

JOINT ORDERLY ANNEXATION RESOLUTION

**CITY OF MONTGOMERY
RESOLUTION 6-2018**

**TOWNSHIP OF MONTGOMERY
RESOLUTION**

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY OF
MONTGOMERY AND MONTGOMERY TOWNSHIP PURSUANT TO MINNESOTA
STATUTES SECTION 414.0325**

WHEREAS, the City of Montgomery and the Township of Montgomery have met, conferred, considered and reached agreement relating to the annexation of an area located in the Township of Montgomery; and

WHEREAS, the area proposed for annexation is owned in fee by Nickolas J. Filipek, herein referred to as "Owner"; and

WHEREAS, the Owner has requested and petitioned the City to have his land annexed; and

WHEREAS, the City of Montgomery and Montgomery Township jointly agree to designate and request the immediate annexation of the following described land located within Montgomery Township to the City of Montgomery, County of Le Sueur, Minnesota:

The East 238.00 feet of the West 450.00 feet of the North 290.40 feet of the Northwest Quarter of the Northwest Quarter of Section 15, Township 111 North, Range 23 West, Le Sueur County, Minnesota. Containing 1.59 acres, subject to all existing highway right of way easements.

; and

WHEREAS, the City of Montgomery and Montgomery Township have agreed to all the terms and conditions for the annexation of the above described lands; and

WHEREAS, the signatories hereto agree that no alteration of the designated area is appropriate and no consideration by the Chief Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED AND AGREED jointly by the City Council of the City of Montgomery and the Township Board of Montgomery Township as follows:

1. **Property.** That the following described land is subject to orderly annexation pursuant to Minnesota Statutes Section 414.0325, and that the parties hereto designate the area for orderly annexation; and agree that the land be immediately annexed.

2. **Acreage/Population/Usage.** That the orderly annexation area consists of 1.59 acres, the population in the area is one (1), and the land use type is currently commercial, but will be used as residential and commercial property after annexation.

3. **Jurisdiction.** That Montgomery Township and the City of Montgomery, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. **Reimbursement to Township for Lost Taxes on Annexed Property Pursuant to Minnesota Statutes Section 414.036.** In the first year following the year in which the City of Montgomery could first levy on the annexed area, an amount equal to \$1,117.10 in 2019. This amount is equal to five (5) years of tax in the amount of 223.42 per year. There are no special assessments due against the subject property.

5. **Review and Comment.** The City of Montgomery and Montgomery Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

6. **Waiver.** That the Owners of the property have waived the provisions of Minnesota Statutes Section 414.0325, Subd1a, relative to notice of the costs of electric utility service.

7. **Severability.** Every provision of this resolution will be and hereby is declared severable, and if any part or portion is held invalid, it will not affect or invalidate the remaining parts or portions of this resolution.

8. **Zoning.** The property, upon annexation, will be zoned I-1, light industrial district.

Adopted by affirmative vote of all the members of the Montgomery Township Board of Supervisors this 4th day of January, 2018.

MONTGOMERY TOWNSHIP

ATTEST:

By: Dale T. Knobl

Chairperson
Board of Supervisor

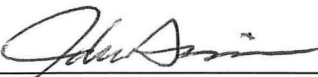
By: Sue P. Knobl

Township Clerk

Adopted by affirmative vote of the City Council of Montgomery this 8th day of January, 2018.

CITY OF MONTGOMERY

ATTEST:

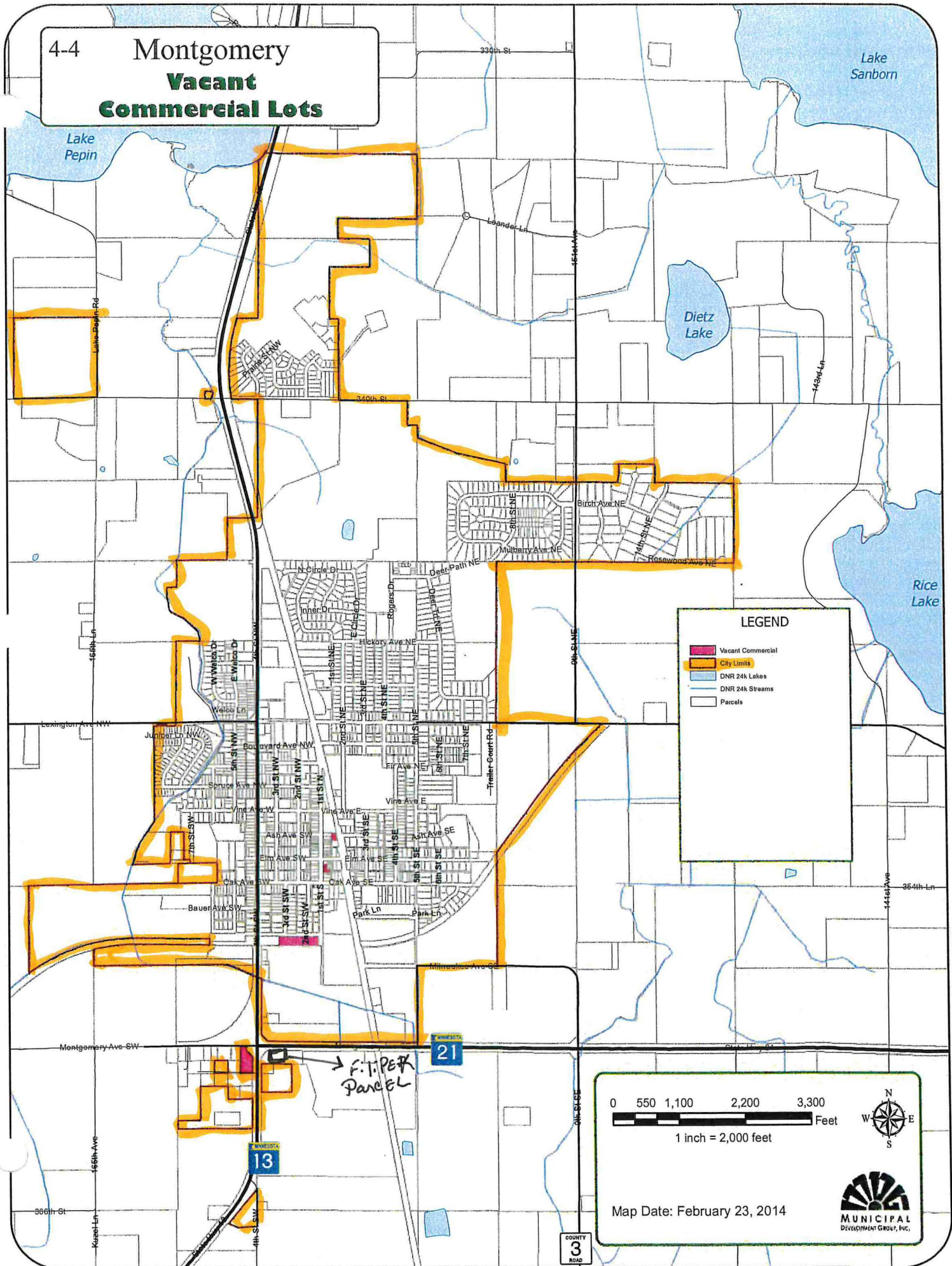
By: 
John Grimm, Mayor

By: 
Brian Heck, City Administrator

Approved this 8th day of JANUARY, 2018.

4-4

Montgomery Vacant Commercial Lots



LEGEND

- Vacant Commercial
- City Limits
- DNR 24k Lakes
- DNR 24k Streams
- Parcels

0 550 1,100 2,200 3,300
Feet
1 inch = 2,000 feet

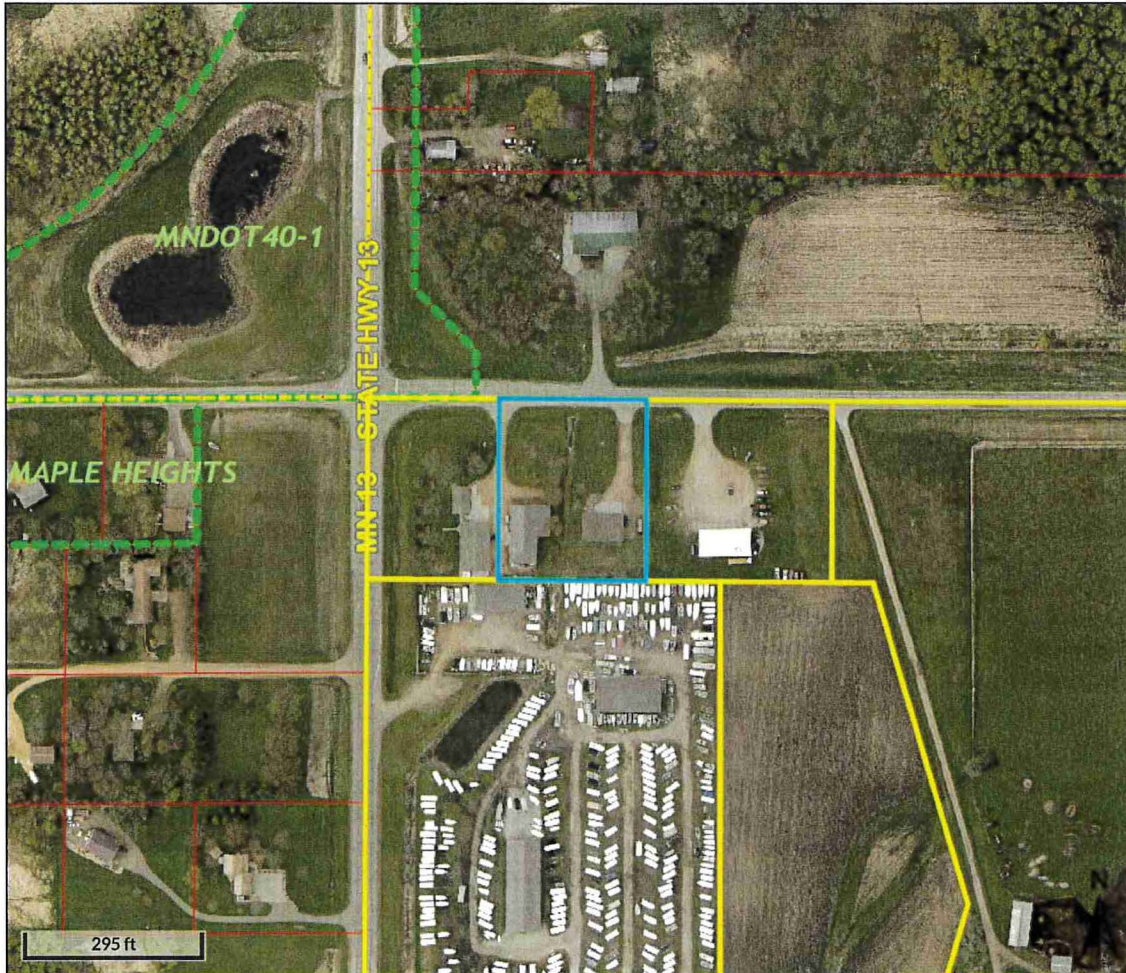


Map Date: February 23, 2014

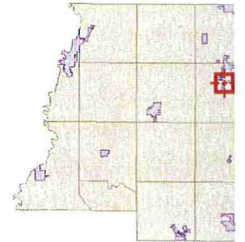


COUNTY
3
ROAD

Filipek Annexation



Overview



Legend

-  Roads
-  Parcels

Parcel ID	09.015.0600	Alternate ID	n/a	Owner Address	FILIPEK,NICKOLAS J
Sec/Twp/Rng	15-111-023	Class	201 - RESIDENTIAL		268 MONTGOMERY AVE SW
Property Address	268 MONTGOMERY AVE SW	Acreage	1.59		MONTGOMERY, MN 56069
	MONTGOMERY				
District	MONT TWP/2905-ML				
Brief Tax Description	Sect-15 Twp-111 Range-023 1.59 AC E 238 FT OF W 450 FT OF THEN N 290.40 FT OF NW 1/4 OF NW 1/4				
	(Note: Not to be used on legal documents)				

Aerial Photo taken in April 2017

Date created: 1/5/2018

Last Data Uploaded: 1/5/2018 5:31:53 AM



Developed by
The Schneider Corporation