

**JOINT RESOLUTION ESTABLISHING AN
ORDERLY ANNEXATION AGREEMENT BETWEEN
THE CITY OF BENSON AND TORNING TOWNSHIP**

WHEREAS, the City of Benson ("City") and Torning Township ("Township") hereby designate for orderly annexation the lands legally described in the attached Exhibit A and shown on the attached Exhibit B (collectively referred to herein as the "Designated Area"), all located within Torning Township, County of Swift, State of Minnesota; and

WHEREAS, the City and Township are in agreement as to the orderly annexation of the Designated Area and each determines the annexation is in their best respective interests; and

WHEREAS, Minn. Stat. § 414.0325 provides a procedure whereby the City and Township may agree on a process for the orderly annexation of the Designated Area; and

WHEREAS, on 1/17, 2022, the property owners of the Designated Areas submitted a petition for orderly annexation to the City and Township pursuant to Minn. Stat. § 414.0325, subd. 1a; and

WHEREAS, notice of intent to designate an area for orderly annexation required by Minn. Stat. § 414.0325, subd. 1b does not apply in this instance because this Joint Resolution only designates for immediate annexation property for which all property owners have petitioned to be annexed; and

NOW, THEREFORE, the City and Township hereby jointly resolve to enter into this agreement to provide for the immediate annexation of the Designated Area into the City upon the following terms and conditions:

1. The City and Township hereby designate the areas described in Exhibit A attached hereto and shown in Exhibit B attached hereto as in need of orderly annexation pursuant to Minn. Stat. § 414.0325. The Designated Area consists of 48.92 acres and the population in the area is approximately 2.
2. The City and Township request the immediate annexation of the Designated Area to the City upon submission of this agreement to the Chief Administrative Law Judge.
3. The Township and City, by submission of this Joint Resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confer jurisdiction upon the Chief Judge so as to accomplish the annexation of the Designated Area in accordance with the terms of this agreement.
4. The City and Township mutually agree that no alteration of the boundaries stated herein is appropriate and that all conditions for annexation of the area legally described herein are contained in this Joint Resolution, and that no consideration by Minnesota Planning is necessary. Upon the execution and filing of this Joint Resolution, Minnesota Planning may


review and comment thereon, but shall, within thirty (30) days of receipt of this Joint Resolution, order the annexation of the area legally described herein in accordance with the terms and conditions of this Joint Resolution.

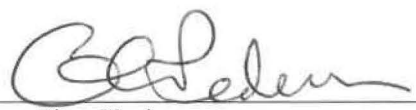
5. The City and Township agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the Minnesota Planning Municipal Boundary Adjustments Office.

Adopted on this 7th day of February, 2022.

CITY OF BENSON

ATTEST:

By: 
Mayor

By: 
City Clerk

Adopted on this 17 day of January, 2022.

TORNING TOWNSHIP

ATTEST:

By: 
Chairperson

By: 
Township Clerk

EXHIBIT A:

Parcel 1: (Timothy Mooberry)

The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ -NE $\frac{1}{4}$) of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39), Swift County, Minnesota.

Parcel 2: (City of Benson)

Beginning at a point which is One thousand three hundred eighty-nine (1,389.0) feet South and Nine hundred fifty-three (953.0) feet South Sixty-seven (67) degrees Thirty (30) minutes East of the Northwest corner of Section Six (6), Township One Hundred Twenty-one (121), Range Thirty-nine (39), which point is Seventy-five (75) feet Northeasterly of the center line of the pavement on Minnesota Trunk Highway No. 9, thence Northeasterly at right angles to said pavement a distance of Three hundred fifteen (315.0) feet, thence Southeasterly and parallel with the pavement a distance of Three hundred (300.0) feet, thence Southwesterly and at right angles to the pavement a distance of Three hundred fifteen (315.0) feet to the North right-of-way line of Minnesota Trunk Highway No. 9, thence Northwesterly along said right-of-way line a distance of Three hundred (300.0) feet to the place of beginning, and being in the West Half of the Northwest Quarter (W $\frac{1}{2}$ -NW $\frac{1}{4}$) of Section Six (6), Township One hundred twenty-one (121), Range Thirty-nine (39), Swift County, Minnesota.

EXHIBIT B:





EXHIBIT B:



Designated Areas

RECEIVED

By: OAH on May 26, 2022

**ADDENDUM TO JOINT RESOLUTION BETWEEN THE TOWN OF TORNING
AND THE CITY OF BENSON DESIGNATING AN AREA FOR ORDERLY
ANNEXATION PURSUANT TO MINNESOTA STATUTE 414.0325**

Part of Sections Five (5) and Six (6), Township One Hundred Twenty-one (121), Range
Thirty Nine (39), Swift County, Minnesota.

The City of Benson and the Township of Torning hereby agree to waive any
reimbursement for special assessments required by Minnesota Statutes section 414.0325.

Adopted on this 16th day of May, 2022.

CITY OF BENSON

ATTEST:

By: Tami Coll
Mayor

By: Chad Sedeno
City Clerk

Adopted on this 16 day of May, 2022.

TORNING TOWNSHIP

ATTEST:

By: Allen Saunders
Chairperson

By: Ramon Kalthoff
Township Clerk