

**JOINT RESOLUTION ESTABLISHING AN
ORDERLY ANNEXATION AGREEMENT BETWEEN
ROCKSBURY TOWNSHIP AND THE CITY OF THIEF RIVER FALLS**

WHEREAS, The City of Thief River Falls, Minnesota, (hereafter “City”), did receive a Petition for Annexation of Real Property into the City from Leslie J. Snetting and Marlene J. Snetting due to the need of utilities and other services provided by the City, and

WHEREAS, The owners of the Real Property to be annexed pursuant to this Agreement did sign a Petition for Annexation, and

WHEREAS, The respective governing bodies of Rocksbury Township (hereafter “Town”) and City had expressed their desire to encourage future development of Real Property near the City so as to promote the development of municipal services and urban growth as much as is practical, while respecting the existing rural residential lifestyles of other areas within the Town, and

WHEREAS, The Petition for Annexation concerned that Real Property located within the Township of Rocksbury, County of Pennington, and State of Minnesota described as follows:

That part of Government Lot One (1) of Section Three (3) in Township One Hundred Fifty-three (153) North, Range Forty-three (43) West described as follows:

Beginning at an Iron Monument located at the Northeast corner of Lot 1 of Kleinvachter’s Subdivision located in said Section 3 according to the recorded Plat thereof; thence North along the Section line between sections 3 and 2 of said Township 153 North, Range 43 West to a point where said section line intersects with the center line of Pennington County Ditch No. 1; thence in a Northwesterly direction along the center line of said Pennington County Ditch No. 1 to a point where said center line intersects with the center line of Greenwood Street as established and laid out; thence West along the center line of said Greenwood Street to the Northwest corner of said Government Lot 1; thence South along the West line of said Government Lot 1 to a Monument located at the Northwest corner of Lot 20 of Kleinvachter’s Subdivision; thence East along the North line of said Kleinvachter’s Subdivision to the point of beginning, less street right-of-way and containing Twenty-two (22) acres more or less,

EXCEPT those parcels of land conveyed by Warranty Deed as recorded in Book 96 of Deeds, page 419 and Warranty Deed as recorded in Book 96 of Deeds, page 421.

WHEREAS, The City and Town desire to accommodate the Petition for Annexation to encourage growth in a cooperative, planned, and orderly fashion, and

WHEREAS, This Joint Resolution creating an Orderly Annexation Agreement (hereafter “Agreement”) is beneficial to both parties to promote orderly planning, the orderly transition of

government within the Real Property proposed to be annexed, promote continuity of City boundaries, and establish the condition under which such annexation shall take place, and

WHEREAS, The Town and City jointly request the immediate annexation of the Real Property described herein into the City,

NOW, THEREFORE, BE IT RESOLVED, In consideration of the mutual terms and conditions contained herein, Town and City hereby enter into this Agreement to provide for the orderly annexation of the Real Property herein described into the City upon the following terms and conditions:

1. Real Property Designated For Annexation. The unincorporated Real Property designated for orderly annexation is located in the Township of Rocksbury, County of Pennington and State of Minnesota and is described as follows:

That part of Government Lot One (1) of Section Three (3) in Township One Hundred Fifty-three (153) North, Range Forty-three (43) West described as follows:

Beginning at an Iron Monument located at the Northeast corner of Lot 1 of Kleinvachter's Subdivision located in said Section 3 according to the recorded Plat thereof; thence North along the Section line between sections 3 and 2 of said Township 153 North, Range 43 West to a point where said section line intersects with the center line of Pennington County Ditch No. 1; thence in a Northwesterly direction along the center line of said Pennington County Ditch No. 1 to a point where said center line intersects with the center line of Greenwood Street as established and laid out; thence West along the center line of said Greenwood Street to the Northwest corner of said Government Lot 1; thence South along the West line of said Government Lot 1 to a Monument located at the Northwest corner of Lot 20 of Kleinvachter's Subdivision; thence East along the North line of said Kleinvachter's Subdivision to the point of beginning, less street right-of-way and containing Twenty-two (22) acres more or less,

EXCEPT those parcels of land conveyed by Warranty Deed as recorded in Book 96 of Deeds, page 419 and Warranty Deed as recorded in Book 96 of Deeds, page 421.

The Real Property is shown on the map attached hereto.

2. Acreage and population. The Real Property consists of approximately 22 acres, the population of the Real Property is currently 2.

3. Jurisdiction. Upon approval by the Town Board and City Council, this Agreement shall confer jurisdiction upon the Chief Administrative Law Judge, as defined in Minnesota Statutes, Section 414.011 (Subd. 12) (hereafter "Chief Judge"), to accomplish said annexation in accordance with the terms of this Agreement.

4. Review and Comment by Chief Judge. The Town and City mutually agree and state that this Agreement sets forth all the conditions for annexation and that no consideration by

the Chief Judge is necessary for annexation to occur within the Real Property in accordance with this Agreement. Additionally, no alteration of the boundaries by the Chief Judge is appropriate. The Chief Judge may review and comment, but shall, within thirty days, order the annexation in accordance with the terms of this Agreement.

5. Effective Date. This Agreement is effective on the date it is last adopted by the Town and City. The annexation provided for by this Agreement shall be effective upon the issuance of the Order by the Chief Judge. The provisions of this Agreement shall be binding unless otherwise modified by a joint resolution of both the Town and City. This Agreement is only meant to apply to the Real Property and not to any other area within the Town.

6. Reasons for Annexation. The reasons for the annexation of the Real Property include the Town's and City's collective determination that: The Real Property is now, or is about to become, urban or suburban in character; that the Real Property is in need of utilities such as sanitary sewer, storm sewer, and water; the type of development proposed for the Real Property is more consistent with development within the City; and at this time the annexation would be in the best interest of the Petitioners, the City, and the Town.

7. Timing of Tax Levy. Pursuant to Minnesota Statutes, Section 414.0325, Subd. 4b, because the annexation provided for in this Agreement will be effective after August 1, 2019, the City may not levy on the annexed area until the next levy year.

8. Property Tax Reimbursement. Pursuant to Minnesota Statutes, Section 414.036, the reimbursement from the City to the Town shall be as follows:

First Year	90%
Second Year	70%
Third Year	50%
Fourth Year	30%
Fifth Year	10%

9. Road Maintenance. The City shall be responsible for road repairs and maintenance during the pending period of the annexation.

10. Planning and Land Use Control. The City shall exercise planning and land use control over the Property pursuant to City ordinances.

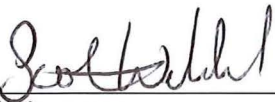
11. Authorization. The appropriate officers of the Town and City are hereby authorized to carry out the terms of this Agreement.

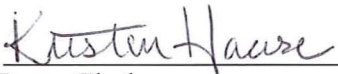
12. Entire Agreement. The terms, covenants, conditions, and provisions of this Agreement shall constitute the entire Agreement between the Town and City, unless amended by subsequent joint resolution of Town and City.

13. Governing Law. This Agreement is made pursuant to, and shall be construed in accordance with, the laws of the State of Minnesota.

Adopted by affirmative vote of all the members of the Rocksbury Township Board on this 10th day of October, 2019.

Town of Rocksbury


By: 
Its Chairperson

By: 
Its Town Clerk

Adopted by affirmative vote of all the members of the City of Thief River Falls on this 1st day of October, 2019, as part of RESOLUTION NO. 10-213 -19.

City of Thief River Falls

By: 
Its Mayor

By: 
City Administrator



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.

Snetting

Pennington County

1:2,400

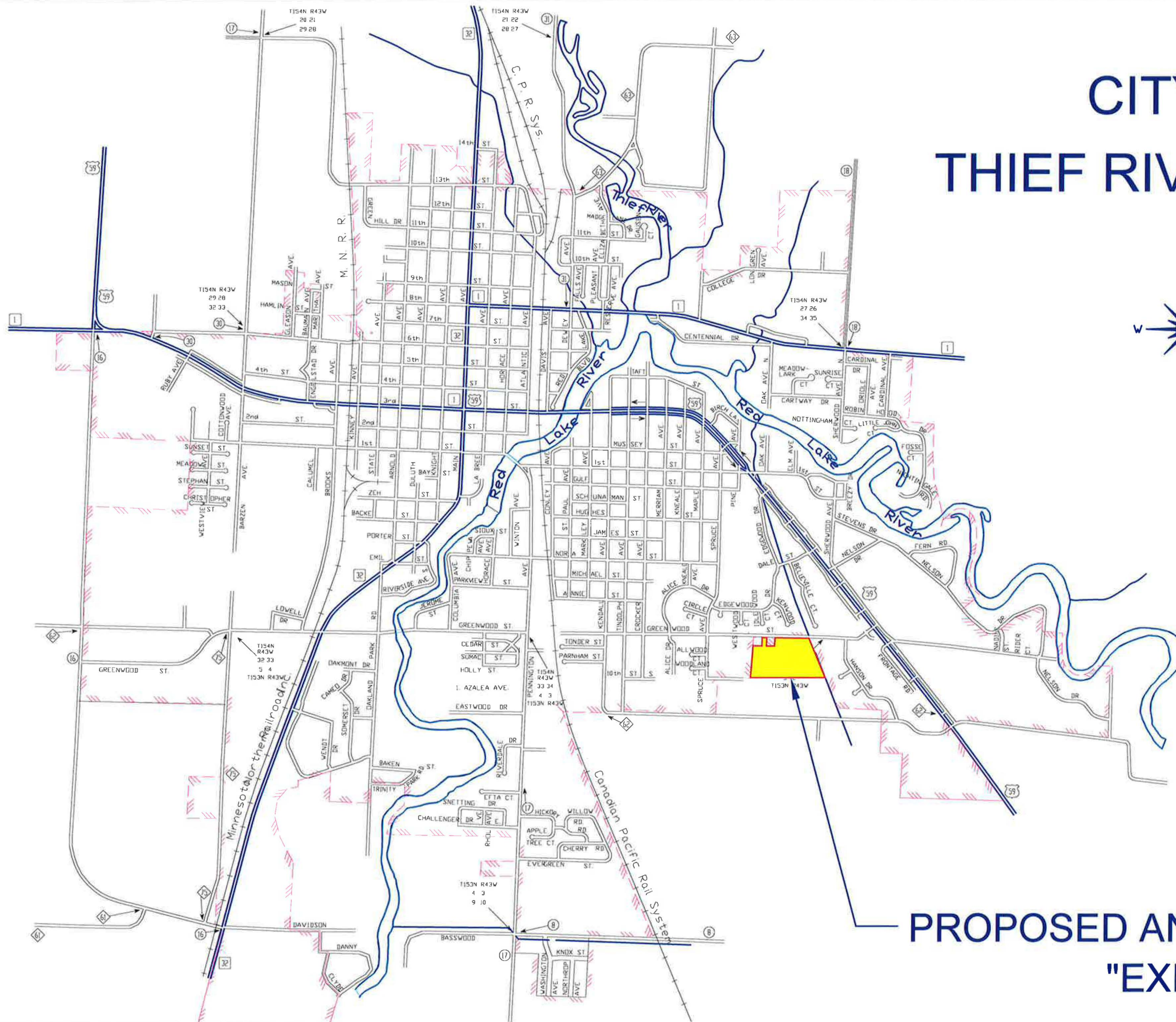
Date: 11/15/2019

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.



Minnesota

CITY OF THIEF RIVER FALLS



PROPOSED ANNEXATION
"EXHIBIT A"