

**CITY OF ZIMMERMAN
LIVONIA TOWNSHIP
COUNTY OF SHERBURNE
STATE OF MINNESOTA**

**JOINT RESOLUTION FOR ORDERLY ANNEXATION OF CERTAIN PROPERTY TO
THE CITY OF ZIMMERMAN PURSUANT TO MINNESOTA STATUTES 414.0325**

**CITY OF ZIMMERMAN RESOLUTION #19-05-03
LIVONIA TOWNSHIP RESOLUTION #19-13**

WHEREAS, the City of Zimmerman has received a request from Michelle Kolb, owner of Tax Parcel 30-401-1450 (survey and legal description attached as EXHIBIT A) for annexation of that property from Livonia Township into the City of Zimmerman; and

WHEREAS, the property as described in Exhibit A abuts the City of Zimmerman; and

WHEREAS, the petitioner intends to construct a house on the property, and said property has insufficient land area to construct a well and a septic system; and

WHEREAS, City sewer and water service is immediately available in 120th Street and can be delivered to service the property; and

WHEREAS, Livonia Township and the City of Zimmerman have previously entered into two (2) Orderly Annexation Agreements, and according to the terms and conditions of those Agreements, annexation outside of established Orderly Annexation Areas can only occur if Livonia Township agrees; and

WHEREAS, Livonia Township has received and reviewed information relative to this request from Zimmerman, and based upon that information has determined they will consent to the annexation, notwithstanding the Orderly Annexation Agreements now in force and in effect, and further finds that the annexation is minor in nature, has no material affect on the existing Orderly Annexation Areas and establishes no precedent for future annexation outside of the established Orderly Annexation Areas which can be denied or agreed upon at the sole discretion of the Township. This action by the Township is no waiver of any terms and conditions contained in the existing Orderly Annexation Agreements.

**NOW, THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF SUPERVISORS
OF LIVONIA TOWNSHIP AND THE CITY COUNCIL OF THE CITY OF
ZIMMERMAN as follows:**

1. The Property as described in Exhibit A hereto shall be immediately annexed into the City and zoned R-1 Single Family Residential.
2. The City and Township agree that no alteration of the stated boundaries as described in Exhibit A are appropriate, that all terms and conditions for annexation are provided for in this Joint Resolution, and that no consideration by the chief administrative law judge is

necessary. Upon receipt of the Joint Resolution, the chief administrative law judge may review and comment, but shall within 30-days of receipt, order the annexation in accordance with the terms and conditions of this Joint Resolution.

3. The Township shall be reimbursed for lost tax revenue according to the following reimbursement formula:
 - a. In the year of annexation, the Township shall receive all the City share of tax revenue from the property.
 - b. In the first year after annexation, the Township shall receive an amount equal to 90% of the property taxes paid in the year the property was annexed.
 - c. In the second year after annexation, the Township shall receive an amount equal to 70% of the property taxes paid in the year the property was annexed.
 - d. In the third year after annexation, the Township shall receive an amount equal to 50% of the property taxes paid in the year the property was annexed.
 - e. In the fourth year after annexation, the Township shall receive an amount equal to 30% of the property taxes paid in the year the property was annexed.
 - f. In the fifth year after annexation, the Township shall receive an amount equal to 10% of the property taxes paid in the year the property was annexed.
 - g. The City shall have the right to make one (1) payment to the Township, as reimbursement for property taxes lost from annexed property, equal to the amount due over the 5-year schedule listed in paragraphs a-f.
 - h. The one (1) payment due the Township as listed in paragraph g. totals \$57.25, and is calculated as follows:

<u>Year</u>	<u>Rate</u>	<u>Township Tax</u>
2019	100%	\$ 16.35
2020	90%	\$ 14.72
2021	70%	\$ 11.45
2022	50%	\$ 8.18
2023	30%	\$ 4.91
2024	10%	\$ 1.64
TOTAL		\$ 57.25

4. All costs and disbursements incurred by the Township due to this annexation shall be fully reimbursed by the City. The City shall pay all applicable filing fees and other costs necessary to have the joint resolution filed with and approved by the Office of Administrative Hearings.

5. The City shall allow the petitioner, at the petitioner's expense, to connect to sewer and water service in conjunction with the construction of one (1) single-family dwelling.
6. The parties may amend this joint resolution by mutual written consent at any time. In the event that there are errors, omissions or any other problems with the legal description, mapping, or tax reimbursement provided in the attached Exhibits the parties agree to make such corrections and file any additional documentation, including a new Exhibit making the corrections requested or required by the Office of Administrative Hearings, Boundary Adjustments as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution, without the necessity of re-adopting this Joint Resolution.

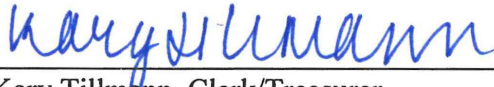
ADOPTED this 20th day of May, 2019 by the City Council of the City of Zimmerman, Sherburne County, Minnesota.

IN FAVOR: Stay, Bondhus, Frederick, Shepard and Whiting

OPPOSED: None



Nick Stay, Mayor




Kary Tillmann, Clerk/Treasurer

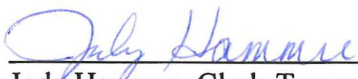
ADOPTED this 22nd day of July, 2019 by the Town Board of Supervisors of Livonia Township, Sherburne County, Minnesota.

IN FAVOR: Hass, Hiller, Kuker, Maloney, Dool

OPPOSED:



Butch Hass, Chair



Jody Hammre, Clerk-Treasurer

EXHIBIT A

Lots 7 and 8, Block 14, 3rd Fremont Lake Shores, according to the plat thereof on file and of record in the office of the County Recorder of Sherburne County, Minnesota.

AND

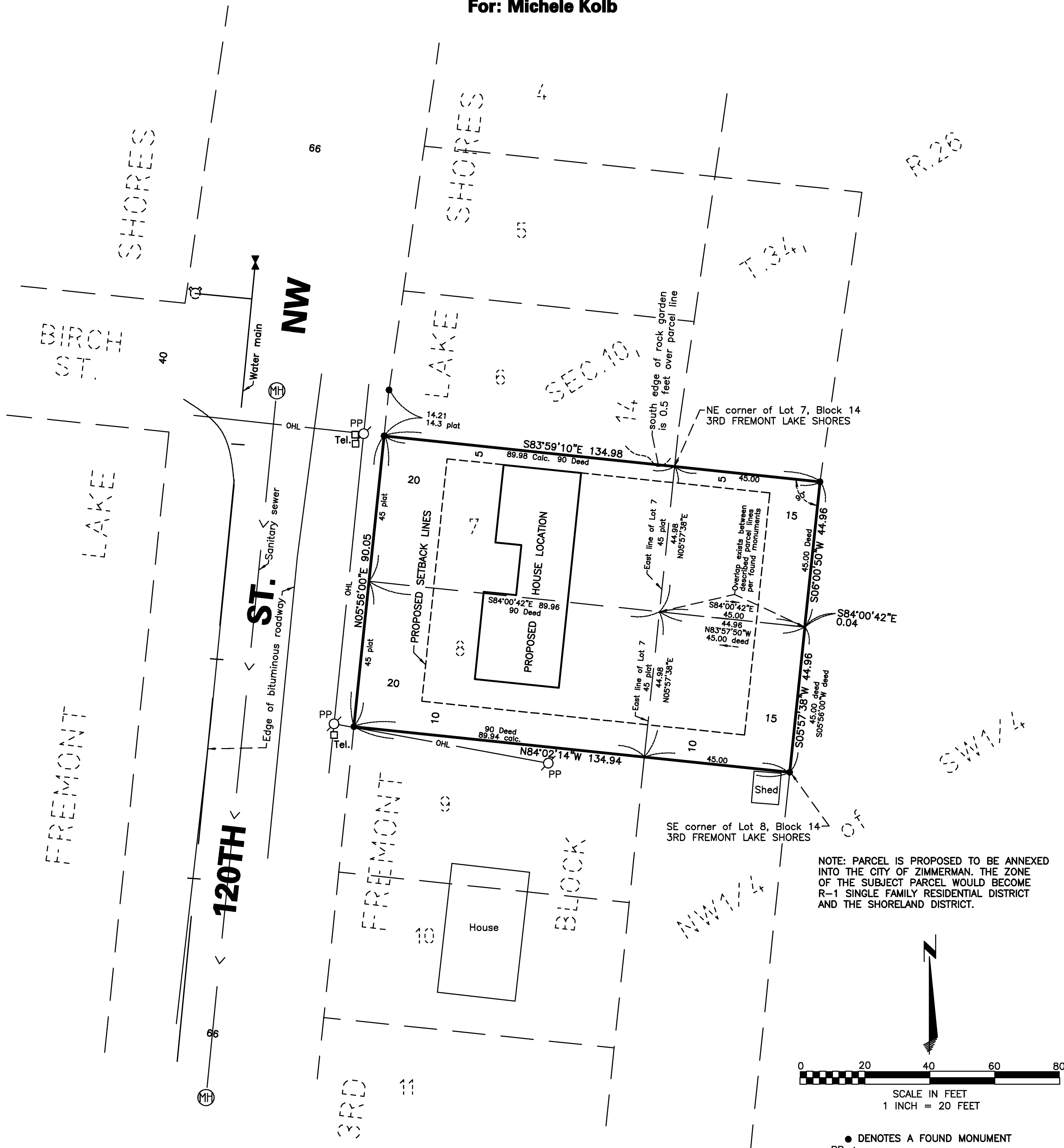
That part of the Northwest Quarter of the Southwest Quarter of Section 10, Township 34, Range 26, Sherburne County, Minnesota, described as follows: Beginning at the Northeast corner of Lot 7, Block 14, 3rd Fremont Lake Shores, according to the recorded plat thereof; thence along the easterly extension of said North line of Lot 7, a distance of 45 feet; thence southerly at a right angle, a distance of 45 feet; thence westerly at a right angle, a distance of 45 feet to the southeast corner of Lot 7; thence northerly along the east line of said Lot 7 to the point of beginning.

AND That part of the Northwest Quarter of the Southwest Quarter of Section 10, Township 34, Range 26, Sherburne County, Minnesota, described as follows: beginning at the Northeast corner of Lot 8, Block 14, 3rd Fremont Lake Shores, according to the recorded plat thereof; thence along the easterly extension of the North line of said Lot 8, a distance of 45 feet; thence southerly parallel with the West line of said 8 to intersect the easterly extension of the South line of said Lot 8; thence westerly along said extension of the South line of said Lot 8, a distance of 45 feet to the Southeast corner of said lot 8; thence northerly along the East line said Lot 8 to the point of beginning.

Total Area = 12,145 sq. ft.

CERTIFICATE OF SURVEY

For: Michele Kolb



PARCEL DESCRIPTION, PID 30-401-1450:

Lots 7 and 8, Block 14, 3rd Fremont Lake Shores, according to the plat thereof on file and of record in the office of the County Recorder of Sherburne County, Minnesota.

AND

That part of the Northwest Quarter of the Southwest Quarter of Section 10, Township 34, Range 26, Sherburne County, Minnesota, described as follows: Beginning at the Northeast corner of Lot 7, Block 14, 3rd Fremont Lake Shores, according to the recorded plat thereof; thence along the easterly extension of said North line of Lot 7, a distance of 45 feet; thence southerly at a right angle, a distance of 45 feet; thence westerly at a right angle, a distance of 45 feet to the southeast corner of Lot 7; thence northerly along the east line of said Lot 7 to the point of beginning.

AND That part of the Northwest Quarter of the Southwest Quarter of Section 10, Township 34, Range 26, Sherburne County, Minnesota, described as follows: beginning at the Northeast corner of Lot 8, Block 14, 3rd Fremont Lake Shores, according to the recorded plat thereof; thence along the easterly extension of the North line of said Lot 8, a distance of 45 feet; thence southerly parallel with the West line of said Lot 8 to intersect the easterly extension of the South line of said Lot 8; thence westerly along said extension of the South line of said Lot 8, a distance of 45 feet to the Southeast corner of said Lot 8; thence northerly along the East line of said Lot 8 to the point of beginning.

TOTAL AREA = 12,145 sq. ft.

● DENOTES A FOUND MONUMENT
PP DENOTES UTILITY POLE
Tel. DENOTES TELEPHONE RISER
OHL DENOTES OVERHEAD UTILITY LINES
BEARINGS SHOWN ARE BASED UPON THE
RECORDED PLAT OF 3RD FREMONT LAKE SHORES

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

Michael J. Trunk Date: May 16, 2019
Michael J. Trunk, LS, CFedS
Minnesota License No. 18434

Trunk Surveying, LLC
306 7th Ave. S
Princeton, MN 55371
(763) 447-7106

