

**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 DAWSON AND RIVERSIDE TOWNSHIP
PURSUANT TO MINNESOTA STATUTES § 414.0325**

WHEREAS, a request from the property owner of the area proposed for designation and immediate annexation was received.

WHEREAS, the City of Dawson and Riverside Township jointly agree to designate and request the immediate annexation of the following described land located within Riverside Township to the City of Dawson, Lac qui Parle County, Minnesota;

A tract of land located in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Sixteen (16), Township One Hundred Seventeen (117), Range Forty-Three (43) West of the 5th P.M., Lac qui Parle County, Minnesota described as follows:

The Point of Beginning being the Southwest corner of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43; thence S89°53'12"W 130.00 feet; thence N 00°26'34"E 565.83; thence N89°53'12"E 580.00 feet to the 1/4 1/4 Section Line of said Section 16; thence along the 1/4 1/4 Section Line of said Section 16 S00°22'09"W 130.00 feet; thence along the north line of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43 S89°51'25"W 450.00 feet to the NW corner of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43; thence along the west line of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43 S00°26'58"W 435.60 feet to the Point of Beginning,

EXCEPTING:

The North 435.60 feet of the South 485.60 feet of the West 60.00 feet of the East 510.00 feet of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Sixteen (16), Township One Hundred Seventeen (117) North, Range Forty-three (43) West.

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

WHEREAS, the City of Dawson and Riverside 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 Dawson and the Township Board of Riverside Township as follows:

1. 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:

A tract of land located in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Sixteen (16), Township One Hundred Seventeen (117), Range Forty-Three (43) West of the 5th P.M., Lac qui Parle County, Minnesota described as follows:

The Point of Beginning being the Southwest corner of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43; thence S89°53'12"W 130.00 feet; thence N 00°26'34"E 565.83; thence N89°53'12"E 580.00 feet to the 1/4 1/4 Section Line of said Section 16; thence along the 1/4 1/4 Section Line of said Section 16 S00°22'09"W 130.00 feet; thence along the north line of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43 S89°51'25"W 450.00 feet to the NW corner of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43; thence along the west line of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43 S00°26'58"W 435.60 feet to the Point of Beginning,

EXCEPTING:

The North 435.60 feet of the South 485.60 feet of the West 60.00 feet of the East 510.00 feet of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Sixteen (16), Township One Hundred Seventeen (117) North, Range Forty-three (43) West.

2. That the orderly annexation area consists of approximately 2.5 acres, the population in the area is zero, the current land use is agricultural, and is owned by Titan Machinery Inc. The proposed use will be commercial with the expansion of Titan Machinery Inc.'s current facility on the adjoining property (that is within city limits).

3. That Riverside Township and the City of Dawson, 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. Minnesota Statutes § 414.036.

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

Parties agree to **no** reimbursement.

b. Assessments and Debt.

The parties state that there are no special assessments outstanding.

5. That Titan Machinery Inc, as evidence by its consent hereto, also requests and petitions for immediate annexation of the Designated Area.

6. The City of Dawson and Riverside 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 the City Council of Dawson this 12 day of March 2024.

CITY OF DAWSON

By: Randy Jensen
Mayor

ATTEST:

By: [Signature]
City Clerk

Adopted by affirmative vote of the members of the Riverside Township Board of Supervisors this 2nd day of April 2024.

RIVERSIDE TOWNSHIP

By: David Bergeson
Chairperson
Board of Supervisor

ATTEST:

By: Lisa Malecek
Township Clerk

PETITION/CONSENT TO ANNEXATION

The undersigned, as owner of the 2.5 acres described herein, hereby petitions and consents to the orderly annexation of said the property.

Titan Machinery Inc.

Dated: April 5, 2024

Bryan J. Knutson
By: Bryan Knutson
Its: CEO

THIS INSTRUMENT WAS DRAFTED BY:
Richard G. Stulz, Dawson City Attorney
214 6th Avenue
Madison, MN 56256

LIST OF EXHIBITS

EXHIBIT A- overview of the City of Dawson. Proposed area to be annexed in the upper left hand side located along Hwy 212 and Highway 119.

EXHIBIT B- close-up the area from the same map as Exhibit A.

EXHIBIT C- survey of the additional area acquired which shows the City's future road site, as well as the new access easement along the south side to the adjoining land (if future development).

EXHIBIT D- legal description for the area to be annexed. Please note the surveyor included the City land but it is excepted from the overall description.

EXHIBIT E- Copy of Titan's deed acquiring original site from Midwest/Timmons.

EXHIBIT F- Copy of Titan's deed acquiring additional land from Hill.

EXHIBIT G- Copy of Titan's deed acquiring "future road area" from the City.

EXHIBIT A

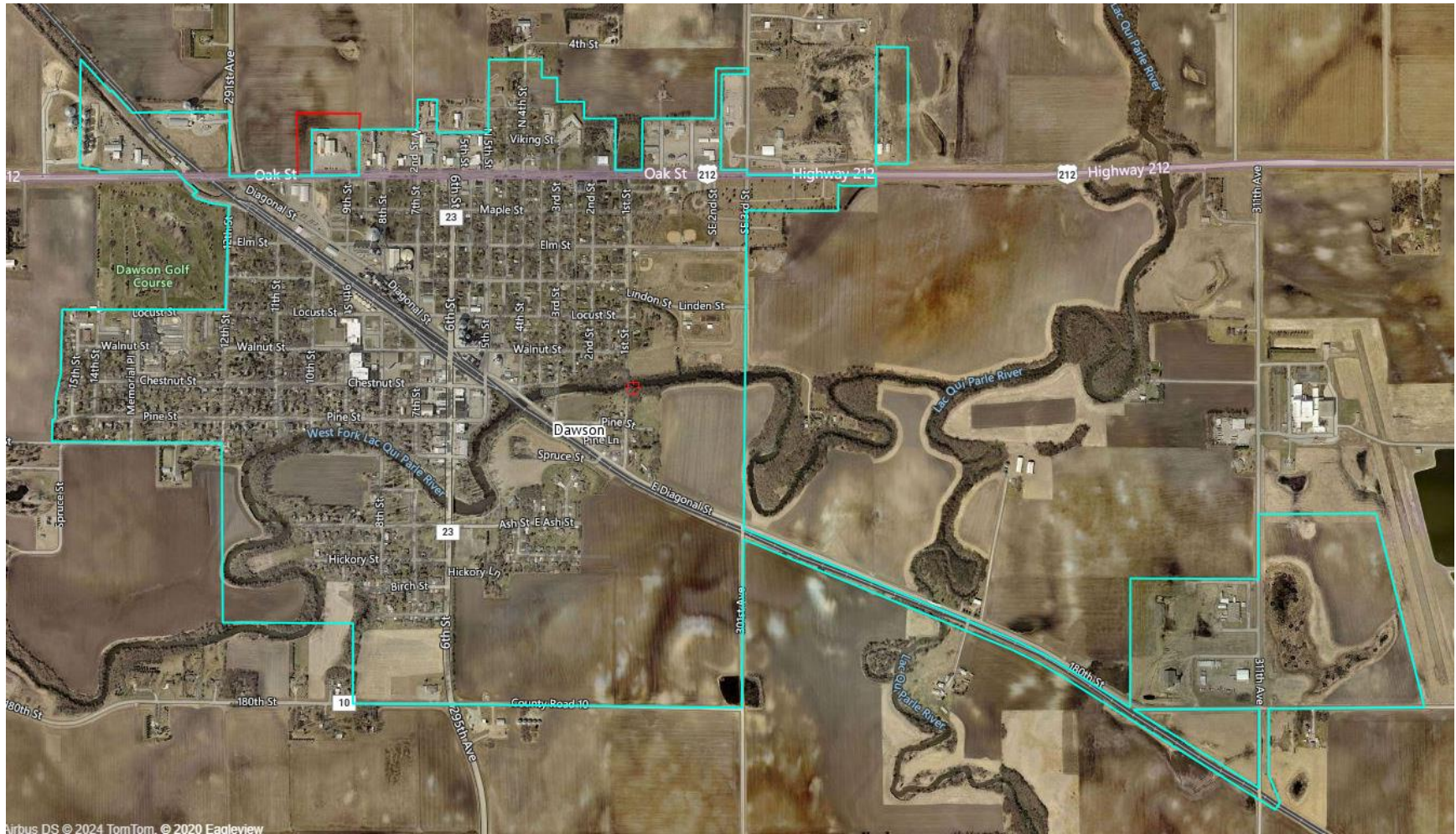


EXHIBIT B



Legend

- ∩ Parcels
- ∩ Rivers
- // Sections
- Az Townships
- Lakes

EXHIBIT C

ACCESS EASEMENT EXHIBIT

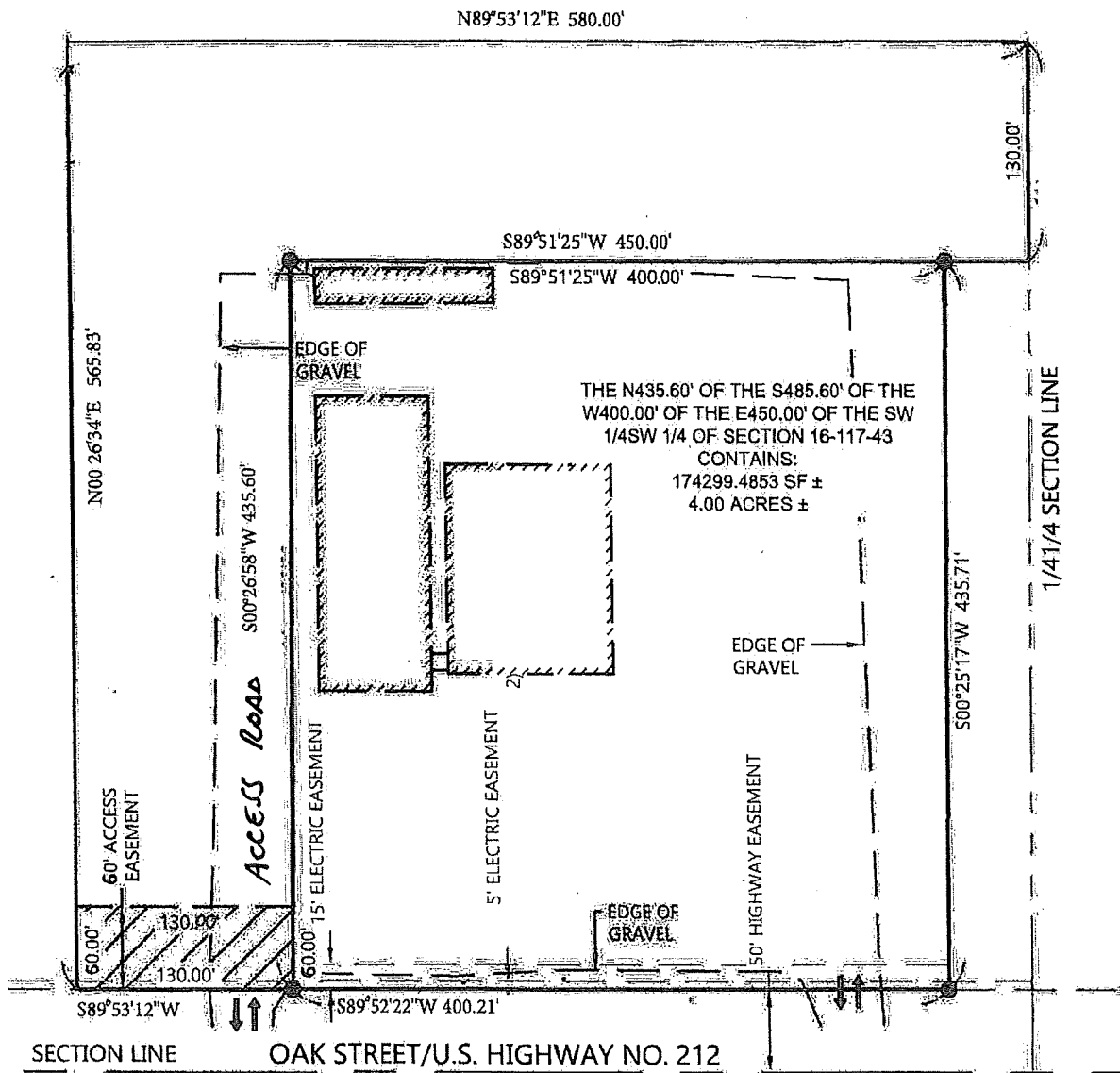


EXHIBIT D

Legal Description

Lac qui Parle County, Minnesota:

A tract of land located in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Sixteen (16), Township One Hundred Seventeen (117), Range Forty-Three (43) West of the 5th P.M., Lac qui Parle County, Minnesota described as follows:

The Point of Beginning being the Southwest corner of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43; thence S89°53'12"W 130.00 feet; thence N 00°26'34"E 565.83; thence N89°53'12"E 580.00 feet to the 1/4 1/4 Section Line of said Section 16; thence along the 1/4 1/4 Section Line of said Section 16 S00°22'09"W 130.00 feet; thence along the north line of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43 S89°51'25"W 450.00 feet to the NW corner of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43; thence along the west line of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43 S00°26'58"W 435.60 feet to the Point of Beginning,

EXCEPTING:

The North 435.60 feet of the South 485.60 feet of the West 60.00 feet of the East 510.00 feet of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Sixteen (16), Township One Hundred Seventeen (117) North, Range Forty-three (43) West.

EXHIBIT
E

No delinquent taxes and transfer entered
Certificate of Real Estate Value
(x) filed () not required CRV No 5673
Date 6/5/2023

by Angela Espinoza County Aud-Treas.
Wendy Voorhes Deputy
LAC QUI PARLE CO. MN

DOCUMENT NO. 258478
OFFICE OF COUNTY RECORDER \$46.00
LAC QUI PARLE COUNTY, MN Pg 1 of 2
I hereby certify that the within instrument was duly
filed/recorded in my office on 6/5/2023
at 8:42:40 AM as Document No. 258478
Lori Schwendemann, Lac qui Parle County Recorder

LAC QUI PARLE COUNTY

Date 6/5/2023
Deed Tax \$ 7,342.50
No. 139887

By Wendy Voorhes Chief Deputy
Wendy Voorhes

Simplifile

(Top 3 inches reserved for recording data)

WARRANTY DEED Minnesota Uniform Conveyancing Blanks
Business Entity to Business Entity Form 10.1.9 (2013)

eCRV number: 15411314

DEED TAX DUE: \$7342.50

DATE: 6-1-23
(month/day/year)

FOR VALUABLE CONSIDERATION, D & S Midwest, LLC a Limited Liability Company under the laws of the State of Minnesota ("Grantor"), hereby convey(s) and warrant(s) to Titan Machinery Inc. a Corporation under the laws of the State of Delaware ("Grantee"), real property in Lac Qui Parle County, Minnesota, legally described as follows:

The North 435.60 feet of the South 485.60 feet of the West 400.00 feet of the East 450.00 feet of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Sixteen (16), Township One Hundred Seventeen (117) North, Range Forty-three (43) West, Lac qui Parle County, Minnesota

Check here if all or part of the described real property is Registered (Torrens)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Check applicable box:

- The Seller certifies that the Seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____.)
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

D & S MIDWEST, LLC

David A. Timmons

David Alan Timmons
President/Chief Manager

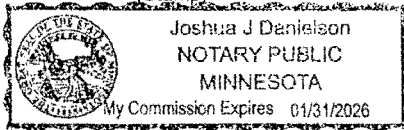
Susan D. Timmons

Susan Denise Timmons
Vice President/Secretary/Treasurer

State of Minnesota, County of Kandiyohi

This instrument was acknowledged before me on 6-1-23, by David Alan Timmons as President/Chief Manager and by Susan Denise Timmons as Vice President/Secretary/Treasurer of D & S Midwest, LLC, a Minnesota Limited Liability Company on behalf of the Limited Liability Company.

(Stamp)



[Signature]

(signature of notarial officer)

Title (and Rank): _____

My commission expires: _____

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Kandiyohi Abstract & Title Company
309 Lakeland Drive SE, Suite No. 4
Willmar, MN 56201
23.9388

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN
THIS INSTRUMENT SHOULD BE SENT TO:

(insert legal name and residential or business address of Grantee)

Titan Machinery Inc.

644 East Beaton Dr.
West Fargo, ND 58078

644 East Beaton Dr.
West Fargo, ND 58078



No delinquent taxes and transfer entered
Certificate of Real Estate Value
(x) filed () not required CRV No 5828
Date 2/5/2024
Angela Fajone County Aud-Treas.
by Wendy Voorhees Deputy
LAC QUI PARLE CO. MN

DOCUMENT NO. 259600
OFFICE OF COUNTY RECORDER \$46.00
LAC QUI PARLE COUNTY, MN Pg 1 of 3
I hereby certify that the within instrument was duly
filed/recorded in my office on 2/5/2024
at 1:56:20 PM as Document No. 259600
Lori Schwendemann, Lac qui Parle County Recorder

LAC QUI PARLE COUNTY
Date 2/5/2024
Deed Tax \$ 495.00
No. 141179

By Wendy Voorhees Deputy
Wendy Voorhees

Simplefile

Current Year Taxes Paid in Full
Lac qui Parle Co. Auditor-Treasurer

eCRV: 1621002

WARRANTY DEED

DEED TAX DUE \$495.00

Date: January 24, 2024

FOR VALUABLE CONSIDERATION, Paul W. Hill, an unmarried widower, and Paul W. Hill, as trustee of the Paul W. Hill and Peggy J. Hill Revocable Trust Agreement dated December 20, 2021, Grantors, hereby convey and warrant to **Titan Machinery Inc.**, Grantee, real property in Lac qui Parle County, Minnesota, described as follows:

A tract of land located in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Sixteen (16), Township One Hundred Seventeen (117), Range Forty-Three (43) West of the 5th P.M., Lac qui Parle County, Minnesota described as follows:

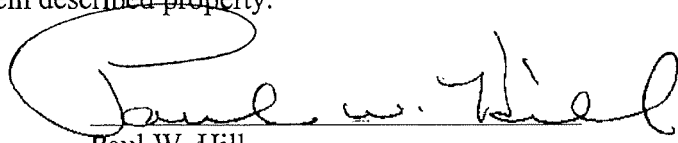
The Point of Beginning being the Southwest corner of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43; thence S89°53'12"W 130.00 feet; thence N 00°26'34"E 565.83; thence N89°53'12"E 580.00 feet to the 1/4 1/4 Section Line of said Section 16; thence along the 1/4 1/4 Section Line of said Section 16 S00°22'09"W 130.00 feet; thence along the north line of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43 S89°51'25"W 450.00 feet to the NW corner of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43; thence along the west line of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW 1/4 SW 1/4 of said Section 16-117-43 S00°26'58"W 435.60 feet to the Point of Beginning containing 3.036 acres more or less.

EXCEPTING:
The North 435.60 feet of the South 485.60 feet of the West 60.00 feet of the East 510.00 feet of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Sixteen (16), Township One Hundred Seventeen (117) North, Range Forty-three (43) West,

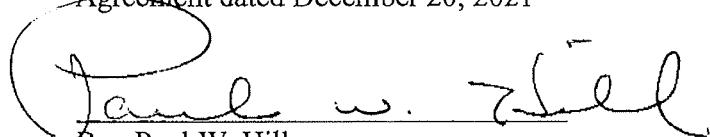
together with all hereditaments and appurtenances belonging hereto, subject to the following exceptions:

All easements, restrictions, and reservations, if any, of record or apparent upon inspection of the premises, and to environmental restrictions or conditions of the land due to past use practices upon the premises.

Grantors certify there are no wells on the herein described property.

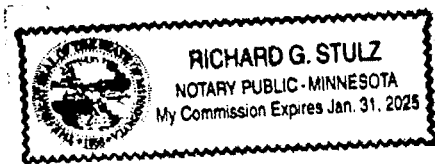

Paul W. Hill


Paul W. Hill and Peggy J. Hill Revocable Trust
Agreement dated December 20, 2021


By: Paul W. Hill
Its: Trustee

STATE OF MINNESOTA)
) SS.
COUNTY OF LAC QUI PARLE)

The foregoing instrument was acknowledged before me this 25 day of January, 2024, by Paul W. Hill, an unmarried widower, and Paul W. Hill, as trustee of the Paul W. Hill and Peggy J. Hill Revocable Trust Agreement dated December 20, 2021.





Notary Public

Tax Statements for the real property described in this instrument should be sent to:
Titan Machinery Inc.
644 E Beaton Dr.
West Fargo, ND 58078

This instrument was drafted by:
Swenson, Nelson & Stulz, PLLC
Attorneys at Law
214 Sixth Avenue
Madison, MN 56256

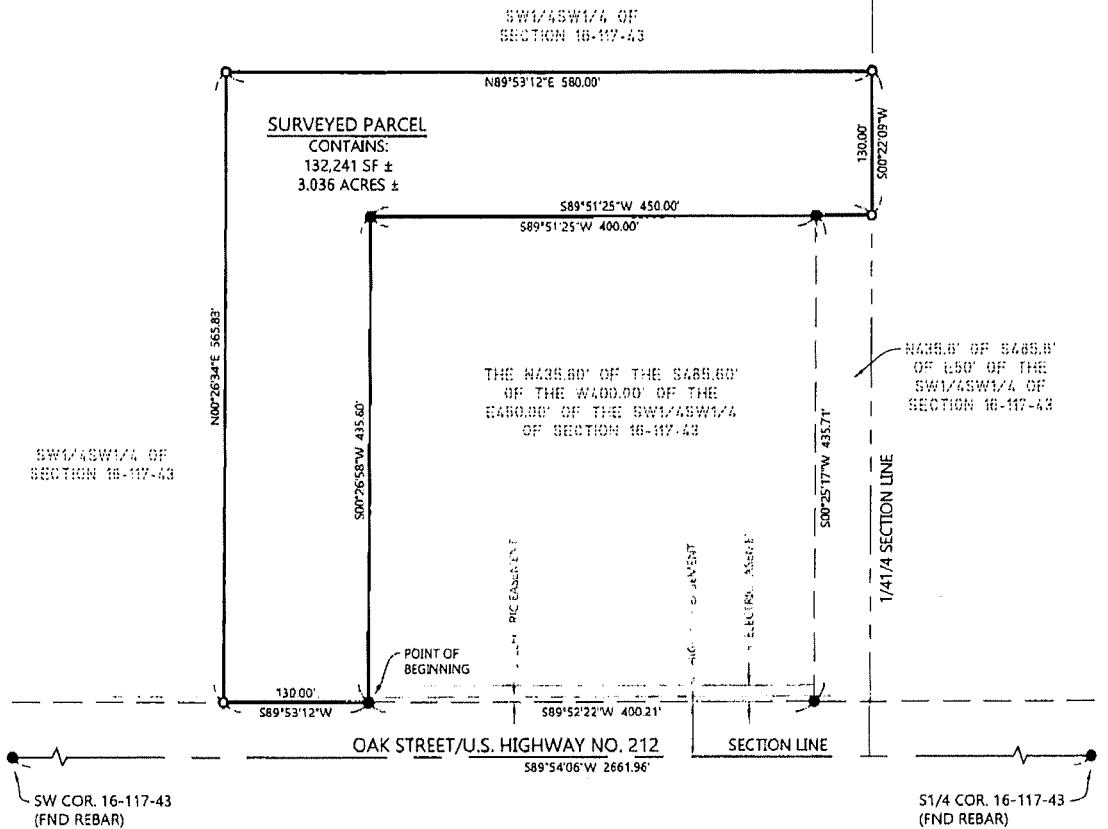
CERTIFICATE OF SURVEY

PROJECT NO.: 21429
 DATE: January 2, 2024
 PREPARED FOR: Titan Machinery

LEGAL DESCRIPTION:

A tract of land located in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Sixteen (16), Township One Hundred Seventeen (117), Range Forty-Three (43) West of the 5th P.M., Lac Qui Parle County, Minnesota described as follows:

The Point of Beginning being the Southwest corner of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW1/4SW1/4 of said Section 16-117-43; thence S89°53'12"W 130.00 feet; thence N 00°26'34"E 565.83; thence N89°53'12"E 580.00 feet to the 1/4 1/4 Section Line of said Section 16; thence along the 1/4 1/4 Section Line of said Section 16 S00°22'09"W 130.00 feet; thence along the north line of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW1/4SW1/4 of said Section 16-117-43 S89°51'25"W 450.00 feet to the NW corner of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW1/4SW1/4 of said Section 16-117-43; thence along the west line of the N435.60' of the S485.60' of the W400.00' of the E450.00' of the SW1/4SW1/4 of said Section 16-117-43 S00°26'58"W 435.60 feet to the Point of Beginning containing 3.036 acres ±.



I hereby certify that this plan, specification or report was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

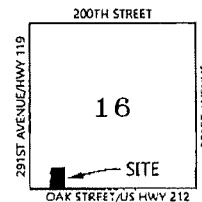
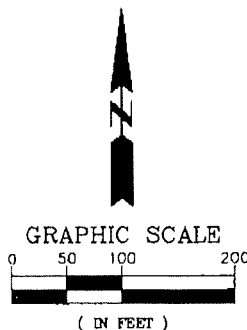
Print Name: James H. Cordell
 Signature: *James H. Cordell*
 Date: 1/8/2024 License # 47468

Notes:
 The bearing system for this survey is based on the Lac Qui Parle County, MN projection.

This survey was prepared without the benefit of a title commitment.

Legend

- - Denotes 5/8 inch by 18 inch rebar set and marked by License No. 47468
- - Denotes found monument
- - Denotes 5/8 inch by 18 inch rebar Witness Corner set and marked by License No. 47468
- (R) - Record Distance
- (M) - Measured Distance



VICINITY MAP
 SECTION 16-117-43

Total Area Surveyed:
 2.954 Acres±





WARRANTY DEED

DEED TAX DUE \$1.65

Date: March 12, 2024

FOR VALUABLE CONSIDERATION, the City of Dawson, a political subdivision of the state of Minnesota, Grantor, hereby conveys and warrants to **Titan Machinery Inc.**, Grantee, real property in Lac qui Parle County, Minnesota, described as follows:

The North 435.60 feet of the South 485.60 feet of the West 60.00 feet of the East 510.00 feet of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Sixteen (16), Township One Hundred Seventeen (117) North, Range Forty-three (43) West,

together with all hereditaments and appurtenances belonging hereto, subject to the following exceptions:

All easements, restrictions, and reservations, if any, of record or apparent upon inspection of the premises, and to environmental restrictions or conditions of the land due to past use practices upon the premises.

Total consideration is less than \$3,000.00.

CITY OF DAWSON

Randy Tensen

By: Randy Tensen
Its: Mayor

ATTEST:

Kristin Daline

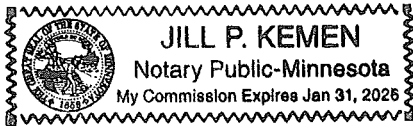
By: Kristin Daline
Its: City Clerk

STATE OF MINNESOTA)
)SS.
COUNTY OF LAC QUI PARLE)

The foregoing instrument was acknowledged before me this 13 day of March, 2024, by Randy Tensen, Mayor, and Kristin Daline, City Clerk of the City of Dawson, a municipal corporation under the laws of the State of Minnesota.

Jill Kemen

Notary Public



Tax Statements for the real property described in this instrument should be sent to:
Titan Machinery Inc.
644 E Beaton Dr.
West Fargo, ND 58078

This instrument was drafted by:
Swenson, Nelson & Stulz, PLLC
Attorneys at Law
214 Sixth Avenue
Madison, MN 56256