

REC'D. BY APR 26 1996
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**JOINT RESOLUTION
BETWEEN THE TOWNSHIP OF MEDFORD AND THE CITY OF MEDFORD
EXTENDING THE DURATION OF THEIR JOINT RESOLUTION
DESIGNATING AN AREA FOR ORDERLY ANNEXATION**

WHEREAS, the Township of Medford on April 13, 1993 and the City of Medford on March 10, 1993 adopted a Joint Resolution Designating an Area for Orderly Annexation and filed the same with the State of Minnesota Municipal Board; and

WHEREAS, said Joint Resolution provided that the annexation agreement contained therein would be in effect for three (3) years and thereafter reviewed; and

WHEREAS, the Town Board of Medford Township and the City Council of the City of Medford have reviewed their Orderly Annexation Agreement and have found the same to be satisfactory;

NOW, THEREFORE it is jointly agreed by and between the Township of Medford and the City of Medford as follows:

1. The aforementioned Joint Resolution containing an orderly annexation agreement is hereby extended until March 10, 1999. Thereafter the orderly annexation agreement shall be reviewed and upon the majority vote of the respective governing bodies may be extended for such periods of time and with such revisions as the respective governing bodies may jointly agree.

CITY OF MEDFORD:

Passed and Adopted by the City of Medford this 12 day of March, 1996.

By: Loyal L. Merrill
Its Mayor

ATTEST: Karen J. Sanborn
City Clerk

TOWNSHIP OF MEDFORD:

Passed and Adopted by the Township of Medford this 12 day of March, 1996.

By: Luane Galt
Its Chairman

ATTEST: Sandra C. Kucera
Town Board Clerk



**JOINT RESOLUTION
BETWEEN THE TOWNSHIP OF MEDFORD AND THE CITY OF MEDFORD,
DESIGNATING AN AREA FOR ORDERLY ANNEXATION**

The Township of Medford, hereinafter referred to as the Township, and the City of Medford, hereinafter referred to as the City, hereby jointly agree to the following:

1. That the following described area in the Township is subject to orderly annexation pursuant to Minnesota Statute 414.0325, and the parties hereto designate this area for orderly annexation as shown on Exhibit "A" attached hereto and made a part of this agreement consisting of approximately 2198 acres. Further, the area subject to orderly annexation is divided into the following tracts:

Tract I: All that part of Sections 5, 8 and 17, Township 108 North, Range 20 West, Steele County, Minnesota, lying west of Interstate Highway No. 35, excepting therefrom the following described property:

The Southwest Quarter of the Southwest Quarter of Section 8 and all that part of Lot 19, in Section 8, which lies west of the westerly line of State Highway Right-of-Way Plat No. 74-4 filed in the Office of the Steele County Recorder as Document No. 160001.

Tract II: Those developed parcels of land which are described on the annexed Exhibit "B".

Tract III: All that part of Section 8 and the North Half of Section 17, lying east of Interstate Highway No. 35, excepting therefrom those parts thereof now within the corporate limits of the City of Medford and further excepting those parts thereof in Tract II.

AND

The West Three-Fourths of Section 9 and the West Three-Fourths of the North Half of Section 16, excepting therefrom those parts thereof now within the corporate limits of the City of Medford and further excepting therefrom those parts thereof in Tract II.

2. That the Township and the City of Medford do, upon their adoption, and upon acceptance by the Minnesota Municipal Board, confer jurisdiction upon the Minnesota Municipal Board over the various tracts described in this agreement so as to accomplish said orderly annexation in accordance with the terms of this Resolution. No consideration by the Minnesota Municipal Board is necessary although the Board may review and comment. However, within thirty (30) days, the Board shall order the annexation in accordance with the terms of this joint resolution.

3. The Annexation Agreement shall be in effect for three (3) years. Each year, thereafter, the agreement shall be reviewed and upon majority vote of the respective governing bodies, a one (1) year extension of the agreement with approved revisions, if any, shall be made.
4. Annexation into the City of Tracts I and III in their entirety or portions thereof shall be uncontested by the Township provided:
 - (a) There exists a development plan for the entire area being annexed, such as a subdivision plat or a utility extension plan or a phased development plan.
 - (b) There exists a utility improvement plan for extension of sewer and/or water services or an approved water system and waste disposal system for the entire area being annexed. This provision is intended to allow alternatives to the City providing full municipal water and sewer systems.
 - (c) The City can demonstrate it has a policy or has an agreement with the annexed property owners regarding assessments or payment for utility service extension.
 - (d) At least twenty percent (20%) of all residential acres annexed after January 31, 1992, are platted and developed. Developed areas shall be those properties which have improved streets and utilities in place adjoining the properties. The properties need not have structures in place to be considered developed.
5. Annexation of those parcels of land described in Tract II may proceed at any time as requested by the City. The annexation of said parcels shall be uncontested by the Township. The Township hereby unconditionally waives its right to contest the annexation of said parcels.
6. The Township prefers that annexation occur as a result of comprehensive development proposals rather than on a lot by lot basis. Individual lot annexation will be unopposed if development has already occurred and the property is contiguous to the city borders or if the individual property owner can demonstrate an urgent situation exists. An urgent situation may include, but is not limited to, septic system failures or well failures.
7. Planning and zoning throughout the orderly annexation area shall be under the control of the applicable Steele County, Minnesota, ordinances until annexed to the City.
8. In the annexation areas described as Tracts I and III in consideration thereof, the City shall pay to the Township as collected, ten (10%) percent of the City's annual portion of the real estate taxes due and payable for three full calendar years beginning the year after completion of annexation into the City. The ten (10%) percent shall be based on the annual value of the property for the tax year being

collected as determined by the Steele County Assessor. In the annexation areas described as Tract II, there shall be no payment due the Township from the City.

- 9. After annexation and the installation of sanitary sewer, all existing waste disposal systems in the annexed area shall be converted to the municipal sanitary sewer as per requirements of the City of Medford ordinances. After connection to sewer, all current septic tanks shall be removed or pumped in accordance with the City's removal standards.
- 10. Abandonment of wells shall be done in accordance with regulations of the Minnesota Department of Health (MHD 218) as amended from time to time. When a well is abandoned, it must be filled with materials described in MHD 218(c)C2 to provide an adequate seal against ground water contamination. When a well is abandoned and not capped, the City of Medford has the authority to order the work completed and the costs assessed to the property owner.
- 11. The terms of this agreement can be altered by joint resolution of affected Township and City.
- 12. The City and the Township shall equally divide all filing fees incurred for the proper filing of this Agreement.

CITY OF MEDFORD

TOWNSHIP OF MEDFORD

Passed and adopted by the
City of Medford this
10 day of MARCH, 1993

Passed and adopted by the
Township of Medford this
13 day of April, 1993

BY: Loyal L Merrill
Its Mayor

BY: Deane Datta
Its Chairman

ATTEST: Karen J. Sanborn
City Clerk

ATTEST: Sandy Lucas
Town Board Clerk

EXHIBIT "B"

TRACT II

PARCEL 1

Commencing on a point on the north line of Lot 9 in the Northwest Quarter of the Southeast Quarter of Section 8, Township 108 North, Range 20 West, North 89 degrees 36 minutes West 678 feet from the Northeast corner thereof, said beginning point being also on the extension of the centerline of Wilton Street of the Village (now City) of Medford, North 89 degrees 36 minutes West 1994 feet from the East line of said Southeast Quarter of Section 8; thence South 0 degrees 24 minutes West 153 feet; thence South 68 degrees 30½ minutes East 42.87 feet; thence North 0 degrees 24 minutes East 168.43 feet to the North line of said Lot 9; thence North 89 degrees 36 minutes West 40 feet to the point of beginning. Said bearings being based on said Wilton Street being North 89 degrees 36 minutes West.

AND

The Easterly 33 feet of the following described property:

Commencing on a point on the North line of Lot 9 in the Northwest Quarter of the Southeast Quarter of Section 8, Township 108 North, Range 20 West, 678 feet North 89 degrees 36 minutes West of the Northeast corner thereof, said beginning point being also on the extension of the centerline of Wilton Street of the Village (now City) of Medford, 1994 feet North 89 degrees 36 minutes West of the East line of said Southeast Quarter of said Section 8; thence South 0 degrees 24 minutes West 153 feet; thence North 68 degrees 30½ minutes West 150.05 feet; thence North 0 degrees 24 minutes East 99 feet to the North line of said Lot 9; thence South 89 degrees 36 minutes East 140 feet along the North line of said Lot 9 to the point of beginning. Said bearings being based on said Wilton Street being North 89 degrees 36 minutes West.

PARCEL 2

Commencing at a point on the North line of Lot 9 in the Northwest Quarter of Southeast Quarter (NW¼ of SE¼) of Section 8, Township 108 North, Range 20 West, North 89 degrees 36 minutes West 638 feet from the Northeast corner thereof, said beginning point being also on the extension of the centerline of Wilton Street of the Village of Medford, North 89 degrees 36 minutes West 1954 feet from the East line of said Southeast Quarter (SE¼) of said Section 8; thence South 0 degrees 24 minutes West 168.43 feet; thence East 40 feet; thence North 0 degrees 24 minutes East to the North line of said Lot 9; thence West to the point of beginning.

PARCEL 3

Commencing at a point 25 rods West of the West end of Wilton Street in Johnson and Company's Addition to the Village (now City) of Medford, in the center of the road forming the westerly extension of said Wilton Street, according to the recorded plat thereof; thence North 143 feet to the point of beginning; thence North 26 feet; thence West 144 feet; thence South 169 feet to a point on the centerline of said Westerly extension of said Wilton Street; thence East 24 feet along said centerline; thence North 143 feet; thence East 120 feet to the point of beginning.

(The aforesaid being conveyed subject to a public highway over and across the Southerly portion thereof, and subject to easements and restrictions of record, if any.)

The aforesaid being located in the Northwest Quarter of the Southeast Quarter of Section 8, Township 108 North, Range 20 West.

PARCEL 4

A five-acre tract of land including the existing residential home lying within the following described property:

Commencing in the center of the Road and Twenty-Five Rods West of the West end of Wilton Street in Johnson and Company's Addition to the Town of Medford in the County of Steele aforesaid, according to the survey plat thereof, running thence West along the center of said Road to the center of Straight River, thence down the center of said river along its meanderings to a point North of the place of beginning, thence South to the place of beginning, in Section 8, Township 108 North, Range 20 West.

EXCEPT:

Commencing at a point 25 rods West of the West end of Wilton Street in Johnson and Company's Addition to the Village of Medford, in the center of the road forming the Westerly extension of said Wilton Street, according to the recorded plat thereof, thence North 143 feet, thence West 120 feet, thence South 143 feet, thence East 120 feet to the point of beginning.

PARCEL 5

Lot No. 8 in the Northeast Quarter of Section 17, Township 108 North, Range 20 West, Steele County, Minnesota.

Subject to highway easement of record.

PARCEL 6

Commencing at the Northeast corner of Lot Six (6) in the Northeast Quarter (NE $\frac{1}{4}$) of Section 17, Township 108 North, Range 20 West, which point is also fifteen (15) rods South of the Northeast corner of said Section 17, running thence South 100 feet; thence West 250 feet; thence North 100 feet; thence East 250 feet to the point of commencement.

The East 50 feet thereof being subject to highway easement.

PARCEL 7

The Northwest Quarter of Northwest Quarter of Section 16, Township 108 North, Range 20 West, lying West of the Chicago, Milwaukee and St. Paul Railroad, EXCEPTING THEREFROM THE FOLLOWING:

One and 7/8 acres lying in the Southwest Corner of said Northwest Quarter of Northwest Quarter and West of the wagon road,

AND ALSO EXCEPTING THEREFROM:

Commencing at the Northwest Corner of Section 16, Township 108 North, Range 20 West, running thence East along the North boundary line of said Section 227.67 feet to the West boundary line of the property of the Chicago, Milwaukee, St. Paul and Pacific Railway Company, thence Southeasterly along said West Boundary line of said property of said Company 134.5 feet, thence West 245.19 feet to a point on the West boundary of said Section 16, 133 feet South of the Northwest Corner of said Section and thence North along said West boundary of said Section to the place of beginning,

AND ALSO EXCEPTING THEREFROM:

Commencing at the Northwest Corner of Section 16, Township 108 North, Range 20 West, thence due South on the West line of said Section 16, the same being the centerline of CSAH No. 45, 509.1 feet; to the point of curvature of a circular curve to the left (I = 35°08', R = 955.4 feet); thence along said curve an arc distance of 225.0 feet to the place of beginning of the following described tract: thence continuing along said centerline curve an arc distance of 360.5 feet to the point of tangency of said curve; thence South 35°08', East, 303.2 feet on said centerline; thence continuing South 35°08' East, 556.9 feet to a point of intersection with the westerly right-of-way of the Chicago, Milwaukee and St. Paul Railroad; thence North 16°31' West along said westerly right-of-way 474.5 feet to the point of curvature of a circular curve to the right (I = 9°05', R = 2914.8 feet); thence continuing along said right-of-way curve an arc distance of 461.9 feet to the point of tangency of said curve, thence continuing North 7°26' West, 96.3 feet along said right-of-way; thence continuing North 17°07' West, 22.1 feet along said right-of-way, thence North 89°06' West, 392.9 feet to the place of beginning. Said tract contains 5.13 acres of land, more or less, subject to highway easements of record.

PARCEL 8

Commencing at the Northwest corner of Section 16, Township 108 North, Range 20 West; thence due South on the West line of said Section 16, the same being the centerline of CSAH No. 45, 509.1 feet; to the point of curvature of a circular curve to the left (I=35°08', R = 955.4 feet); thence along said curve an arc distance of 225.0 feet, to the place of beginning of the following described tract: thence continuing along said centerline curve an arc distance of 360.5 feet to the point of tangency of said curve; thence South 35°08' East, 303.2 feet on said centerline; thence continuing South 35°08' East, 556.9 feet to a point of intersection with the westerly right-of-way of the Chicago, Milwaukee and St. Paul Railroad; thence North 16°31' West along said westerly right-of-way 474.5 feet to the point of curvature of a circular curve to the right (I = 9°05', R = 2914.8 feet); thence continuing along said right-of-way curve an arc distance of 461.9 feet to the point of tangency of said curve, thence continuing North 7°26' West, 96.3 feet along said right-of-way; thence continuing North 17°07' West, 22.1 feet along said right-of-way, thence North 89°06' West, 392.9 feet to the place of beginning. Said tract contains 5.13 acres of land, more or less, subject to highway easements of record.

PARCEL 9

Lot Seven, in Northeast Quarter of Northeast Quarter of Section 17, Township 108 North, Range 20 West.

PARCEL 10

Lot 2, Block 1, Thomas John Addition, Steele County, Minnesota.

PARCEL 11

Lot 1, Block 1, Thomas John Addition, Steele County, Minnesota.

PARCEL 12

A five-acre tract of land including the existing residential home lying within the following described property:

Lot 14 in Section 8, Township 108 North, Range 20 West.

EXCEPT: Commencing at the Southeast Corner of Lot 14 in said Section 8; running thence North 100 feet; thence due West $264\frac{1}{2}$ feet, more or less, to a point on a line representing the Southerly Extension of the centerline of Pearl Street; South 100 feet parallel to the East line of said Lot 14 to the South line of said Lot 14; thence East along the South line of said Lot 14 to the place of beginning. (Sanford)

AND EXCEPT: Commencing at a point 100 feet North of the Southeast Corner of Lot 14 in said Section 8; thence running West 170 feet; thence North 100 feet; thence East 170 feet to the East line of said Lot 14; thence South on the East line of said Lot 14 100 feet to the point of commencement. (Dusek)

AND EXCEPT: Beginning in the Northeast Corner of Lot 11 in Block 40, Johnson and Company Addition, Village of Medford; thence West and parallel to Third Avenue Southwest, a distance of 90 feet to the Northwest Corner of Lot 11 in said Block 40; thence South on a line parallel to C.S.A.H. #45, a distance of 77 feet to the Southwest Corner of Lot 11; thence continuing South on same line to the George Dusek North line in Lot 14 of Southeast Quarter of Section 8; thence East a distance of 90 feet parallel to Third Avenue Southwest; thence North on a line parallel to C.S.A.H. #45, to the Southeast Corner of Lot 11; thence North 77 feet to the place of beginning in Lot 11. The above described property is located in the Southeast Quarter of Section 8, Township 108 North, Range 20 West. (Anhorn)

AND EXCEPT: Jones First Addition, Medford, Steele County, Minnesota.

AND

Lot 9

EXCEPT: Commencing at a point on the North line of Lot 9 in the Northwest Quarter of Southeast Quarter of Section 8, Township 108 North, Range 20 West, 678 feet North 89 degrees 36 minutes West of the Northeast Corner thereof, said beginning point being also on the Extension of the centerline of Wilton Street of the Village of Medford, 1994 feet North 89 degrees 36 minutes West of the East line of said Southeast Quarter of said Section 8; thence South 0 degrees 24 minutes West 153 feet; thence North 68 degrees 30 $\frac{1}{2}$ minutes West, 150.05 feet, thence North 0 degrees 24 minutes East 99 feet to the North line of said Lot 9; thence South 89 degrees 36 minutes East 140 feet along the North line of said Lot 9 to beginning. Said bearings based on said Wilton Street being North 89 degrees 36 minutes West. Containing $\frac{4}{10}$ of an acre, more or less. (Panos)

AND EXCEPT: Commencing at a point on the North line of Lot 9 in the Northwest Quarter of Southeast Quarter of Section 8, Township 108 North, Range 20 West, North 89 degrees 36 minutes West 678 feet from the Northeast Corner thereof, said beginning point being also on the Extension of the centerline of Wilton Street of the Village of Medford, North 89 degrees 36 minutes West 1994 feet from the East line of said Southeast Quarter of said Section 8; thence South 0 degrees 24 minutes West 153 feet; thence South 68 degrees 30 $\frac{1}{2}$ minutes East 42.87 feet; thence North 0 degrees 24 minutes East 168.43 feet to the North line of said Lot 9; thence North 89 degrees 36 minutes West 40 feet to beginning. Said bearings being based on said Wilton Street being North 89 degrees 36 minutes West. Containing 0.15 of an acre, more or less. (Panos)

PARCEL 12 CONTINUED:

AND EXCEPT: Commencing at a point on the North line of Lot 9 in the Northwest Quarter of Southeast Quarter of Section 8, Township 108 North, Range 20 West, North 89 degrees 36 minutes West 638 feet from the Northeast Corner thereof, said beginning point being also on the Extension of the centerline of Wilton Street of the Village of Medford, North 89 degrees 36 minutes West 1954 feet from the East line of said Southeast Quarter of said Section 8; thence South 0 degrees 24 minutes West 168.43 feet; thence East 40 feet; thence North 0 degrees 24 minutes East to the North line of said Lot 9; thence West to the point of beginning. (Panos)

AND EXCEPT: All that part of Lot 9 in the Northwest Quarter of Southeast Quarter of Section 8, Township 108 North, Range 20 West, described by: Beginning at the Northeast Corner thereof; thence North 89 degrees 36 minutes West, assumed bearing, 598 feet along the North line of said Lot 9; thence South 0 degrees 24 minutes West 165 feet; thence South 89 degrees 36 minutes East 459.11 feet; thence South 1 degree 12.5 minutes East 138.26 feet to the Westerly Extension of the North line of Grove Street; thence South 89 degrees 50.75 minutes East 100 feet along the Westerly Extension of the North line of said Grove Street; thence South 1 degree 12.5 minutes East 66.02 feet to the Westerly Extension of the South line of said Grove Street; thence South 89 degrees 50.75 minutes East 43.51 feet along the Westerly Extension of the South line of said Grove Street to the East line of said Lot 9; thence North 1 degree 12.5 minutes West 368.74 feet to beginning. Subject to a public road along the North 33 feet thereof. Containing 2.79 acres, more or less. (Woodfill)

AND

Lots 10, 11, 12; Lot 13 (Except East 32 rods);

AND

Beginning at the Northeast Corner of Lot 21, South 48½ rods, West 4 rods, North 3½ degrees East 48 rods 15 links, East 1 rod to beginning. All being in Section 8, Township 108 North, Range 20 West.

AND

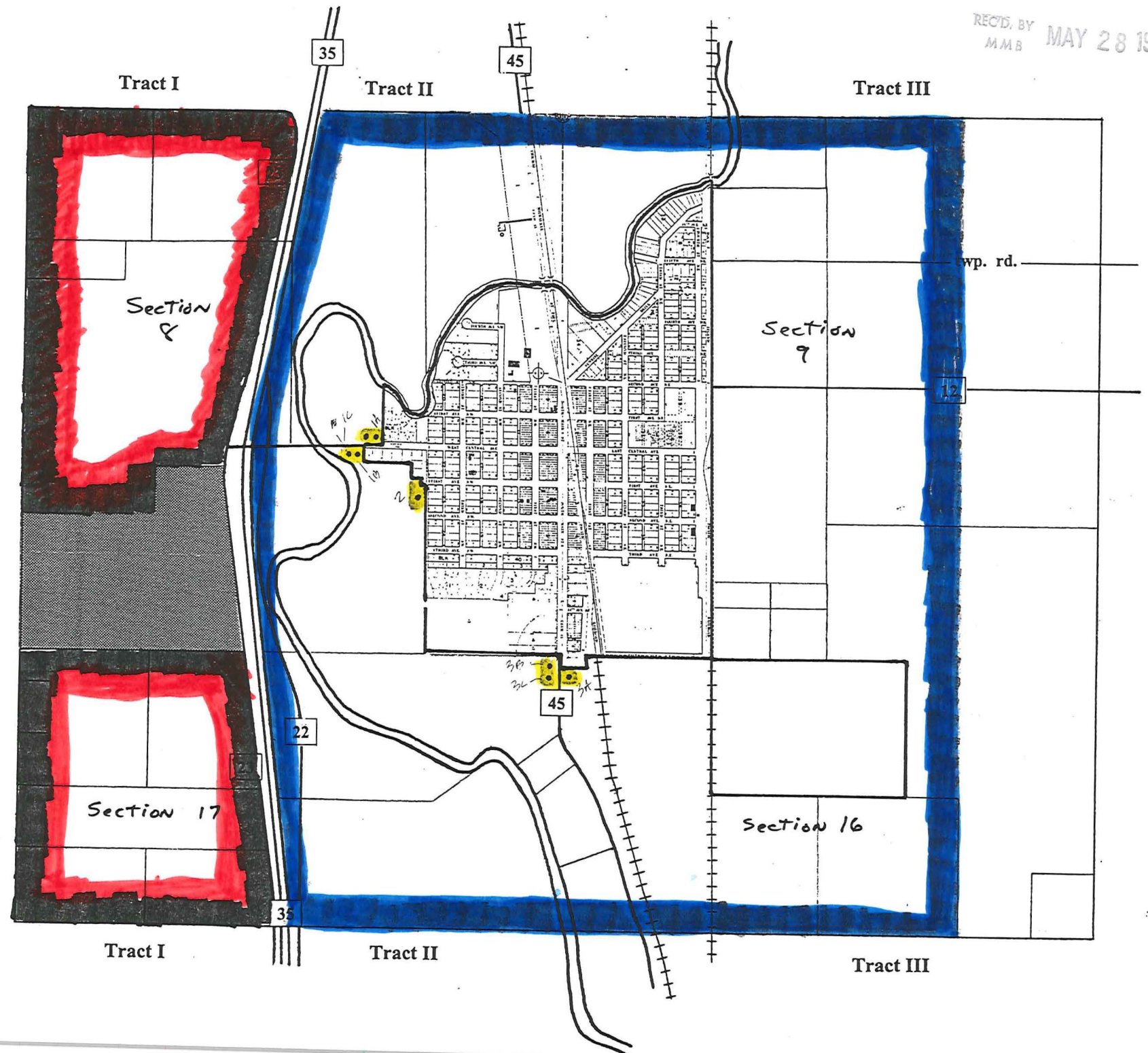
Lot 6 of Section 17, Township 108 North, Range 20 West. EXCEPT: Commencing at the Northeast Corner of Lot 6 in the Northeast Quarter of said Section 17, which point is also 15 rods South of the Northeast Corner of said Section 17; running thence South 100 feet; thence West 250 feet; thence North 100 feet; thence East 250 feet to the point of beginning. (Kwiatkoski)

AND

That part of the Northeast Quarter of Northwest Quarter of Section 17, Township 108 North, Range 20 West, lying East of Miner Road which is also described as: Beginning at a point on North and South Center line of said Section 17, 77.30 chains North of South 1/4 post corner of said Section 17, North 34° West 4.14 chains to a point on North line of said Section 17, East 2.36 chains to North 1/4 Corner of said Section 17, South to beginning.

Subject to easements and restrictions of record.

REC'D. BY
M.M.B. MAY 28 1993



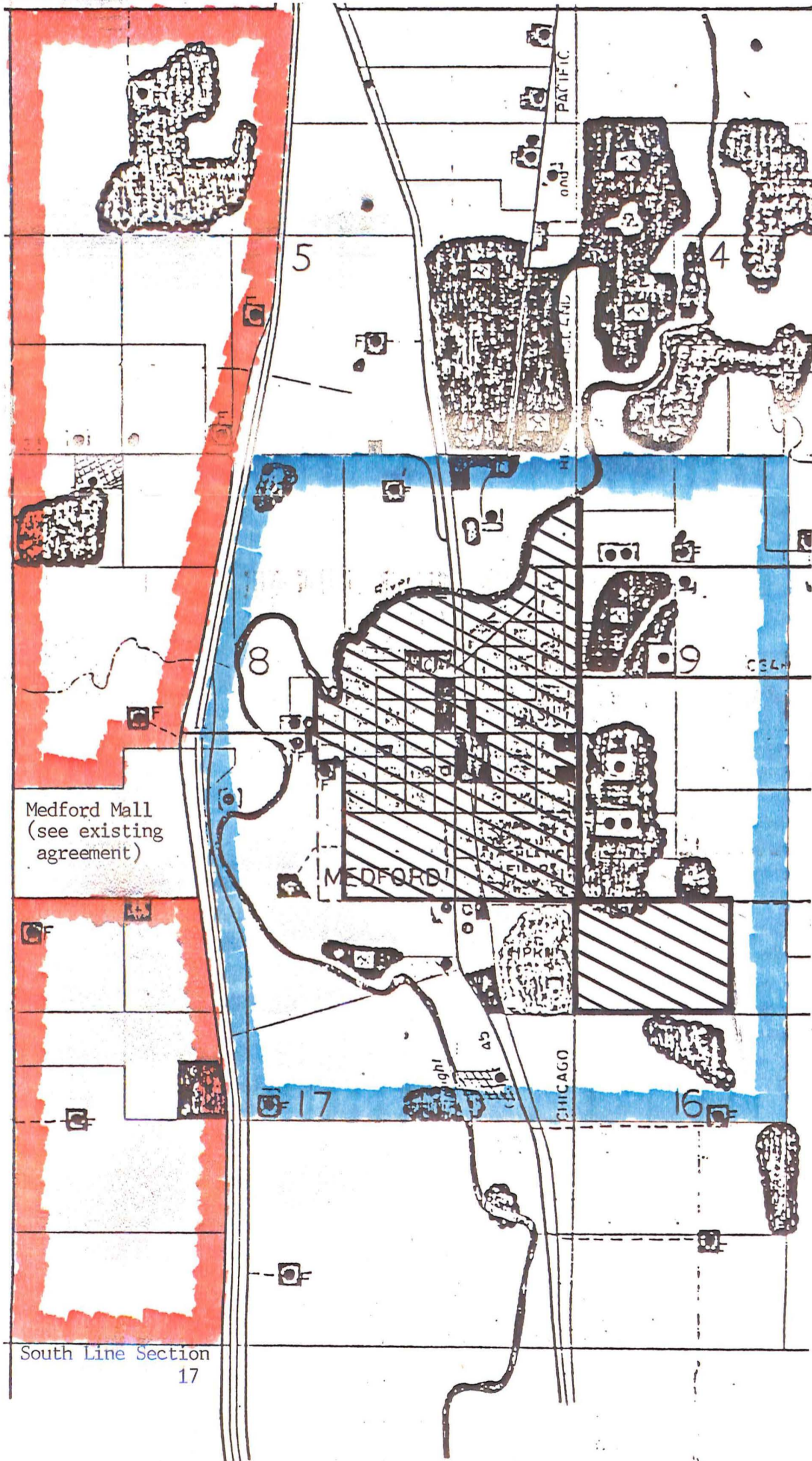
Tract I
Tract II
Tract III

ORDERLY ANNEXATION AGREEMENT - EXHIBIT "A"

REC'D. BY
MMB
MAY 28 1993

- TRACT I
- TRACT II - see Exhibit B
- TRACT III

North line Section 5



South Line Section
17