of Franklin a check in the amount of \$4,500.00. Said payment is made for the improvement of the town line road from Highway 12 South to the Fake property between the Town of Franklin and the City of Independence. The Town of Franklin is obligated under a maintenance agreement with the City of Independence to maintain said road. The Town of Franklin agrees to widen the driving surface of said road from 22 feet to 26 feet. Said \$4,500.00 will defray some of the costs for the widening of the road.

b.) The Town Board shall make said improvements in widening the road when it appears necessary to meet the increase traffic flow from the proposed residential area being developed. It is further understood by all of the parties that the town line road between the Town of Franklin and the City of Independence shall remain a gravel surface road at this time. If said road is further improved by the Town of Franklin any benefiting property owner may be assessed pursuant to Minnesota Statutes Chapter 429.

6. That the zoning and planning throughout the area as described shall be under the control of the applicable Wright County, Minnesota, ordinances, until annexed to the City of Delano. When the property is annexed to the City of Delano the property, subject to a public hearing duly held, shall be designated R1 and R2 according to the present City of Delano's zoning and planning statutes. It is understood that the westerly portion of the plat map shall be R1 and the Easterly portion of said plat map shall be R2 as set out in said Exhibit "C".

7. The Town of Franklin and the City of Delano are very concerned about the drainage problems in the area. Attached hereto is a drainage plat and made a part hereof as designated Exhibit "D". Said surface drainage shall flow according to said drainage map and shall not be interrupted or interfered with after annexation as a result of development of the proposed subdivision. If there are subsurface drainage lines within the area to be annexed, and if said drainage lines are disturbed or cut by installation of municipal services, the City of Delano shall be required to correct all disturbances and cutting of said lines to comply with the drainage plat.

8. Upon annexation of the above described property, the City of Delano agrees to compensate the Town of Franklin for loss of tax revenues over a three (3) year period to ease the financial adjustment on the remaining Town of Franklin. Said payments will be made from the City of Delano to the Town of Franklin based on the ad valorem taxes collected by the City of Delano on the above described property as set out in the following schedule:

<u>Year</u>	<u>Percentage of Taxes Paid to the Town of Franklin</u>
1988	100%
1989	56.6%
1990	33.3%
1991	0%

Payments to the Town of Franklin are to be made on those portion of the taxes which will be collected by the City of Delano for ad valorem taxes on the above described property. Payments are to be made semi-annual and within the thirty (30) days after receipt of revenues from the Wright County Treasurer's office. The taxes collected in 1987 shall remain the property of the Town of Franklin.

This agreement shall be effective upon passage by both the City Council of the City of Delano and the Town Board of the Town of Franklin.

CITY OF DELANO

Passed and adopted by the City Council of the City of Delano this 3rd day of ~~January~~, 1987.

February

BY:

Gordon W. Little

Its Mayor

ATTEST:

Marlene Ekitts

City Clerk

TOWN OF FRANKLIN

Passed and adopted by the Town Board of the Town of Franklin this 5 day of January, 1987.

February

BY:

Richard A. Bruman

Its Chairman

ATTEST:

Norma Chasich

Town Board Clerk



Enterprises, Inc.

601 LEWIS AVENUE NORTH
WATERTOWN, MINNESOTA 55388

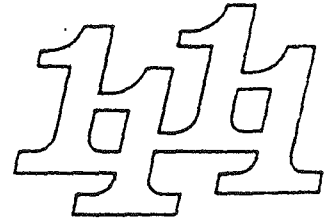
612-955-1962
612-446-1325

LEGAL DESCRIPTION - FAKE PROPERTY

That part of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 13, Township 118, Range 25, Wright County, Minnesota described as follows: Beginning at the southeast corner of the said S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$, a distance of 380.00 feet; thence west at a right angle, a distance of 327.00 feet; thence north parallel with the said east line of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$, a distance of 150.00 feet, thence northeasterly deflecting 39° 00' 00" right, a distance of 169.82 feet to the north line of the said S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$; thence west along the said north line, to the east line of the west 660.00 feet of the said S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$; thence south along the said east line of the west 660.00 feet, to the south line of the said S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$; thence east along said south line to the point of beginning. Subject to the right of way of a Township Road on the east side thereof.

MEYER-ROHLIN, INC.

ENGINEERS-LAND SURVEYORS 1111 Hwy. 25 N., Buffalo, Minn. 55313 Phone 612-682-1781



That part of the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 13, Township 118, Range 25, Wright County, Minnesota described as follows: Beginning at the northeast corner of the said $S\frac{1}{2}$ of the $NW\frac{1}{4}$; thence S $89^{\circ} 22' 45''$ W (assumed bearing) along the north line of the said $S\frac{1}{2}$ of the $NW\frac{1}{4}$, a distance of 131.57 feet to the northeast corner of Block 3, Delano Industrial Park Sell Addition, according to the plat thereof on file and of record in the Office of the County Recorder, Wright County, Minnesota; thence S $39^{\circ} 27' 21''$ W, along the easterly line of said Block 3, a distance of 89.43 feet; thence S $34^{\circ} 46' 21''$ W along the easterly line of said Block 3, a distance of 460.00 feet; thence S $47^{\circ} 24' 32''$ E, a distance of 602.55 feet to the east line of the said $S\frac{1}{2}$ of the $NW\frac{1}{4}$; thence N $0^{\circ} 28' 47''$ E, along the said east line, a distance of 853.29 feet to the point of beginning, containing 5.097 acres.

EXHIBIT "B"

S-86368

