

REC'D. BY MAY 21 1993
MMB

**JOINT RESOLUTION BETWEEN THE TOWN OF ROCKFORD
AND THE CITY OF BUFFALO,
DESIGNATING AN AREA FOR ORDERLY ANNEXATION**

COPY

The Town of Rockford and the City of Buffalo hereby jointly agree to the following:

1. Orderly Annexation Area

An area in the Town of Rockford is in need of orderly annexation to the City of Buffalo pursuant to Minnesota Statutes Chapter 414.0325. The parties hereto designate this area consisting of approximately 189 acres (235 acres minus property already annexed) (the "Property") for orderly annexation as described on Exhibit A attached hereto.

2. Municipal Board

The Town of Rockford and the City of Buffalo do, upon adoption of this resolution, and upon acceptance by the Minnesota Municipal Board, confer jurisdiction upon the Minnesota Municipal Board over the Property so as to accomplish said annexation in accordance with the terms of this Resolution. No consideration or hearing by the Minnesota Municipal Board is necessary. The Board may review and comment, but shall, within thirty (30) days, order the immediate annexation of the Property to the City of Buffalo in accordance with the terms of this joint resolution. No alteration of the described boundary of the Property is appropriate. Annexation of the Property shall occur as of the effective date of this agreement as defined herein.

3. Character of Property

The Property abuts the City of Buffalo and is presently urban or suburban in nature or is about to become so. Further, the City of Buffalo is now, or within a reasonable time will be capable of providing municipal water and sanitary sewer to the Property.

4. Development of Annexation Area

It is agreed and understood by the parties that the

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intended use of the property is to plat and subdivide the Property for construction of a golf course and residential development after the effective date of this agreement. Upon annexation, the City of Buffalo intends to establish a Planned Unit Development on the property pursuant to zoning regulations of the City of Buffalo. It shall be the responsibility of the owner of the property to obtain all necessary building permits, conditional use permits, variances, and other licenses or approvals prior to the development of the property.

The City of Buffalo shall have the right and authority to install municipal water and sanitary sewer service, roads and other public improvements within the Property area in accordance with City development policies, Minnesota Statutes Chapters 429.01 et seq, as amended, or any other appropriate statute or ordinance.

The City of Buffalo shall assume all liability for installation and construction of said municipal utility services and shall hold the Town of Rockford harmless from all claims and damages arising out of said installation and construction of said municipal services.

5. Police

The Property is presently patrolled by the Wright County Sheriff's Department. Upon the effective date of this Agreement and thereafter, the Buffalo Police Department is authorized and shall be responsible for police protection for the Property, shall investigate any and all crimes and shall prosecute said crimes pursuant to the local cooperative agreement between the Wright County Sheriff's Department and the Police Department for the City of Buffalo, at no cost to the Town of Rockford.

6. Fire Control

The Property is subject to fire protection pursuant to a joint powers agreement for fire services between the parties. After the effective date of this agreement, said Property shall be dropped from the joint powers agreement at its next effective annual payment date, which fire service agreement is based on assessed valuation and fire calls.

7. Property Taxes

Upon annexation of the Property, all ad valorem taxes collected by Wright County from the Property and those parcels previously annexed and excepted on Exhibit A hereto for calendar years 1993 through 1997 shall be paid to the Town of Rockford. All ad valorem taxes collected by Wright county for calendar year 1998 and thereafter shall be paid to the City of Buffalo.

Ad valorem taxes collected for the Property by Wright County for calendar year 1993 shall be at the tax capacity rate of the Town of Rockford, and ad valorem taxes collected in 1994 and thereafter shall be at the tax capacity rate of the City of Buffalo.

8. Maintenance of Sewer Plant Road

Upon annexation of the Property, the City of Buffalo agrees to contribute to the Town of Rockford, specifically for maintenance of that Town road which serves the Buffalo sewer plant, the amount of \$5,000.00 per year for a period of ten (10) years commencing in 1993. Each said payment shall be made by August 1 of that year.

9. Effective Date

The effective date of this agreement shall be upon issuance of an Order by the Minnesota Municipal Board approving this Agreement, and its terms and conditions.

CITY OF BUFFALO

Passed and adopted by the City Council of the City of Buffalo this 17th day of May, 1993.

By: Thed Partzsch
Mayor

ATTEST: Merton T. Auger
City Clerk

TOWN OF ROCKFORD

Passed and adopted by the Town Board of the Town of Rockford this 11th day of May, 1993.

By: Karen McLaughlin
Chairman

Attest: James O. Taylor
Town Board Clerk

STATE OF MINNESOTA, COUNTY OF WRIGHT
Certified to be a true and correct copy of the original on file and of record dated May 17, 1993 in my office.

DATED May 20, 1993

Merton T. Auger, City Administrator

by Lauren Bodin, Asst. Admin.

EXHIBIT A
TO A JOINT RESOLUTION FOR ORDERLY ANEXATION
CITY OF BUFFALO AND TOWN OF ROCKFORD

The North Half of the Northeast Quarter and the north 1 rod of the East Half of the Southeast Quarter of the Northeast Quarter of Section 6, Township 119, Range 25. Subject to an easement for Minnesota Trunk Highway Number 25, according to the Final Certificate recorded in Book 211 of Deeds page 281, Document Number 244347.

The north one and one-half rods of the West Half of the Southeast Quarter of the Northeast Quarter. The Southwest Quarter of the Northeast Quarter. The East Half of the Northwest Quarter. Government Lot 1. All in Section 6, Township 119, Range 25.

That part of Government Lot 4 of Section 31, Township 120, Range 25, lying west of the plat of Southgate Estates, according to the plat thereof on file and of record in the office of the County Recorder. Except therefrom that part of the west 539.00 feet of said Government Lot 4 lying north of the centerline of Wright County Aid Highway Number 12, according to the Notice of Lis Pendens filed in Book 94 of Mortgages, page 155; Document No. 203708. Subject to the right of way of said Wright County State Aid Highway Number 12.

EXCEPT THEREFROM THE FOLLOWING:

That part of the North Half of the Northeast Quarter and that part of the north one rod of the East Half of the Southeast Quarter of the Northeast Quarter and that part of the Southwest Quarter of the Northeast Quarter of Section 6, Township 119, Range 25, Wright County, Minnesota, described as follows: Beginning at the northeast corner of the said North Half of the Northeast Quarter; thence North $89^{\circ} 02' 51''$ West, assumed bearing, along the north line of the said North Half of the Northeast Quarter, a distance of 2290.54 feet; thence South $0^{\circ} 57' 09''$ West, a distance of 40.00 feet; thence North $89^{\circ} 02' 51''$ West, a distance of 150.00 feet; thence South $0^{\circ} 58' 00''$ West, a distance of 135.00 feet; thence South $35^{\circ} 50' 00''$ East, a distance of 137.83 feet; thence South $53^{\circ} 50' 00''$ East, a distance of 618.00 feet; thence South $74^{\circ} 25' 00''$ East, a distance of 301.64 feet; thence southwesterly along a nontangential curve, concave to the southeast, having a radius of 335.03 feet and a central angle of $19^{\circ} 29' 58''$, a distance of 114.02 feet, the chord of said curve bears South $26^{\circ} 32' 08''$ West, distance 113.47 feet; thence South $16^{\circ} 47' 09''$ West, tangent to said curve, a distance of 105.00 feet; thence North $73^{\circ} 00' 00''$ West, a distance of 210.00 feet; thence South $82^{\circ} 20' 00''$ West, a distance of 195.00 feet; thence South $8^{\circ} 30' 00''$ West, a distance of 195.00 feet; thence South $25^{\circ} 05' 00''$ East, a distance of 310.00 feet; thence South $10^{\circ} 40' 00''$ East, a distance of 150.00 feet; thence South $51^{\circ} 00' 00''$ East, a

distance of 192.00 feet; thence North $66^{\circ} 00' 00''$ East, a distance of 192.00 feet; thence North $66^{\circ} 00' 00''$ East, a distance of 205.00 feet; thence North $17^{\circ} 55' 00''$ East, a distance of 145.00 feet; thence North $3^{\circ} 30' 00''$ East, a distance of 180.00 feet; thence North $15^{\circ} 29' 27''$ East, a distance of 270.45 feet; thence North $73^{\circ} 12' 51''$ West, a distance of 145.00 feet; thence North $16^{\circ} 47' 09''$ East, a distance of 45.00 feet; thence South $73^{\circ} 12' 51''$ East, a distance of 150.00 feet; thence North $42^{\circ} 00' 00''$ East, a distance of 205.00 feet; thence North $62^{\circ} 30' 00''$ East, a distance of 415.000 feet; thence North $34^{\circ} 00' 00''$ East, a distance of 140.00 feet; thence North $26^{\circ} 14' 53''$, a distance of 105.07 feet; thence South $89^{\circ} 02' 51''$ East, a distance of 330.00 feet; thence South $48^{\circ} 00' 00''$ East, a distance of 75.00 feet; thence South $13^{\circ} 05' 00''$ West, a distance of 635.00 feet; thence South $13^{\circ} 01' 59''$ East, a distance of 216.60 feet to the south line of the north one rod of the said East Half of the Southeast Quarter of the Northeast Quarter; thence North $89^{\circ} 45' 57''$ East along the said south line, a distance of 536.27 feet, to the east line of the said Northeast Quarter; thence North $1^{\circ} 00' 12''$ West along the east line of the said Northeast Quarter, a distance of 1226.06 feet to the point of beginning. Containing 47.26 acres and subject to the right of way of Minnesota State Highway No. 25 along the east line of the said Northeast Quarter.

All in Wright County, Minnesota.

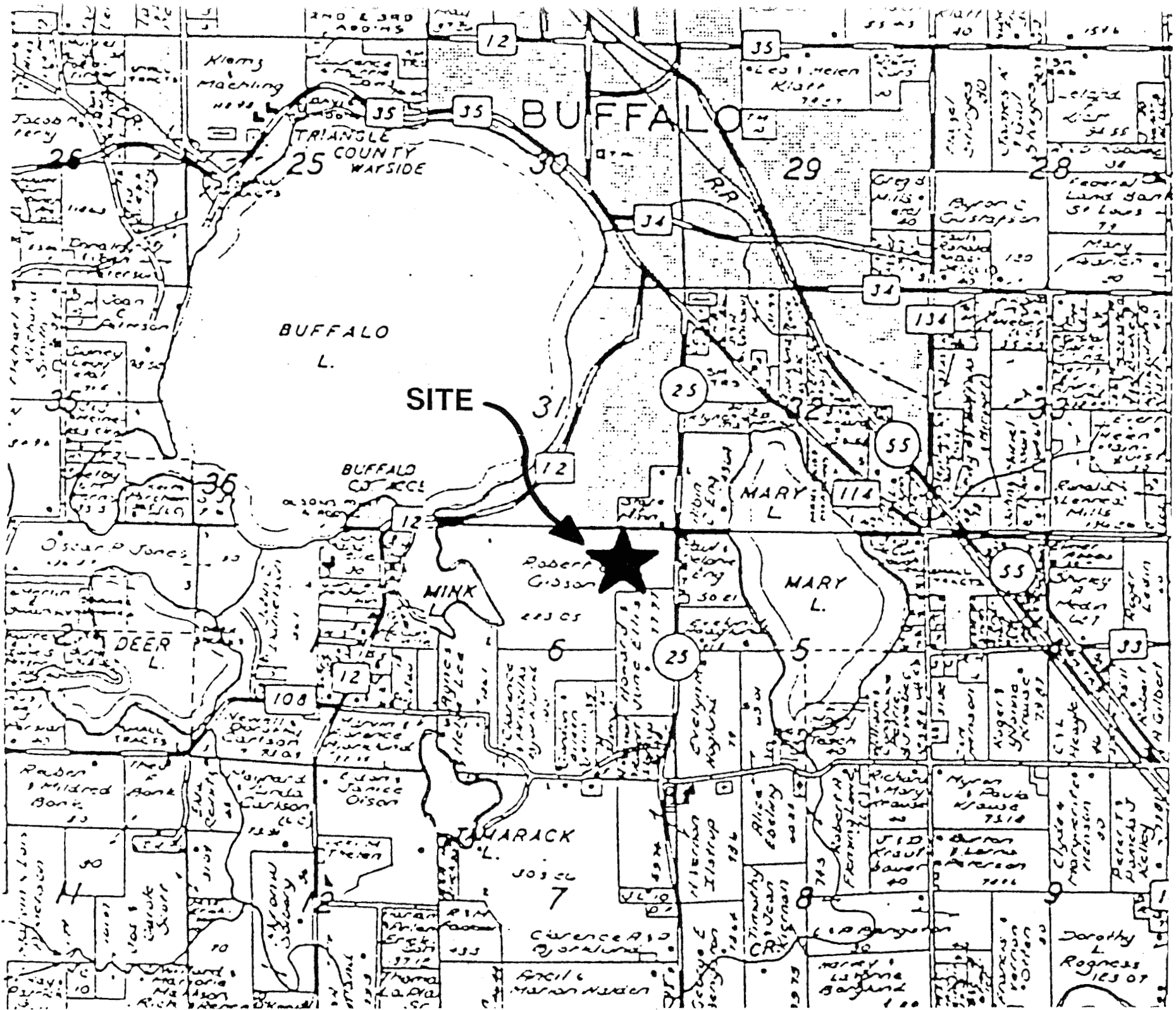


EXHIBIT A

REC'D BY MAY 27 1993
M.M.R.

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MMB

MASTER PLAN NOTES:

GOLF COURSE - 18 HOLE REGULATION

Front 9 - 3250 Yards
Back 9 - 3350 Yards
TOTAL - 6640 Yards

RESIDENTIAL - SINGLE FAMILY

52 - Golf View Lots
55 - Transition Lots
107 - Total Conforming Lots

CITY OF BUFFALO - SCORECARD

HOLE	PAR	1ST 9	2ND 9	TOTAL	HOLE	PAR	1ST 9	2ND 9	TOTAL
1	4	405	340	305	16	5	520	505	415
2	4	410	390	315	17	4	350	370	210
3	4	315	300	245	18	4	400	325	305
4	4	400	385	290	19	3	170	110	125
5	5	485	470	405	20	5	515	485	400
6	4	375	350	295	21	4	415	365/300	240
7	3	185	155	125	22	4	400	350	280
8	5	510	495	450	23	3	160	150	105
9	3	205	190	155	24	4	420	400	305
Out	36	3790	3115	2505	25	36	3350	3060	2425
TOTAL					TOTAL				

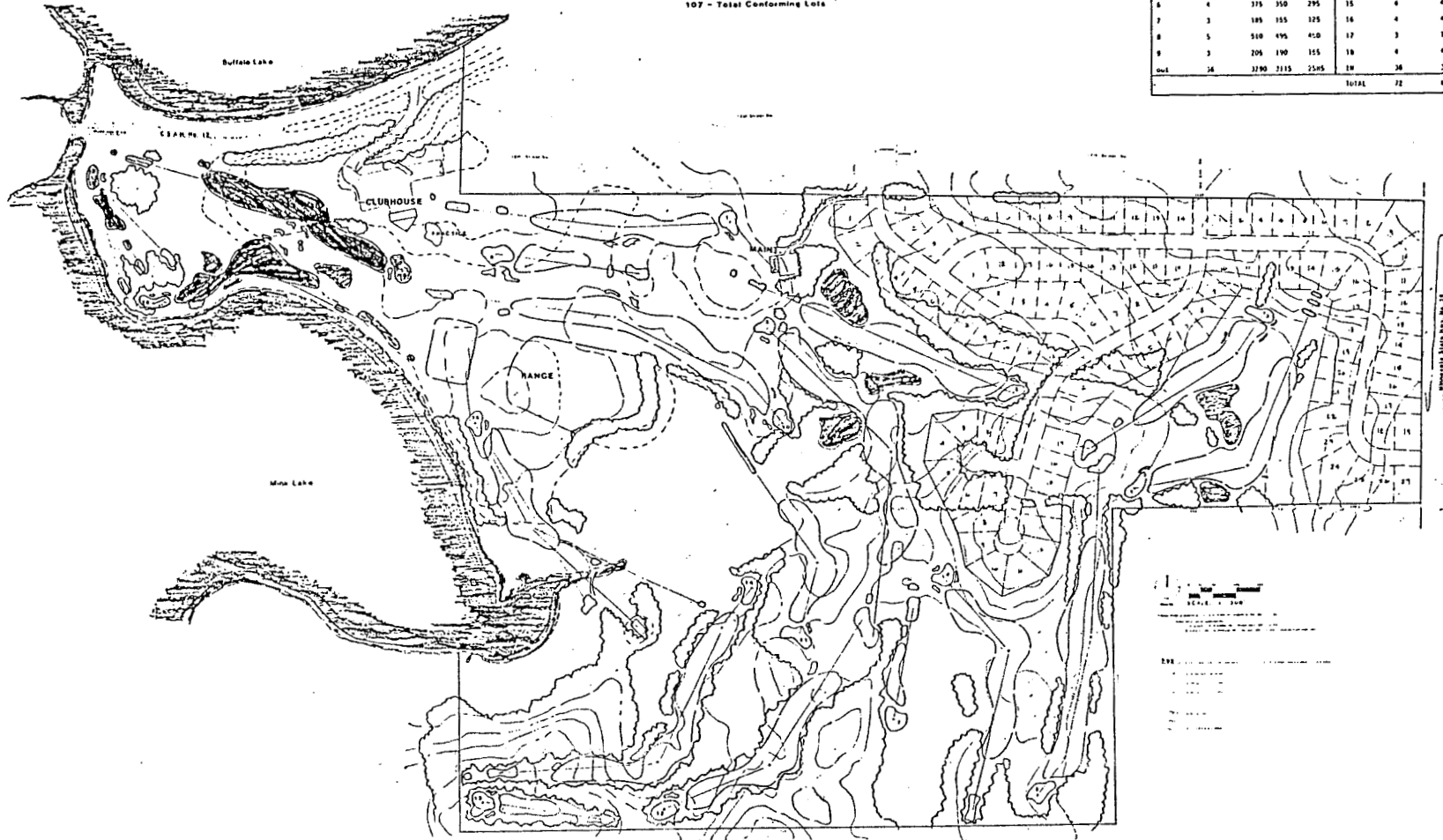


EXHIBIT B
David A. Kirsch Associates, Inc.
A PROFESSIONAL ARCHITECTURAL FIRM
1000 South Main Street, Suite 200, Buffalo, NY 14203

SCHEMATIC MASTER PLAN 2/14/90
PROPOSED BUFFALO GOLF COURSE

Buffalo
GOLF & COUNTRY CLUBS