

CITY OF AUSTIN JOINT RESOLUTION NO. 15995  
RED ROCKTOWNSHIP JOINT RESOLUTION NO. 2020-2

IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY  
OF AUSTIN AND THE TOWNSHIP OF RED ROCK  
PURSUANT TO MINNESOTA STATUTES §414.0325

**WHEREAS**, the City of Austin and the Township of Red Rock designate for orderly annexation, the following described lands located within the Township of Red Rock, County of Mower, Minnesota:

Parcel 1: Outlots 3, 3A, M, J, and all that part of Outlot 1 lying East and North of straight line running through said Outlot 1, intersecting the North line of said Outlot 1 at a point 25 feet East of the Northwest Corner thereof and intersecting the Southeasterly line of said Outlot 1 at the Northerly end of the common boundary of Outlots 2 and 3, all in Auditor's Plat of Outlots in the West Half of the West Half of Section 31, Township 103 North, Range 17 West, and the East Half of the East Half of the Southeast Quarter of Section 36, Township 103 North, Range 18 West, which Auditor's Plat is recorded in Book 8 of Plats, page 3, in the office of the Register of Deeds of Mower County, Minnesota, together with and subject to all easements, rights, obligations and restrictions relating to said premises as set out in the Ownership Plan recorded in Book Y of Miscellaneous, page 222 in said office.  
and,

**WHEREAS**, the City of Austin (the "City") and the Township of Red Rock (the "Township") are in agreement as to the orderly annexation of the unincorporated land described; and

**WHEREAS**, Minnesota Statutes §414.0325 provides a procedure whereby the City and the Township may agree on a process of orderly annexation of a designated area; and

**WHEREAS**, publication was not required pursuant to Minnesota Statutes §414.0325 Subd. 1b, because the orderly annexation agreement designates for immediate annexation property for which all the property owners have petitioned to be annexed; and

**WHEREAS**, the City and the Township have agreed to all the terms and conditions for the annexation of the above-described lands within this document and the signatories hereto agree that no consideration by the Office of Administrative Hearings - Municipal Boundary Adjustments is necessary; that the Office may review and comment, but shall within 30 days, order the annexation in accordance with the terms of the resolution.

**NOW, THEREFORE, BE IT RESOLVED**, jointly by the City Council of the City of Austin and the Township Board of the Township of Red Rock as follows:

1. That the following described lands in the Township of Red Rock are subject to orderly annexation pursuant to Minnesota Statutes §414.0325, and that the parties hereto designate those areas for orderly annexation, as follows:

Parcel 1: Outlots 3, 3A, M, J, and all that part of Outlot 1 lying East and North of straight line running through said Outlot 1, intersecting the North line of said Outlot 1 at a point 25 feet East of the Northwest Corner thereof and intersecting the Southeasterly line of said Outlot 1 at the Northerly end of the common boundary of Outlots 2 and 3, all in Auditor's Plat of Outlots in

the West Half of the West Half of Section 31, Township 103 North, Range 17 West, and the East Half of the East Half of the Southeast Quarter of Section 36, Township 103 North, Range 18 West, which Auditor's Plat is recorded in Book 8 of Plats, page 3, in the office of the Register of Deeds of Mower County, Minnesota, together with and subject to all easements, rights, obligations and restrictions relating to said premises as set out in the Ownership Plan recorded in Book Y of Miscellaneous, page 222 in said office.

2. That the designated area consists of approximately 4.1 acres and there are two residents. The land type is residential. The property owner wishes to access city services.

3. That the Township does, upon passage of this resolution and its adoption by the City Council of the City of Austin, and upon acceptance by the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confer jurisdiction upon Municipal Boundary Adjustments so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. That the above-described property is urban or suburban or about to become so, and since the City is capable of providing municipal sanitary sewer and utility services to this area within a reasonable time, the annexation would be in the best interest of the area.

5. Local Procedure – The parties will follow such procedures as may be required by MN Statute §414.0325 as under the circumstances.

6. The tax capacity rate applicable to the property after annexation shall be increased in substantially equal proportions each year of a seven year period until it equals the tax capacity rate of the City of Austin. Minn. Stat. Sec. §414.035 (1-7 years)

7. Municipal Reimbursement to Township. The City shall reimburse the Township for the taxable property of parcels lost to annexation for a period of seven (7) years following the last year in which the Township would receive real estate for this property following annexation, and shall be paid according to the schedule as follows:

Year 1:	100%	of the Real Estate Tax paid to the Township in the year of annexation		
Year 2:	80%	"	"	"
Year 3:	60%	"	"	"
Year 4:	40%	"	"	"
Year 5:	20%	"	"	"
Year 6:	10%	"	"	"
Year 7 and thereafter:	0%	"	"	"

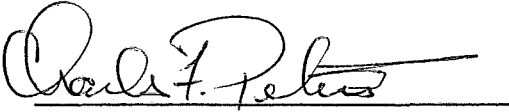
8. The City and the Township agree that upon receipt of this resolution, passed and adopted by each party, the Office of Administrative hearings/Municipal Boundary Adjustments, or its successor, may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this resolution.

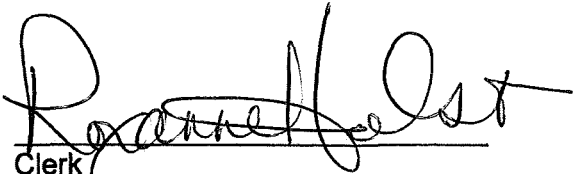
9. Annexation shall become effective upon approval by the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings.

10. The real property described shall be zoned "R-1" Single Family Residential.

Adopted by affirmative vote of all the members of the Red Rock Township Board of Supervisors this 19<sup>th</sup> day of January, 2020.

**TOWNSHIP OF RED ROCK**

By:   
Chairperson  
Board of Supervisors

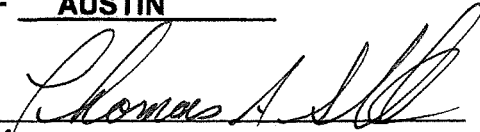
By:   
Clerk  
Red Rock Township

Adopted by affirmative vote of the City Council of Austin, January 21, 2020.

YEAS 7

NAYS 0

CITY OF AUSTIN

By:   
Mayor

ATTEST:

By:   
City Recorder

Approved \_\_\_\_\_



