

MINNESOTA MUNICIPAL BOARD
SUITE #225 BANDANA SQUARE
1021 BANDANA BLVD. E.
ST. PAUL, MN 55108

IN THE MATTER OF THE
DESCRIPTION OF AN
UNINCORPORATED AREA IN
NININGER TOWNSHIP AS IN NEED
OF ORDERLY ANNEXATION TO THE
CITY OF HASTINGS, AND
CONFERRING JURISDICTION OVER
SAID AREA IN THE MINNESOTA
MUNICIPAL BOARD PURSUANT TO
MINNESOTA STATUTES, 414.0325

JOINT RESOLUTION OF THE CITY
OF HASTINGS
AND THE
TOWNSHIP OF NININGER
FOR ORDERLY ANNEXATION

WHEREAS, the Duane R. Wallin and Winston R. Wallin Limited Partnership, a Minnesota Limited Partnership comprised of Duane R. Wallin and Winston R. Wallin, the owner of certain properties situated in the Township of Nininger, Dakota County, Minnesota, has filed a petition asking for the annexation to the City of Hastings, of said property, herein described below;

WHEREAS, the City of Hastings and the Township of Nininger, desire to enter into a joint resolution approving the annexation of the property.

NOW, THEREFORE, BE IT RESOLVED, by the City of Hastings and the Township of Nininger as follows:

1. **Orderly Annexation Area.** The property which is situated in the Township of Nininger, Dakota County, Minnesota, legally described on Exhibit A-98, which is attached hereto and incorporated herein, is designated as unincorporated property in need of orderly annexation pursuant to Minnesota Statute 414.0325 as the same may hereafter be amended or supplemented from time to time. Said property described on Exhibit A-98 is herein described as the "Orderly Annexation Area". The Orderly Annexation Area is in need of city utilities and services so that it can be developed.

2. **Jurisdiction.** The parties to this agreement hereby confer jurisdiction upon the Minnesota Board over annexation in the Orderly Annexation Area, and over the various provisions of the agreement between the parties hereto as set forth in this Joint Resolution. Notwithstanding the foregoing, the parties specifically state that no alteration of the boundaries of the Orderly Annexation Area may be made by the Minnesota Board and further that no consideration by the Minnesota Board is necessary regarding the conditions set forth in this Joint Resolution.

3. **Immediate Annexation.** The City and Township agree that the Orderly Annexation Area will be annexed into the City upon confirmation by the Minnesota Municipal Board. Parties to this agreement do hereby consent to said annexation as of the date of the request and grant the Minnesota Municipal Board their approval to accomplish the annexation in accordance with this agreement. The City and Township agree they will not oppose said annexation. The Minnesota Municipal Board is authorized and requested to take such action as may be appropriate to accomplish the intent of the parties as set forth herein.

4. **Green Acres.** The City of Hastings agrees to pay to the Township of Nininger, upon receipt of same, any funds resulting from the disqualifications of properties under the "Green Acres" law, but only for as many of the preceding three (3) years that this qualified property was in the township.

5. **Real Estate Taxes.** It is agreed that in the year the Orderly Annexation Area is annexed to the city, that portion of the real estate tax normally allocated to the Township for the annexed property shall be paid to the City. To reimburse the Township for this lost revenue, the property owners of the Orderly Annexation Area will pay Nininger Township an amount equal to twice the amount of tax revenue Nininger Township would have received from the annexed property in 1999. Nininger Township's portion of the 1999 real estate taxes from the annexed property is projected to be \$86.84. Therefore, the total amount due from Wallins to Nininger Township will be twice that amount or \$173.68. This shall be paid to Nininger Township by the property owners within thirty (30) days after the annexation is ordered by the Minnesota Municipal Board. Thereafter, Nininger Township will not be entitled to any tax revenue from property in the Orderly Annexation Area described in this Joint Resolution.

6. **Mutual Fire Protection Contract.** The allocation of cost in the Mutual Fire Protection Contract between the City of Hastings, Nininger Township and other townships, shall be adjusted to take into account the valuation decrease of the township and the valuation increase of the City as a result of this annexation.

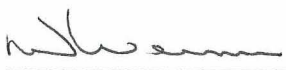
7. **Tax Capacity Rate.** Pursuant to Minnesota Statute 414.035, the Minnesota Municipal Board is requested to provide in its order that in the calendar year following annexation, the tax capacity rate of the Orderly Annexation Area be increased to equality with the tax capacity rate on property already within the City of Hastings.

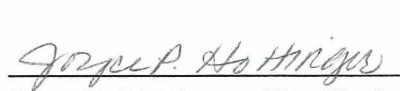
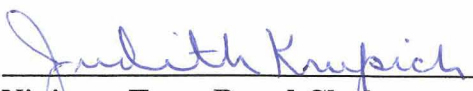
8. **General Funds.** The City of Hastings agrees that it will not apply for any Township of Nininger general funds or other assets and that Township of Nininger agrees will not apply for any City of Hastings general funds or other assets, as a result of this agreement.

9. **Entire Agreement.** The foregoing, with the exhibit referenced above and attached hereto, constitutes the entire agreement of the parties regarding the orderly annexation of the Orderly Annexation Area described in Exhibit A-98.

This joint resolution was passed and adopted at a meeting of the Hastings City Council on this 21st day of December of 1998.

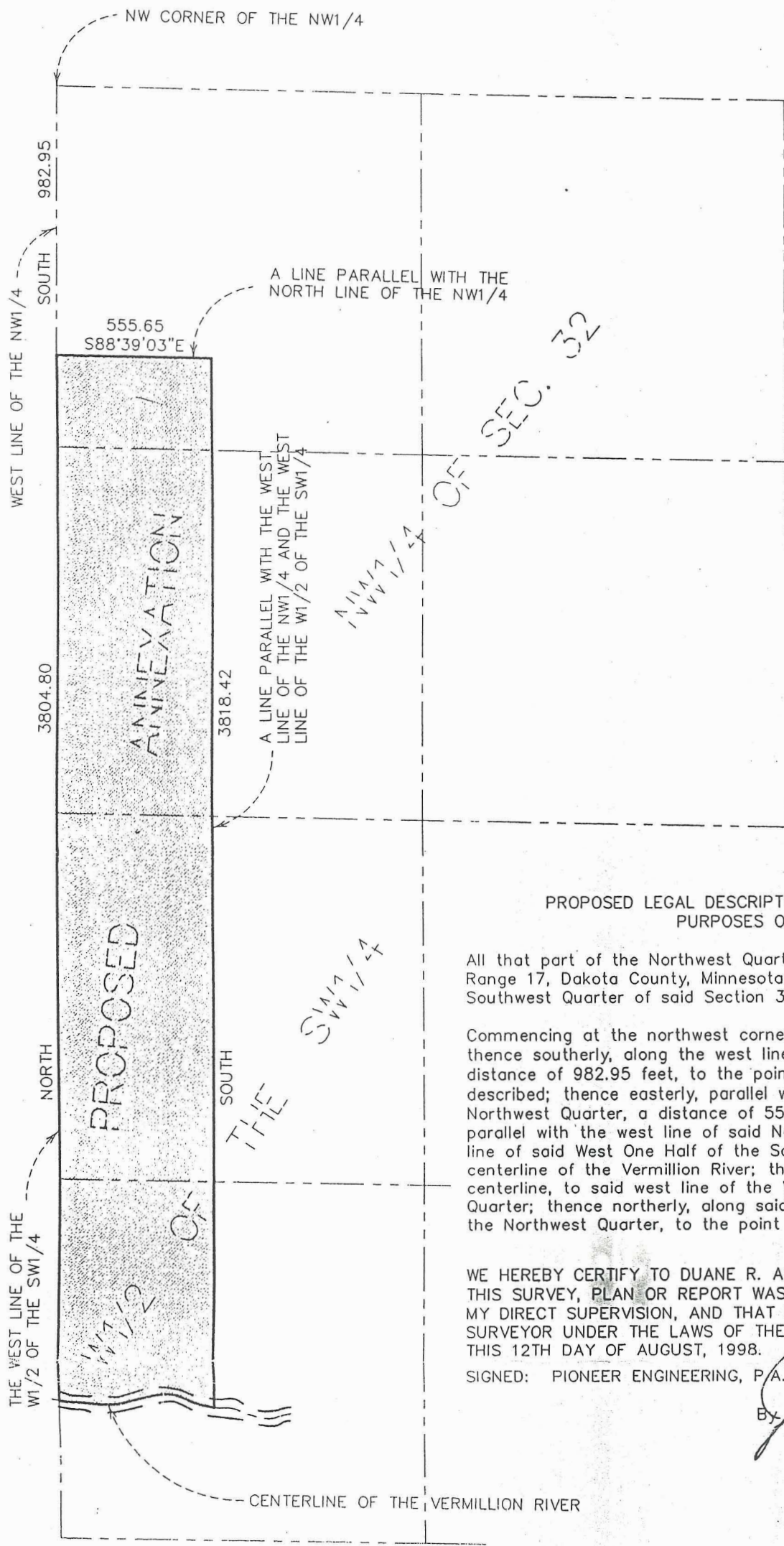
This Joint Resolution was passed and adopted at a meeting of the Nininger Town Board on this 19th day of JANUARY, 1999.

	12/21/98		1/19/99
Michael D. Werner, Mayor	Date	Nininger Town Board Chair	Date

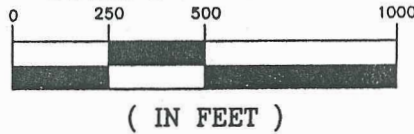
	12/21/98		1/19/99
Joyce P. Hottinger, City Clerk	Date	Nininger Town Board Clerk	Date

Description Sketch for: DUANE R. AND WINSTON R. WALLIN

REC'D. BY FEB 03 1999
MMB



GRAPHIC SCALE



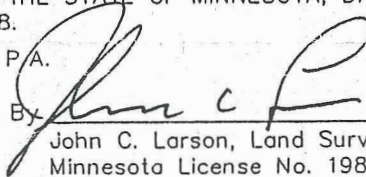
PROPOSED LEGAL DESCRIPTION FOR ANNEXATION
PURPOSES ONLY

All that part of the Northwest Quarter of Section 32, Township 115, Range 17, Dakota County, Minnesota and the West One Half of the Southwest Quarter of said Section 32, described as follows:

Commencing at the northwest corner of said Northwest Quarter; thence southerly, along the west line of said Northwest Quarter, a distance of 982.95 feet, to the point of beginning of the land to be described; thence easterly, parallel with the north line of said Northwest Quarter, a distance of 555.65 feet; thence southerly, parallel with the west line of said Northwest Quarter and the west line of said West One Half of the Southwest Quarter, to the centerline of the Vermillion River; thence westerly, along said centerline, to said west line of the West One Half of the Southwest Quarter; thence northerly, along said west line and said west line of the Northwest Quarter, to the point of beginning.

WE HEREBY CERTIFY TO DUANE R. AND WINSTON R. WALLIN THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA, DATED THIS 12TH DAY OF AUGUST, 1998.

SIGNED: PIONEER ENGINEERING, P.A.

By 
John C. Larson, Land Surveyor
Minnesota License No. 19828



LAND SURVEYORS • CIVIL ENGINEERS

LAND PLANNERS • LANDSCAPE ARCHITECTS

EXHIBIT A-98

2422 Enterprise Drive
Mendota Heights, MN 55120
(612) 681-1914 FAX: 681-9488

625 Highway 10 N.E.
Blaine, MN 55434
(612) 783-1880 FAX: 783-1883