

REC'D. BY  
MAR 10 1995

**JOINT RESOLUTION OF THE CITY OF HUTCHINSON,  
THE TOWNSHIP OF ACOMA, AND THE TOWNSHIP OF  
HUTCHINSON AS TO THE ORDERLY ANNEXATION OF  
PROPERTY**

This joint resolution of the City of Hutchinson Acoma Township and Hutchinson Township is made and entered into this 14th day of February, 1995, by the Hutchinson City Council, the Acoma Town Board, and the Hutchinson Town Board.

**RECITALS:**

**WHEREAS,** the Minnesota Municipal Board, as created by Minn. Stat. §414.01, has jurisdiction over certain annexation and orderly annexation issues;

**WHEREAS,** the City of Hutchinson, the Township of Acoma, and the Township of Hutchinson desire to enter into an agreement allowing for the orderly annexation of certain property, pursuant to Minn. Stat. §414.0325, Subd. 1.

**WHEREAS,** the parties hereto desire to reduce their agreement to writing;

**NOW THEREFORE, BE IT RESOLVED BY THE HUTCHINSON CITY COUNCIL, THE ACOMA TOWNSHIP BOARD OF SUPERVISORS, AND THE HUTCHINSON TOWNSHIP BOARD OF SUPERVISORS AS FOLLOWS:**

1. Property Involved. The property which is the subject of this joint resolution is legally described as follows:

A portion of said property lies within Acoma Township which, as presently constituted, consists of 223.90 acres. See attached Exhibit "B"

A portion of said property lies within Hutchinson Township which, as presently constituted, consists of 2.05 acres. See attached Exhibit "A"

2. Municipal Board Jurisdiction. That upon approval by the respective governing bodies of the towns and the City, this joint resolution and agreement shall confer jurisdiction upon the Minnesota Municipal Board (Municipal Board) so as to accomplish the orderly annexation in accordance with the terms of this joint resolution and agreement.

3. No Alterations of Boundaries. The towns and the City mutually state that no alterations by the Municipal Board of the boundaries of the area designed herein for orderly annexation is appropriate or permitted. The Municipal Board may review and comment, but shall, within thirty (30) days following submission of this Agreement, order annexation of that property described in Exhibits "A" and "B".

4. Consideration of Annexation. The City and the towns mutually agree that this joint resolution and agreement sets forth all of the conditions for annexation of the area designated herein for orderly annexation and that no consideration by the Municipal Board is necessary. The Municipal Board may review and comment, but shall within thirty (30) days following submissions, order annexation.

5. Tax Break. Any persona owning lands annexed to the City pursuant to this Agreement shall receive a "tax break" consisting of a staged, graduated increase in tax rate from the township rate to the City rate over a five (5) year period in the following manner:

First year following annexation - 10% of City rate  
Second year following annexation - 30% of City rate  
Third year following annexation - 50% of City rate  
Fourth year following annexation - 70% of City rate  
Fifth year following annexation - 90% of City rate

The tax break described above applies only to residential property; commercial, industrial and residential property with a greater density than that permitted in an R-1 or R-2 Hutchinson zoning district within the City of Hutchinson, shall be taxed at the appropriate municipal rate. Notwithstanding the foregoing, any lands annexed to the City which are classified as agricultural lands shall be taxed by the City only at the rate provided by law for such agricultural lands and not at the full city tax rate for so long as said lands retain their classification as agricultural lands and so long as that classification is permitted by law.

6. Tax Income and Apportionment of Funds. In the year of annexation of any of the land subject to this Agreement, there shall be no apportionment of real estate tax income for the year in which the annexation takes place. The town shall receive all such income. State aid income and federal income shall likewise not be apportioned, unless required by federal or state law. Subsequent to the initial year of this agreement, real estate taxes on the lands subject to this Agreement shall be returned to the town at the following rates:

First year following annexation - 90% of property taxes paid  
Second year following annexation - 70% of property taxes paid  
Third year following annexation - 50% of property taxes paid  
Fourth year following annexation - 30% of property taxes paid  
Fifth year following annexation - 10% of property taxes paid

Any dedicated road or park funds, affected by annexation, shall be turned over to the City within fifteen (15) days after the date of the annexation order. Any accounts receivable for dedicated roads or park funds, to be collected in the future as special road assessments, shall be forwarded by the City to the town.

14th THIS RESOLUTION is adopted by the Hutchinson City Council this day of February, 1995.

CITY OF HUTCHINSON

By: Marlin Torgerson  
Marlin Torgerson, Mayor

Attest:

Gary D. Plotz  
Gary D. Plotz, City Administrator

THIS RESOLUTION is adopted by the Town of Acoma Board of Supervisors the 7<sup>th</sup> day of February, 1995.

TOWN OF ACOMA

By: Lynn Mackelvey  
Chair, Town Board of Supervisors

Attest:

Dorothy Bullett  
Town Clerk

THIS RESOLUTION is adopted by the Town of Hutchinson Board of Supervisors the 9 day of February, 1995.

TOWN OF HUTCHINSON

By: David Ordway  
Chair, Town Board of Supervisors

Attest:

Donna Wake  
Town Clerk

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LEGAL DESCRIPTION TRACT A (Area to be Annexed to City of Hutchinson)

That part of the Southwest Quarter of the Southwest Quarter of Section 30, Township 117 North, Range 29 West of the 5th Principal Meridian, described as follows:

Beginning at the southwest corner of said Southwest Quarter of the Southwest Quarter; thence northerly, along the west line of said Southwest Quarter of the Southwest Quarter, to the north line of MCLEOD COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 29; thence easterly, along the north line of MCLEOD COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 29, to the east line of said Southwest Quarter of the Southwest Quarter; thence southerly, along the east line of said Southwest Quarter of the Southwest Quarter, to the southeast corner of said Southwest Quarter of the Southwest Quarter; thence westerly, along the south line of said Southwest Quarter of the Southwest Quarter to the point of beginning.

Containing 2.05 acres.

Pellinen Land Surveying,  
A Division of Comstock & Davis, Inc.  
Hutchinson, Minnesota

Job No. 943539  
January 24, 1995 (Revised)



LEGAL DESCRIPTION TRACT B (Area to be Annexed to City of Hutchinson)

That part of the Northeast, the Northwest and Southeast Quarters of Section 36, and that part of the Southeast and the Southwest Quarters of Section 25, all in Township 117 North, Range 30 West of the 5th Principal Meridian described as follows:

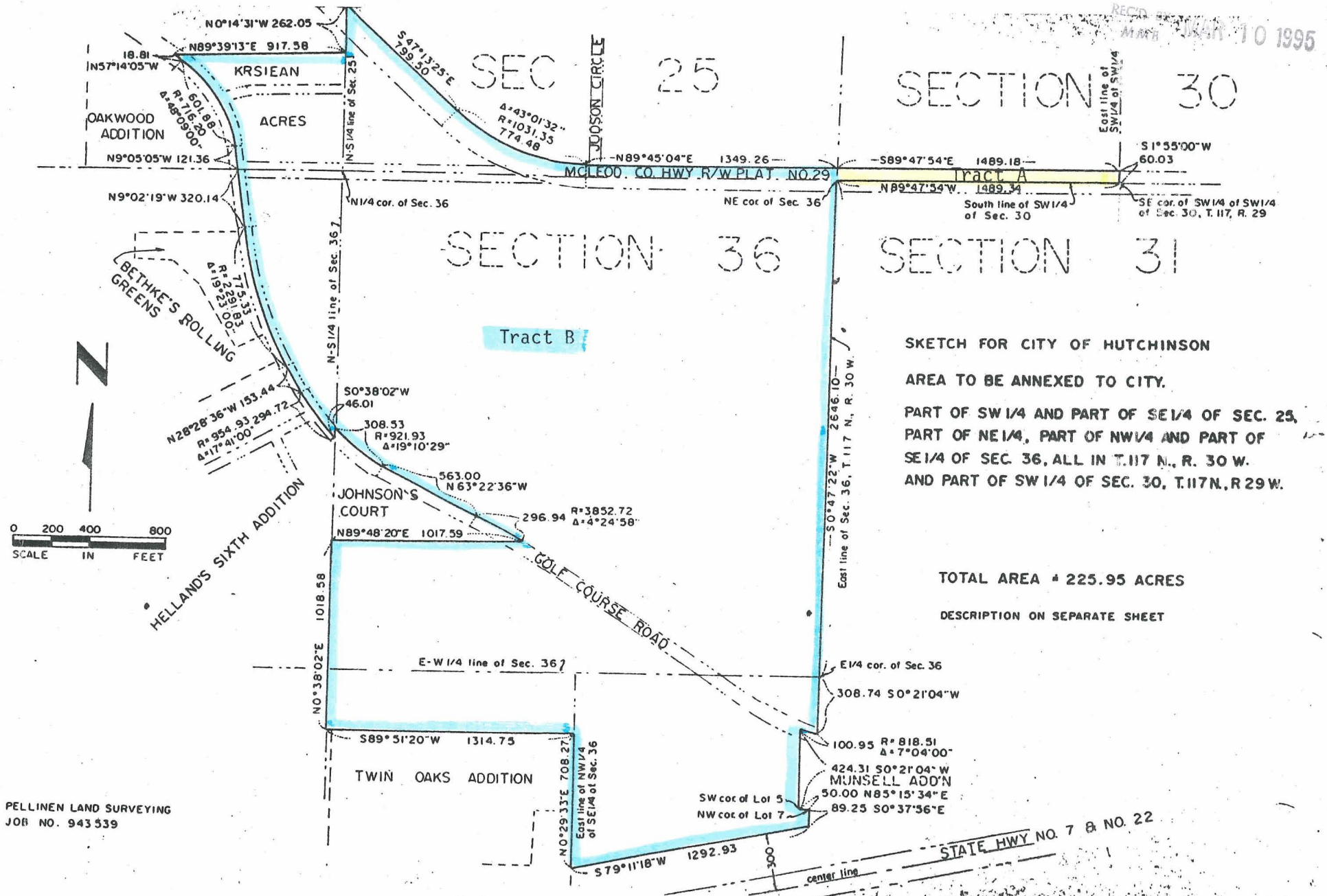
Beginning at the northeast corner of said Section 36; thence southerly along the east line of the Northeast Quarter and along the east line of the Southeast Quarter of said Section 36, to the center line of Golf Course Road; thence westerly, along the center line, to the intersection of the northerly prolongation of the west line of MUNSELL ADDITION, according to the recorded plat thereof; thence southerly, along said northerly prolongation and along said west line of MUNSELL ADDITION, to the southwest corner of Lot 5 of Block 1 of said MUNSELL ADDITION; thence easterly, along the south line of said Lot 5, to the northwest corner of Lot 7 of said Block 1 of MUNSELL ADDITION; thence southerly, along the west line of said Lot 7, to the intersection with a line parallel with and 300.00 feet northerly of, as measured at a right angle to, the center line of State Highway No. 7 and No. 22; thence westerly, along said parallel line, to the intersection with the east line of the Northwest Quarter of the Southeast Quarter of said Section 36; thence northerly, along the last said east line, to the northeast corner of TWIN OAKS ADDITION, according to the recorded plat thereof; thence westerly, along the north line of said TWIN OAKS ADDITION, and its westerly prolongation, to the intersection with the north-south quarter line of said Section 36; thence northerly, along said north-south quarter line, to the southwest corner of JOHNSON'S COURT, according to the recorded plat thereof; thence easterly, along the south line of said JOHNSON'S COURT and its easterly prolongation, to the northeasterly right of way line of Golf Course Road; thence northwesterly, along said northeasterly right of way line, to the intersection with said north-south quarter line; thence southerly, along said north-south quarter line, to the center line of said Golf Course Road; thence northwesterly, along said center line, to the intersection with the westerly prolongation of the north line of KRSIEAN ACRES, according to the recorded plat thereof; thence easterly, along said westerly prolongation and along said north line of KRSIEAN ACRES, to the north-south quarter line of said Section 25; thence northerly, along said north-south quarter line, to the intersection with the northeasterly line of MCLEOD COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 29; thence southeasterly and easterly, along said northeasterly line and along the northerly line of said MCLEOD COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 29, to the intersection with the east line of the Southeast Quarter of said Section 25; thence southerly, along the east line of the Southeast Quarter of said Section 25, to the point of beginning.

Containing 223.90 acres.

Pellinen Land Surveying,  
A Division of Comstock & Davis, Inc.  
Hutchinson, Minnesota

Job No. 943539  
January 24, 1995 (Revised)

RECD. DEPT. OF LAND & NAT. RES. MAR. 10 1995



SKETCH FOR CITY OF HUTCHINSON

AREA TO BE ANNEXED TO CITY.

PART OF SW 1/4 AND PART OF SE 1/4 OF SEC. 25,  
PART OF NE 1/4, PART OF NW 1/4 AND PART OF  
SE 1/4 OF SEC. 36, ALL IN T.117 N., R. 30 W.  
AND PART OF SW 1/4 OF SEC. 30, T.117 N., R. 29 W.

TOTAL AREA = 225.95 ACRES

DESCRIPTION ON SEPARATE SHEET

PELLINEN LAND SURVEYING  
JOB NO. 943539



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