

COKATO TOWNSHIP RESOLUTION NO. 2023- 6A

CITY OF COKATO RESOLUTION 2023- 10

**JOINT RESOLUTION FOR THE IMMEDIATE ANNEXATION OF PROPERTY FROM THE TOWN
OF COKATO TO THE CITY OF COKATO, WRIGHT COUNTY, MINNESOTA, PURSUANT TO
MINNESOTA STATUTES § 414.0325**

WHEREAS, a request from all of the property owners of the area proposed for immediate annexation was received by the City of Cokato ("City").

WHEREAS, the City and Cokato Township ("Township") jointly agree to request the immediate annexation of the following described land located within Cokato Township to the City of Cokato, County of Wright, Minnesota:

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

WHEREAS, the City of Cokato and Cokato 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 Cokato and the Township Board of Cokato Township as follows:

Annexation of the Subject Property

The Township and the City hereby designate the areas legally described on **Exhibit A** attached (hereinafter referred to as the "Orderly Annexation Area", or "Subject Area") for orderly annexation pursuant to Minnesota Statutes Section 414.0325.

A boundary map showing the Subject Area legally described on **Exhibit A** is attached hereto as

The Township and City agree that the Orderly Annexation Area legally described on **Exhibit A** is approximately 23.33 acres and the land use type is a City Park. The purpose of the annexation is to allow development of urban density on the annexed Subject Area. The population of the Subject Area is zero.

Office of Administrative Hearings, Municipal Boundary Adjustments.

Upon submission by the Town Board and the City Council, this Joint Resolution shall confer jurisdiction upon the State of Minnesota Office of Administrative Hearings, Municipal Boundary Adjustments (hereinafter referred to as the "MBA") or its successor pursuant to Minnesota Statutes.

No Alterations of Boundaries.

The Township and City mutually agree and state that no alterations by the MBA of the stated boundaries of the area designated for orderly annexation is appropriate. Any alterations of boundaries may only be made upon the joint agreement of the Township and City.

Review and Comment.

The City and the 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.

Taxation Reimbursement.

- A. **Tax Reimbursement.** The property is held by the City of Cokato and there are no property taxes that are paid by the City of Cokato so there will be no property tax increases.
 - B. **Assumption of Liability for Public Improvements.** The City does not assume by this annexation any liability or responsibility for the payment of any obligations issued to finance public improvements constructed by the Township or for which the Township levied special assessments. In the event that the City annexes land under this Agreement upon which outstanding special assessments levied by the Township remain at the time of annexation, the City shall forward to the Township upon receipt all special assessment payments which the City receives as a result of special assessments levied by the Township.
2. **Drainage.** In any development approval given by the City related to the Subject Area, the City shall require the developer of the Subject Area to not block or otherwise impede existing drain tiles which drain water from other properties through the Subject Area. Such drain tiles may be rerouted or directed to other drainage structures, provided such rerouting does not block or otherwise impede the existing drainage flow of the properties which are draining through the Subject Area. Upon development of

the Subject Area, storm water drainage shall be directed to an existing or new City storm sewer facility for discharge into a public waterway.

3. Johnson Street Maintenance – The City of Cokato will take over the maintenance and improvement of Johnson Street from the 405 Brooks Lake Road to the north side of the park.

Entire Agreement. With respect to the Subject Area legally described on **Exhibit A**, respectively, which exhibits are attached hereto and incorporated herein by reference, the terms, covenants, conditions, and provisions of this Joint Resolution shall constitute the entire agreement between the parties hereto superseding all prior agreements and negotiations between the parties. Any prior agreements or joint resolutions existing between the parties and affecting the property described in the attached Exhibits shall be considered terminated upon the effective date of this Joint Resolution.

PASSED, ADOPTED AND APPROVED by affirmative vote of the members of the Cokato Town Board of Supervisors, Wright County, Minnesota, this 10th day of April, 2023


Cokato Township

PASSED, ADOPTED AND APPROVED by an affirmative vote of the Cokato City Council, Wright County, Minnesota, this 13th day of February, 2023.


City of Cokato

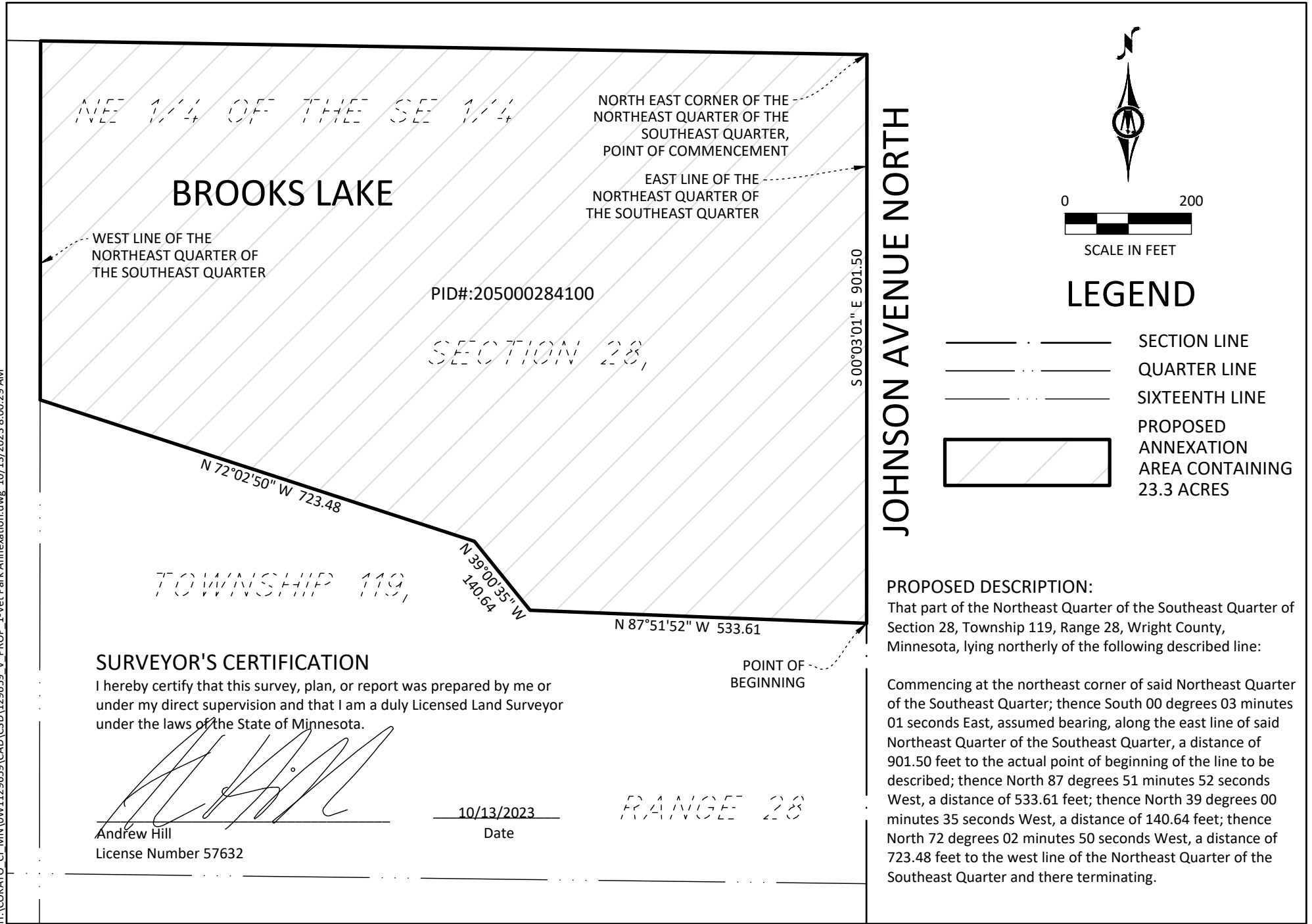
Exhibit A

PROPOSED DESCRIPTION:

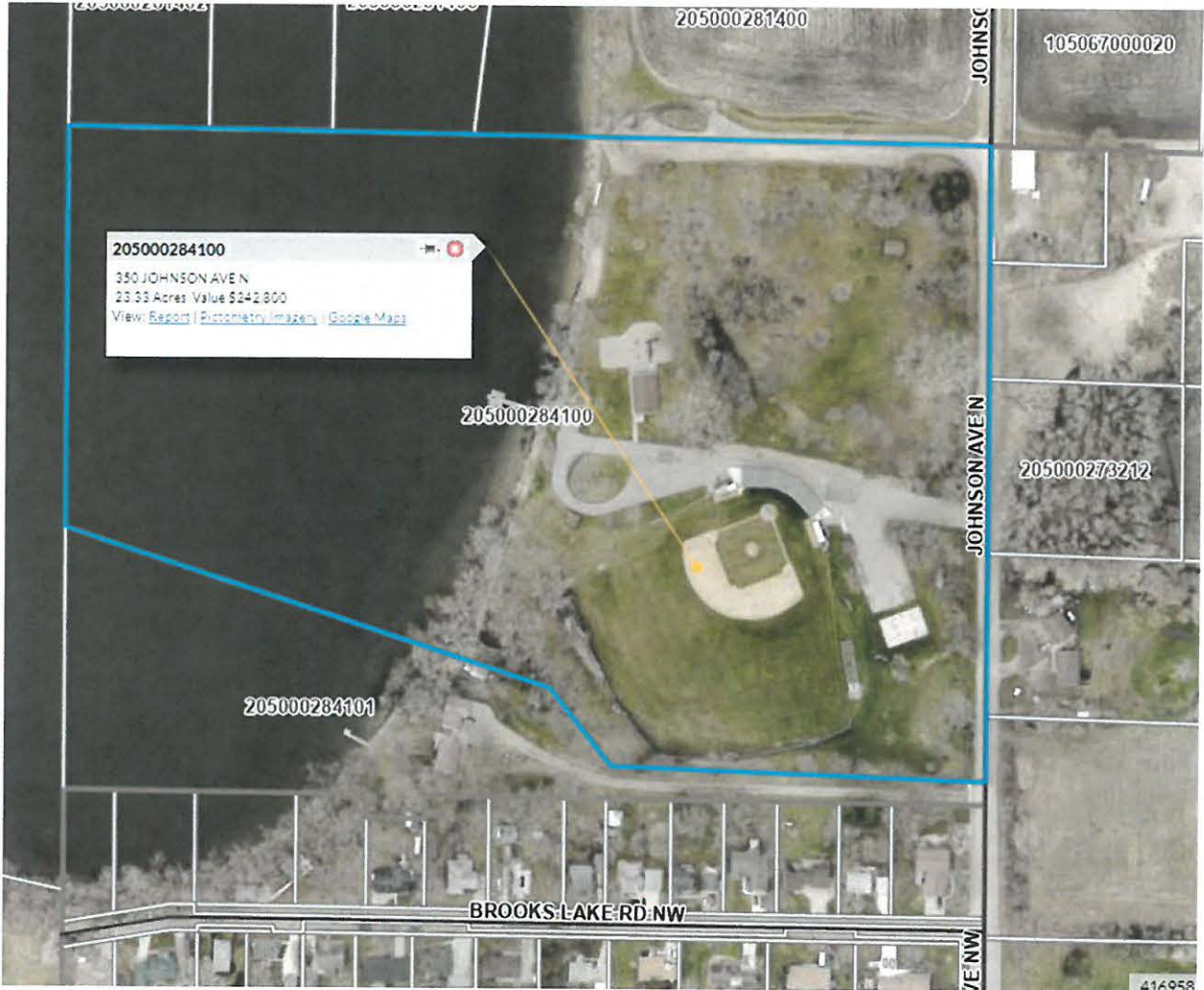
That part of the Northeast Quarter of the Southeast Quarter of Section 28, Township 119, Range 28, Wright County, Minnesota, lying northerly of the following described line:

Commencing at the northeast corner of said Northeast Quarter of the Southeast Quarter; thence South 00 degrees 03 minutes 01 seconds East, assumed bearing, along the east line of said Northeast Quarter of the Southeast Quarter, a distance of 901.50 feet to the actual point of beginning of the line to be described; thence North 87 degrees 51 minutes 52 seconds West, a distance of 533.61 feet; thence North 39 degrees 00 minutes 35 seconds West, a distance of 140.64 feet; thence North 72 degrees 02 minutes 50 seconds West, a distance of 723.48 feet to the west line of the Northeast Quarter of the Southeast Quarter and there terminating.

H:\COKATO_CJ_MN\00\1129659\CAD\C3D\129659_V_PROP_1-Vet Park Annexation.dwg 10/13/2023 8:00:29 AM



Map of Annexation



ANNEXATION AREA

