

TO THE MINNESOTA MUNICIPAL BOARD
3475 Suite 475
McColl Building
St. Paul, MN 55101

IN THE MATTER OF THE DESCRIPTION OF
AN UNINCORPORATED AREA IN MARSHAN
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 MINN. STAT. §414.0325

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

WHEREAS, on May 3, 1984 the City of Hastings and Township of Marshan entered into a joint resolution approving the annexation of property in the Township of Marshan, which Joint Resolution was approved by the Minnesota Municipal Board; and

WHEREAS, one parcel of property included in that Joint Resolution was referred to as the "Tuttle property"; and

WHEREAS, recently, the owners of the Tuttle property have informed the City and the Township that the property they would like annexed pursuant to an orderly annexation agreement has changed from the specific legal description contained in the Joint Resolution of May 3, 1984; and

WHEREAS, since the parcel now proposed for annexation is different from that parcel in the May 3, 1984 Joint Resolution, the City of Hastings and Marshan Township agree that a new Joint Resolution containing the new legal description is appropriate, which new resolution will supersede the provisions of the May 3, 1984 Joint Resolution as they pertain to the Tuttle property; and

WHEREAS, the area now proposed for annexation is legally described as:

The North Half of the Southwest Quarter of Section 2, Township 114 North, Range 17 West, according to the Government Survey thereof, Dakota County, Minnesota.

AND

That part of the Southeast Quarter of Section 3, Township 114 North, Range 17 West, according to the Government Survey thereof, Dakota County, Minnesota, described as follows:

Commencing at the Southwest corner of the Southeast Quarter of said Section 3; thence on an assumed bearing of North, along the west line of the Southeast Quarter of said Section 3; a distance of 680.00 feet to the point of beginning of the land to be described; thence South 89 degrees 51 minutes 34 seconds East, a distance of 2156.81 feet; thence North 46 degrees 12 minutes 42 seconds East, a distance of 669.38 feet to the east line of the Southeast Quarter of said Section 3; thence North 00 degrees 01 minutes 50 seconds West, along said east line, a distance of 1470.01 feet to the northeast corner of the Southeast Quarter of said Section 3; thence North 89 degrees 54 minutes 25 seconds West, along the north line of the Southeast Quarter of said Section 3, a distance of 2631.09 feet to the northwest corner of the Southeast Quarter of said Section 3; thence on a bearing of South, along the west line of the Southeast Quarter of said Section 3, a distance of 1940.56 feet to the point of beginning.

EXCEPTING THEREFROM that part described as follows:

Beginning at a point, which point is the Northwest corner of said Southeast quarter (SE $\frac{1}{4}$); thence South on said West line 240.29 feet; thence South 89 degrees 07 minutes 53 seconds East for a distance of 1213.35 feet, more or less, to the centerline of State Trunk Highway No. 316; thence Northwesterly along said centerline for 319.40 feet, more or less,

to the North line of said Southeast quarter (SE $\frac{1}{4}$); thence North 89 degrees 51 minutes 53 seconds West along said North line for 1018.80 feet to the point of beginning.

Subject to all easements and restrictions of record.

The total acreage of this parcel is 188 acres.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF HASTINGS AND THE TOWNSHIP OF MARSHAN AS FOLLOWS:

1. This Joint Resolution shall supersede and replace the Joint Resolution of May 3, 1984, only as it relates to the "Tuttle Farm" property described in the May 3, 1984 Joint Resolution. The remaining Tuttle Farm property shall not be eligible for orderly annexation under the terms of the May 3, 1984 orderly annexation agreement between the parties.

2. The orderly annexation area is in need of orderly annexation pursuant to Minn. Stat. §414.0325, as amended, more specifically, the orderly annexation area needs City utilities so that it can be developed.

3. The parties to this Joint Resolution hereby confer jurisdiction upon the Minnesota Municipal Board over annexation in the orderly annexation area and over the various provisions of this Joint Resolution.

4. The Minnesota Municipal Board may review and comment but may not alter the stated boundaries of the orderly annexation area.

5. The parties agree that the orderly annexation area may be immediately annexed to the City of Hastings. The parties authorize and request the Minnesota Municipal Board to order this annexation without further consideration by the Board except for its statutory

right to review and comment.

6. Pursuant to Minn. Stat. §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.

7. It is agreed that in the year the orderly annexation area is annexed to the City, that portion of the real estate taxes normally allocated to the Township shall be paid to the City. To reimburse the Township for this lost revenue, the property owners of the orderly annexation area have paid Marshan Township an amount equal to twice the amount of tax revenue Marshan received from the orderly annexation area in 1992. Marshan Township's portion of the 1992 real estate taxes from the orderly annexation area was \$282.64. Therefore, the total amount due from the property owners is \$565.28. Marshan Township hereby acknowledges receipt of \$565.28 from the property owners of the orderly annexation area. Thereafter, the Town of Marshan shall not be entitled to any tax revenue from property in the Tuttle Farm orderly annexation area described herein.

8. If the City of Hastings extends any utilities past, on, or through property in the City adjacent to property still in Marshan Township, the property in Marshan Township shall not be assessed for said improvements until that benefited property is annexed to the City of Hastings.

9. The allocation of costs in the Mutual Fire Protection

Contract between the City of Hastings, Marshan 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.

10. The City of Hastings agrees not to apply for any Township of Marshan general funds or other assets. The Township of Marshan agrees that it will not apply for any City of Hastings general funds or other assets as a result of this Joint Resolution.

11. The Mayor and City Clerk of the City of Hastings and the township officers of the Township of Marshan are hereby authorized and directed to take such action and execute such documents as may be necessary to accomplish the goals of this Joint Resolution.


12. It is understood this Joint Resolution will not become effective until it is approved by the Minnesota Municipal Board.

13. This Joint Resolution constitutes the entire agreement of the parties regarding the annexation of the orderly annexation area.

This Joint Resolution was passed and adopted at a duly-called meeting of the Board of Supervisors of the Township of Marshan on the 15th day of December, 1992.

This Joint Resolution was passed and adopted at a duly-called meeting of the City Council of the City of Hastings on the 19th day of January, 1993.

CITY OF HASTINGS, A MINNESOTA
MUNICIPAL CORPORATION

By: 
Michael D. Werner, Its Mayor


ATTEST:


Barbara C. Thompson, City Clerk

(SEAL)


BOARD OF SUPERVISORS, TOWNSHIP
OF MARSHAN

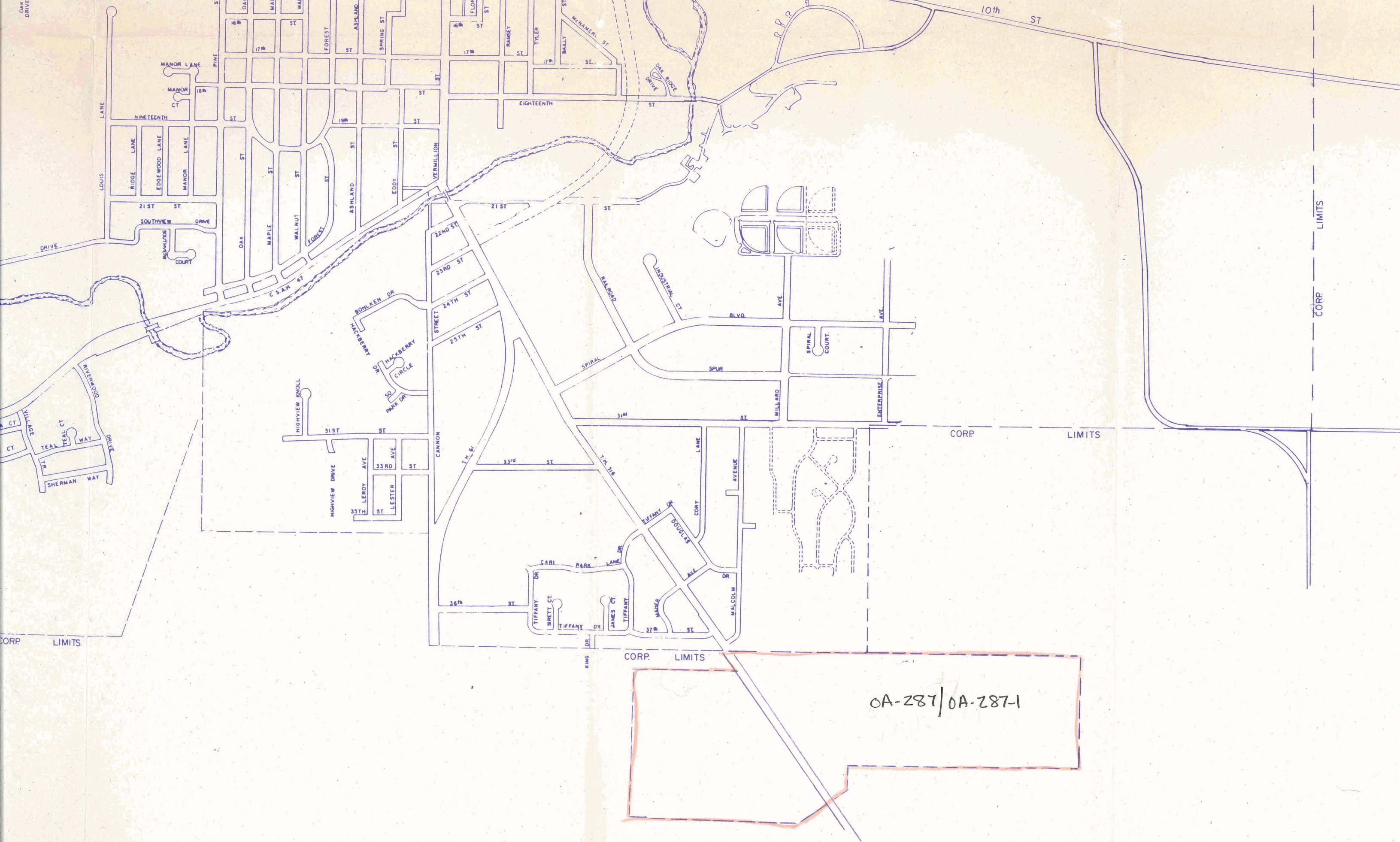

Fran Teuber


Ronald Mamer


Roger Fox

ATTEST:


Nic Leifeld, Clerk



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