

06-96-04

IN THE MATTER OF THE AMENDMENT TO THE JOINT RESOLUTION OF THE TOWNSHIP OF ST. JAMES AND THE CITY OF ST. JAMES DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF ORDERLY ANNEXATION AND CONFERRING JURISDICTION OVER SAID AREA TO THE MINNESOTA MUNICIPAL BOARD PURSUANT TO M.S. 414.0235 SUBD.1.

The Township of St. James and the City of St. James hereby jointly agree to the Resolution dated August 15, 1989 to include:

1. That the following described area in St. James Township is subject to orderly annexation pursuant to Minnesota Statutes 414.0325, and the parties hereto designate this area for orderly annexation:

**Property Description:**

**Sorenson's Third Addition**

That part of Floradale Addition No. 2, Floradale Addition No. 3, Floradale Addition No. 4, according to the recorded plats thereof, and part of the Southwest Quarter of the Northeast Quarter of section 24, Township 106 North, Range 32 West, Watonwan County, Minnesota, described as follows:

Beginning at the Southwest corner of Fifth Street South as platted is said Floradale Addition No. 4, thence on an assumed bearing of North 0 degrees 12 minutes 34 seconds East, along the west line of Fifth Street South as platted in said Floradale Addition No. 4, Floradale Addition No. 3 and Floradale Addition No. 2, a distance of 424.61 feet to the Southeast corner Lot 4 of Sorenson's Addition, according to the recorded plat thereof; thence North 87 degrees 19 minutes 21 seconds West, along the south line of said Lot 4, a distance of 120.00 feet; thence South 0 degrees 12 minutes 34 seconds West a distance of 25.00 feet; thence North 87 degrees 19 minutes 21 seconds West a distance of 30.00 feet; thence South 0 degrees 12 minutes 34 seconds West a distance of 399.63 feet; thence 87 degrees 19 minutes 49 seconds East a distance of 150.00 feet to the point of beginning, containing 1.44 acres, subject to easements now of record in said county and state.

2. That the Township of St. James does, upon passage of this resolution and its adoption by the City Council of the City of St. James, Minnesota, and upon acceptance by the Municipal Board, confer jurisdiction upon the Minnesota Municipal Board over various provisions contained in this agreement.

3. Certain properties abutting the City of St. James are presently urban or suburban in nature or are about to become so. Further, the City of St. James is capable of providing services to this area within a reasonable time, or the existing township form of government is not adequate to provide services such as water, sewer, or streets or the annexation would be in the best interests of the area proposed for annexation. Therefore, these properties would be immediately annexed to the City of St. James. This area described as follows:

Legal Description:

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4. That the effect of annexations on population shall be resolved whenever possible by agreement of parties. If there is failure to reach such agreement, the question shall be resolved by the Minnesota Municipal Board.

5. That planning through the orderly annexation area shall be pursuant to Minnesota Statutes 414.0325:

Legal Description:

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150.00 feet to the point of beginning, containing 1.44 acres, subject to easements now of record in said county and state.

6. That any person owning lands annexed to the city pursuant to this agreement shall have the following rights with regard to the payment of assessments and hook-up charges on projects previously assessable against said annexed property:

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Sorenson's Third Addition

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7. No consideration by the board is necessary.

8. In case of annexation, the City agrees to compensate the Townships for lost revenue, waiving its right to object over four (4) years. Cash payments will be made to the Townships based on the assessed value of the annexed property as of the date of the annexation each year as applied to the Township's mill rate for the year of payment, in accordance with the \$100.00 or less for the entire four year period, payment shall be made to Treasurer of Township affected at completion of annexation. The tax to be returned to the Townships is based upon the method of payment of real estate taxes, in that taxes payable in one year are actually taxes for the preceding year, as paid by the landowner.

Year After Actual Annexation	Percent of Above Computed Tax to be Returned to the Townships
1	100%
2	80%
3	60%
4	40%

City of St. James

Passed and adopted by the City Council of the City of St. James  
 this 4<sup>th</sup> day of June 1996.

Attest:

Malcolm Tilberg By Robert Kline  
 Malcolm Tilberg (Clerk) Robert Kline (Mayor)

Passed and adopted by the Township Board of the Township of St. James this

12<sup>th</sup> day of June 1996.

Daniel Sturm by Henry Kohn  
 Daniel Sturm (Township Clerk) Henry Kohn (Chairman)



