

## **JOINT RESOLUTION**

### **IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY OF BROWNTON AND SUMTER TOWNSHIP PURSUANT TO MINNESOTA STATUTES § 414.0325**

**WHEREAS**, the City of Brownton and Sumter Township designate for orderly annexation, the following described lands located within Sumter Township, County of McLeod Minnesota:

That part of the Southwest Quarter of the Northwest Quarter of Section 23, Township 109, Range 22, McLeod County, Minnesota, described as follows:  
Commencing at the southeast corner of said Southwest Quarter of the Northwest Quarter: thence North 00 degrees 25 minutes 38 seconds West, assumed bearing, along the east line of said Southwest Quarter of the Northwest Quarter, a distance of 338.00 feet to the point of beginning of the parcel to be described; thence South 89 degrees 21 minutes 36 seconds West, a distance of 380.00 feet; thence South 00 degrees 25 minutes 38 seconds East, a distance of 263.00 feet, more or less, to the north right of way line of US Highway No. 212; thence easterly, northeasterly, and easterly, along said north right of way line, a distance of 425 feet, more or less, to the east line of said Southwest Quarter of the Northwest Quarter; thence North 00 degrees 25 minutes 38 seconds West, along said east line, a distance of 154.97 feet to the point of beginning and there terminating.

and,

**WHEREAS**, the City of Brownton and Sumter Township are in agreement as to the orderly annexation of the unincorporated land described; that both believe it will be to their benefit and to the benefit of their respective residents; and

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

**WHEREAS**, on June 23<sup>rd</sup>, 2020 a Notice of Intent to include property in an orderly annexation area was published pursuant to the requirements of Minnesota Statutes § 414.0325 Subd. 1b; and

**WHEREAS**, the City of Brownton and Sumter 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 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**, jointly by the City Council of the City of Brownton and the Township Board of Sumter Township as follows:

1. **(Property.)** That the following described lands in Sumter Township are subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate those areas for orderly annexation, to wit:

That part of the Southwest Quarter of the Northwest Quarter of Section 23,  
Township 109, Range 22, McLeod County, Minnesota, described as follows:

Commencing at the southeast corner of said Southwest Quarter of the Northwest Quarter: thence North 00 degrees 25 minutes 38 seconds West, assumed bearing, along the east line of said Southwest Quarter of the Northwest Quarter, a distance of 338.00 feet to the point of beginning of the parcel to be described; thence South 89 degrees 21 minutes 36 seconds West, a distance of 380.00 feet; thence South 00 degrees 25 minutes 38 seconds East, a distance of 263.00 feet, more or less, to the north right of way line of US Highway No. 212; thence easterly, northeasterly, and easterly, along said north right of way line, a distance of 425 feet, more or less, to the east line of said Southwest Quarter of the Northwest Quarter; thence North 00 degrees 25 minutes 38 seconds West, along said east line, a distance of 154.97 feet to the point of beginning and there terminating.

2. **(Acreage/Population/Usage.)** That the designated area consists of approximately 1.97 acres, the population in the subject area is 0, and the land use type is agricultural.

3. **(Jurisdiction.)** That Sumter Township and the City of Brownton, 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. **(Need).** That the above-described property is urban or suburban or about to become so, and since the City of Brownton is capable of providing services to this area within a reasonable time, the annexation would be in the best interest of the area.

5. **(Conditions):** That Sumter Township and the City of Brownton mutually agree that the timing of the annexation shall coincide with the transfer of ownership of the described property to Ratcliff Development, LLC, anticipated to take place in September, 2020.

6. **(Municipal Reimbursement).** Minnesota Statutes § 414.036.

**a. Reimbursement for lost taxes on annexed property.**

There will be no reimbursement.

**b. Assessments and Debt.**

That pursuant to Minnesota Statutes § 414.036 with respect to any special assessment assigned by the Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for

the area legally described (herein or attached exhibit) there are no special assessments or debt.

7. **(Review and Comment).** The City of Brownton and Sumter 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.

Adopted by affirmative vote of all the members of the Sumter Township Board of Supervisors this 14<sup>th</sup> day of July 2020.

SUMTER TOWNSHIP

By: Gary Waller  
Gary Waller, Chairperson  
Board of Supervisor

ATTEST:

By: Janel Zimmerman  
Janel Zimmerman, Township Clerk

Adopted by affirmative vote of the City Council of Brownton, this 7th day of July, 2020.

CITY OF BROWNTON

By: Norman Schwarze  
Norman Schwarze, Mayor

ATTEST:

By: Lori Cacka  
Lori Cacka, City Administrator

Approved this 7<sup>th</sup> day of July, 2020



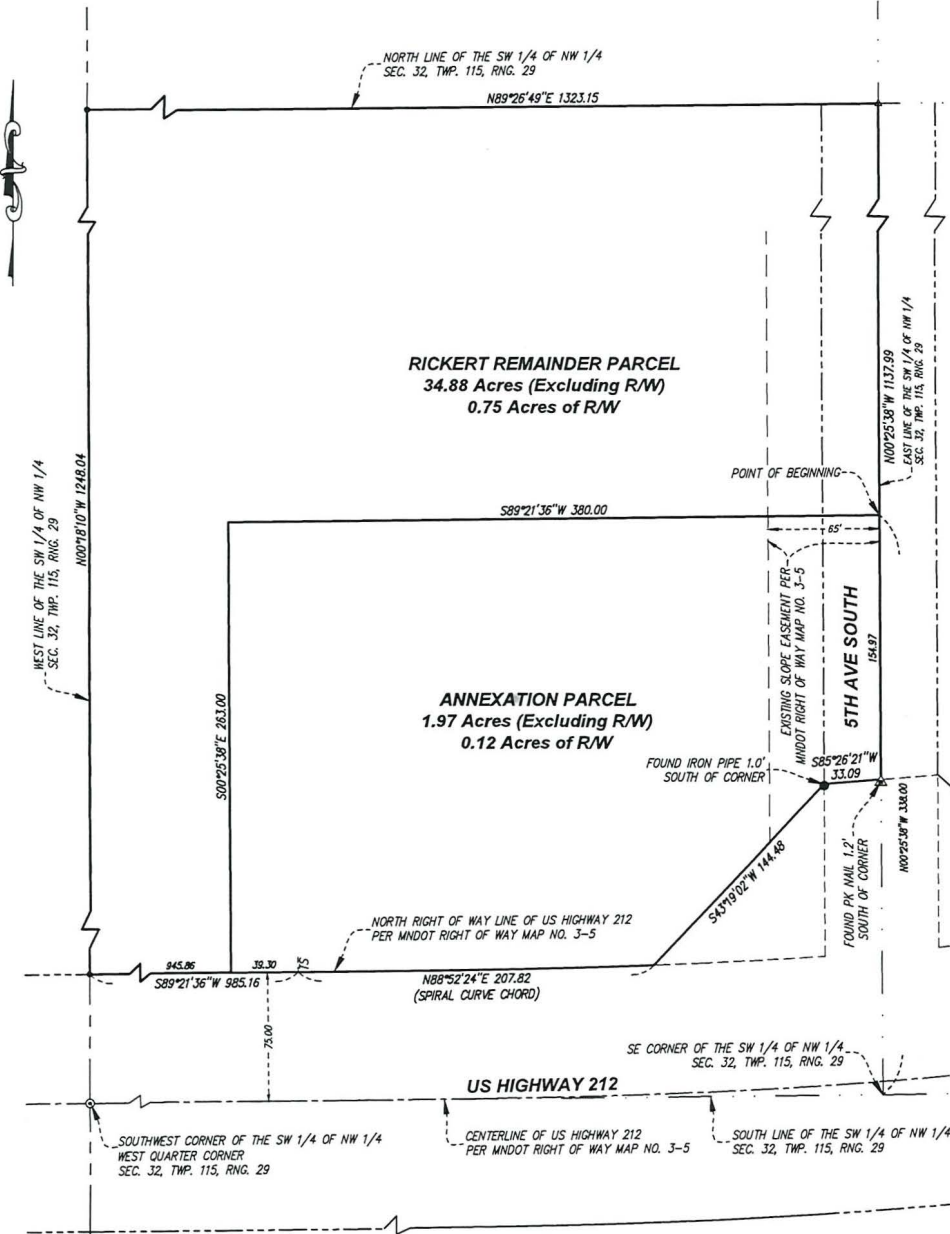
**OWNER:**  
Wayne & Shirley Rickert Trustee  
21138 Co. Rd. 95  
Opakis, MN 56360  
Pl. of PID 130320900

**DEVELOPER:**  
Ratcliff Development, LLC  
Dan Purvis, CCM  
3902 Lee Street  
Alexandria, LA 71302

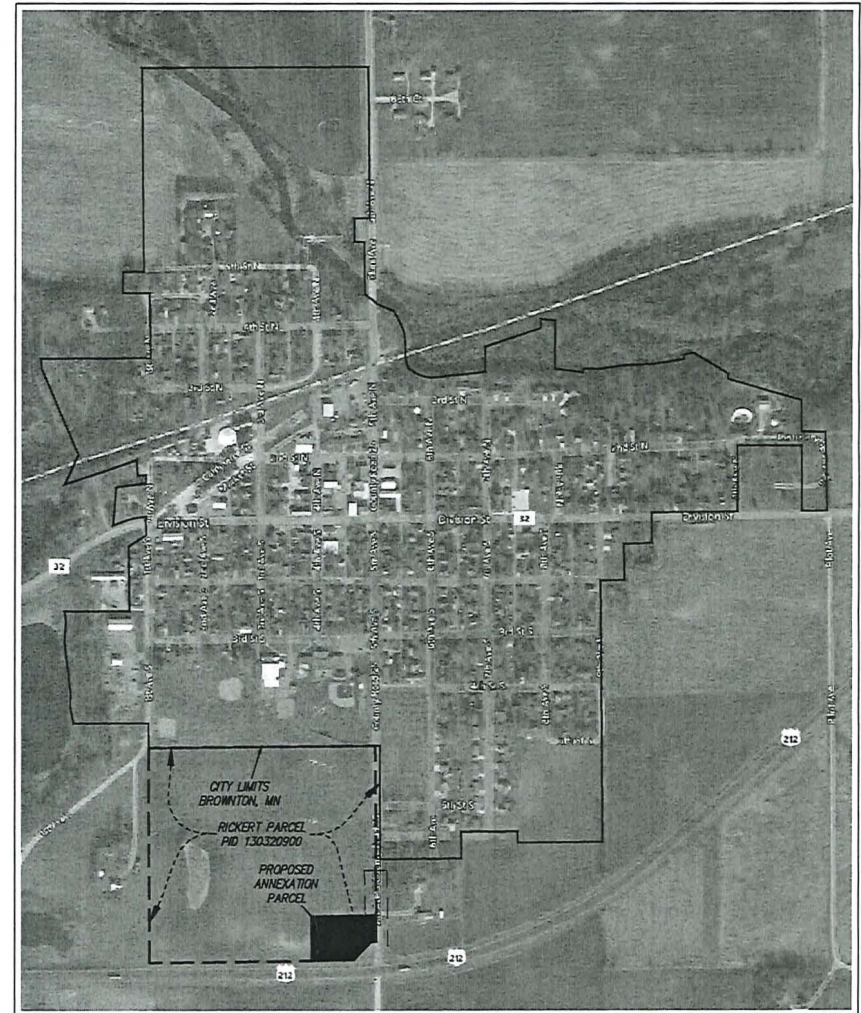
# ANNEXATION EXHIBIT

for: Ratcliff Development

Pt. of the SW 1/4 of the NW 1/4  
Sec. 32, Twp. 115, Rng. 29  
McLeod County, Minnesota



LOCATION MAP



## PARENT PARCEL DESCRIPTION:

That part of the Southwest Quarter of the Northwest Quarter of Section 32, Township 115, Range 29, McLeod County, Minnesota, lying north of the north right of way line of U.S. Highway No. 212.

## ANNEXATION PARCEL DESCRIPTION:

That part of the Southwest Quarter of the Northwest Quarter of Section 32, Township 115, Range 29, McLeod County, Minnesota, described as follows:

Commencing at the southeast corner of said Southwest Quarter of the Northwest Quarter; thence North 00 degrees 25 minutes 38 seconds West, assumed bearing, along the east line of said Southwest Quarter of the Northwest Quarter, a distance of 338.00 feet to the point of beginning of the parcel to be described; thence South 89 degrees 21 minutes 36 seconds West, a distance of 380.00 feet; thence South 00 degrees 25 minutes 38 seconds East, a distance of 263.00 feet, more or less, to the north right of way line of US Highway No. 212; thence easterly, northeasterly, and easterly, along said north right of way line, a distance of 425 feet, more or less, to the east line of said Southwest Quarter of the Northwest Quarter; thence North 00 degrees 25 minutes 38 seconds West, along said east line, a distance of 154.97 feet to the point of beginning and there terminating.

I hereby certify that this plan, specification, 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.

Print Name: Kyle J. Roddy License # 42827

Signature: [Signature] Date: 5/7/2020



134 Carleton St., Suite 100 Cambridge, MN 55008 | 763.689.4952  
F.L.S. - J00020500 Dwg\Survey\2020\Annexation Exhibit.dwg