

JOINT RESOLUTION FOR DESIGNATION OF CERTAIN LAND AND THE IMMEDIATE ANNEXATION OF ENTIRE DESIGNATED AREA.

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN
THE CITY OF FERGUS FALLS AND BUSE TOWNSHIP
PURSUANT TO MINNESOTA STATUTES § 414.0325**

WHEREAS, on April 3, 2021, a Public Notice of Intent for Annexation to include property in an orderly annexation area was published pursuant to the requirements of Minnesota Statutes §414.0325, Subd. 1b.

WHEREAS, the City of Fergus Falls and Buse Township jointly agree to designate and request the immediate annexation of the following described land located within Buse Township to the City of Fergus Falls, County of Otter Tail Minnesota;

See attached Exhibit A

and

WHEREAS, the City of Fergus Falls and Buse 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 of Fergus Falls and Buse Township may agree on a process of orderly annexation of a designated area; and

WHEREAS, the City of Fergus Falls and Buse Township have agreed to all the terms and conditions for the annexation of the above-described lands; 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 Fergus Falls and the Township Board of Buse Township as follows:

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

See attached Exhibit A

2. **(Acreage/Population/Usage.)** That the orderly annexation area consists of approximately 280.99 acres, the population in the area is 0, and the land use type is urban and agricultural.

3. **(Jurisdiction.)** That Buse Township and the City of Fergus Falls, 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. **(Municipal Reimbursement).** Minnesota Statutes § 414.036.

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

i. The City of Fergus Falls agrees to reimburse and pay to Buse Township agreed upon lost taxes in the amount of \$13,500.22 within 30 days of the Chief Administrative Law Judge's order for annexation.

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 in the attached Exhibit A, there are (1) no special assessments or debt.

6. **(Review and Comment).** The City of Fergus Falls and Buse 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.

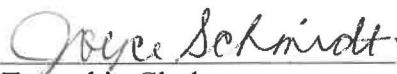
7. **(Other Terms of Resolution).** The City of Fergus Falls agrees to implement a Solar Farm ordinance that will apply to the Property that includes a housing unit setback of 150 feet from any existing residential dwelling, except setback may be reduced by 50% if the solar energy system array is fully screened from the setback point of measurement and a written agreement of the reduced setback from the owner(s) of the existing residential dwelling unit is recorded with the Otter Tail County Recorder, Otter Tail County, Minnesota.

Adopted by affirmative vote of all the members of the Buse Township Board of Supervisors this 28th day of April, 2021.

BUSE TOWNSHIP

By: 
Chairperson
Board of Supervisor

ATTEST:

By: 
Township Clerk

Adopted by affirmative vote of the City Council of Fergus Falls this 25th day of ^{March} April, 2021.

CITY OF FERGUS FALLS

By: 
Mayor

ATTEST:

By: 
City Administrator

Approved this 28th day of April 2021

EXHIBIT A

2021 Otter Tail Power Annexation – Solar Farm – Buse Township

Parcel Number 06000010001000 - Northeast Quarter of Northwest Quarter, Northwest Quarter of Northeast Quarter & West Half of the Northeast Quarter of Northeast Quarter; All in Section 1, Township 132 North, Range 43 West, according to the United States Government Survey thereof and situate in Otter Tail County, Minnesota. Subject to an easement for township road purposes along the North line thereof; also subject to easements of record if any.

Except the Following Described Tract: That part of the Northeast Quarter of the Northwest Quarter and that part of the Northwest Quarter of the Northeast Quarter of Section 1, Township 132 North, Range 43 West, Otter Tail County, Minnesota. Described as Follows:

Commencing at the Northwest corner of said Northeast Quarter of the Northwest Quarter; Thence South 89 degrees 55 minutes 44 seconds East (bearing based on the Otter Tail County Coordinates – 2011 Adjustment) along the North line of said Northeast Quarter of the Northwest Quarter a distance of 1099.41 feet to the Point of Beginning; Thence continuing South 89 degrees 55 minutes 44 seconds East along the North line of said Section 1 a distance of 268.56 feet to the Southwest corner of Section 31, Township 133 North, Range 43 West; Thence South 01 degrees 26 minutes 18 seconds West a distance of 872.77 feet; Thence South 84 degrees 08 minutes 30 seconds East a distance of 213.80 feet; Thence South 02 degrees 38 minutes 05 seconds West a distance of 443.97 feet to the South line of said Northwest Quarter of the Northeast Quarter; Thence North 88 degrees 39 minutes 35 seconds West along the South line of said Northwest Quarter of the Northeast Quarter a distance of 210.57 feet to the Southwest corner of said Northwest Quarter of the Northeast Quarter; Thence North 88 degree 38 minutes 40 seconds West along the South line of said Northeast Quarter of the Northwest Quarter a distance of 773.50 feet; Thence North 04 degrees 24 minutes 37 seconds East a distance of 319.57'; Thence North 56 degrees 25 minutes 52 seconds East a distance of 125.30'; Thence North 01 degrees 04 minutes 32 seconds West a distance of 395.74 feet; Thence North 88 degrees 14 minutes 31 seconds East a distance of 409.01 feet; Thence North 01 degrees 36 minutes 09 seconds East a distance of 519.01 feet to the Point of Beginning. Subject to an easement for township road purposes along the North line thereof; also subject to easements of record if any.

Containing 83.78 Acres

Parcel Number 06000010003003 – The Southwest Quarter of the Northeast Quarter

Except the South half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter in Section 1, Township 132 North, Range 43 West, Otter Tail County, Minnesota

Containing 35.73 Acres

Tract 3 – Parcel Number 0600010004003 – That part of the Northwest Quarter of Southwest Quarter and Northeast of Southwest Quarter lying North of the right-of-way of T.H. 210 East in Section 1, Township 132 North Range 43 West, Otter Tail County, Minnesota.

Containing 17.56 Acres

Parcel Number 06000010008000 - The South Half of the Northwest Quarter of Section 1, Township 132 North, Range 43 West, Otter Tail County, Minnesota

Containing 81.50 Acres

Parcel Number 06000010009000 - Northwest Quarter of Northwest Quarter of Section 1, Township 132 North, Range 43 West, Otter Tail County, Minnesota.

Containing 39.43 Acres

All the adjacent T.H. 210 East right-of-way in Section 1, Township 133 North, Range 43 West, adjacent to adjacent annexed property.

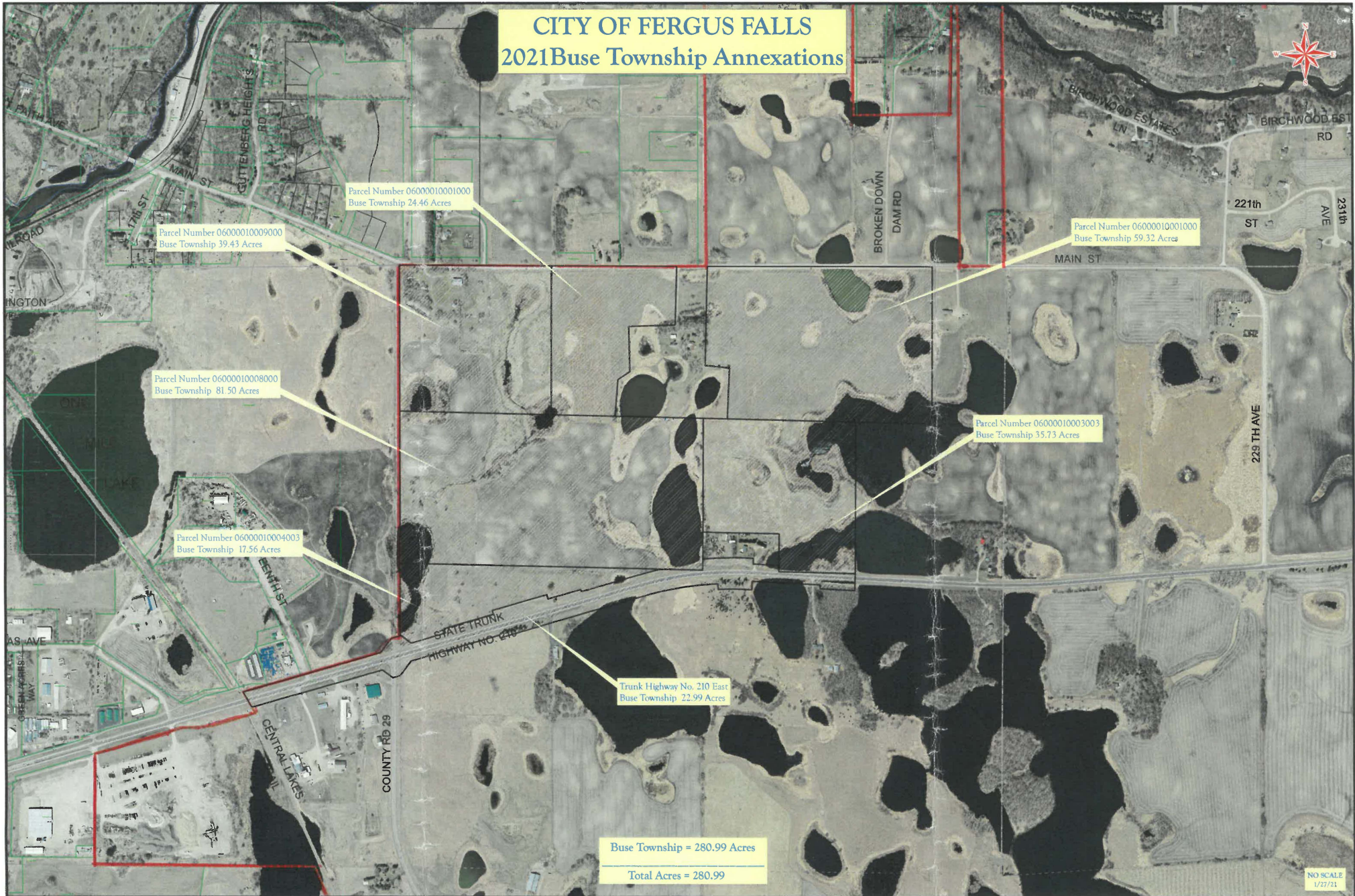
Together With

All that part of the adjacent T.H. 210 East right-of-way in Section 2, Township 133 North, Range 43 West not presently within the City of Fergus Falls Municipal Boundary

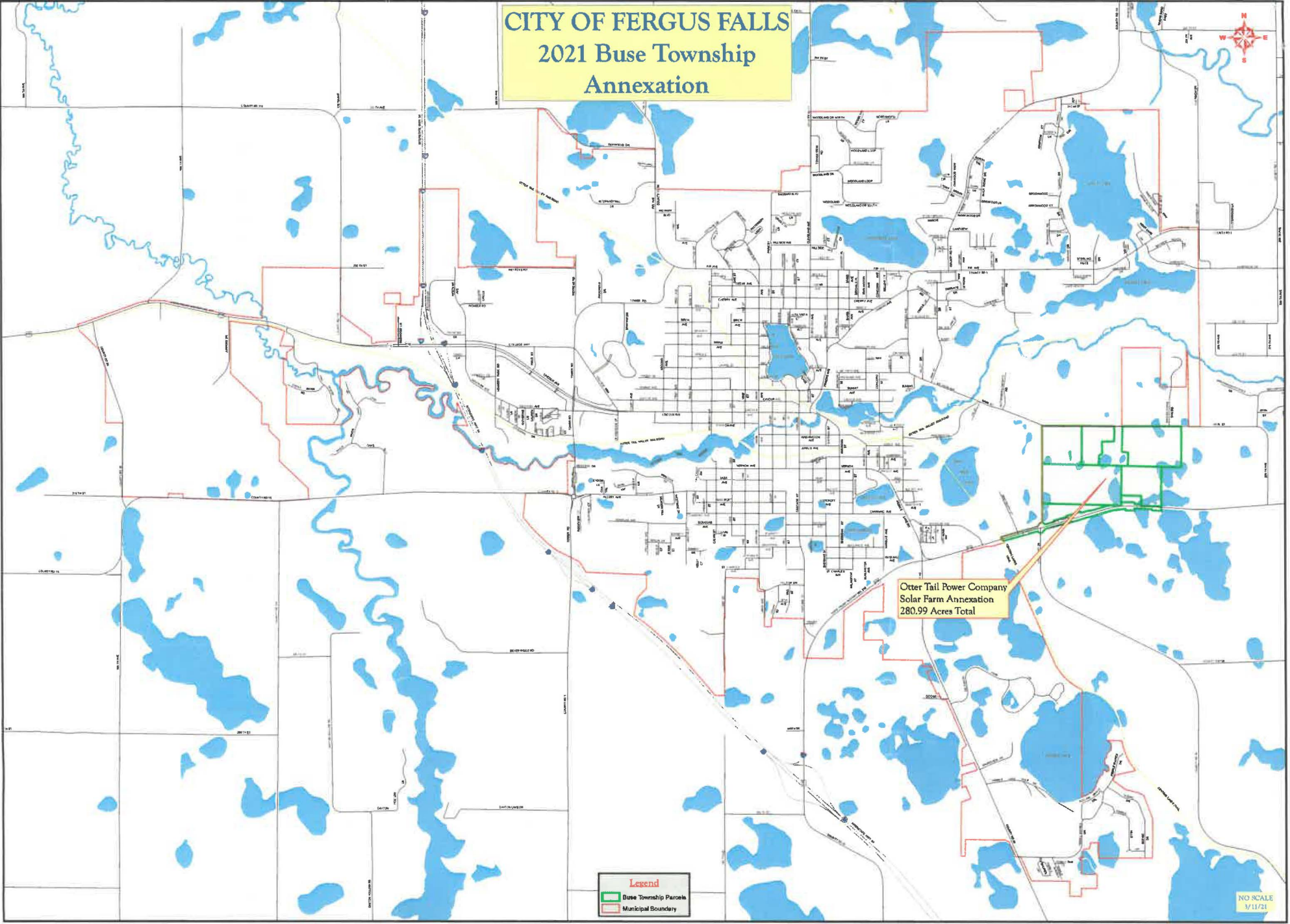
Containing 22.99 Acres

And all the adjacent Main Street road right-of-way within the present annexation tracts of land.

CITY OF FERGUS FALLS 2021 Buse Township Annexations



CITY OF FERGUS FALLS 2021 Buse Township Annexation



Legend

- Buse Township Parcels
- Municipal Boundary

NO SCALE
7/11/21