

BEFORE THE MUNICIPAL BOARD

REC'D. BY JUN 01 1998
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OF THE STATE OF MINNESOTA

IN THE MATTER OF THE JOINT RESOLUTION)
OF THE CITY OF FERGUS FALLS AND THE)
TOWN OF BUSE FOR THE ANNEXATION OF)
CERTAIN LANDS TO THE CITY OF FERGUS)
FALLS PURSUANT TO MINNESOTA STATUTES 414)

JOINT RESOLUTION OF THE CITY OF FERGUS FALLS
AND THE TOWN OF BUSE

WHEREAS, the City of Fergus Falls has received petitions from owners of property in Buse Township relating to the annexation of certain lands to the City of Fergus Falls; and

WHEREAS, the City of Fergus Falls (hereinafter "City") and the Township of Buse (hereinafter "Town") have been meeting periodically to implement annexation of an area of Town to City; and

WHEREAS, the parties have agreed upon the provisions for an Annexation Agreement.

NOW THEREFORE, BE IT RESOLVED, the following Joint Resolution be adopted by the City and Town, and submitted to the Minnesota Municipal Board for review and comment. No alteration of the boundaries are appropriate and no consideration by the Municipal Board is necessary. This Resolution provides generally for the terms of annexation by and between the City of Fergus Falls and a portion of Buse Township in several regards.

RESOLVED, by the City and Town as follows:

1. Annexation Area. The following described area in Buse Township is properly made subject to annexation pursuant to Minnesota Statutes 414.0325. The parties designate this area in need of annexation as provided by statute (see attached real estate description marked Schedule I).

The Town, upon passage of this resolution and its adoption by the Council of the City, confers jurisdiction (which jurisdiction is limited by and strictly within the terms of this Resolution) upon the Minnesota Municipal Board so as to accomplish said annexation in accordance with the terms of this Resolution.

2. No Municipal Board Hearing - 1998 Annexation. The Town will not object to the annexation to the tracts of land described in attached Schedule I.

No alteration of the boundaries thereof stated herein are appropriate. No consideration by the Municipal Board is necessary. The Municipal Board may review and comment only, but shall, within thirty (30) days, order Annexation in accordance with the terms of this Resolution.

3. Consideration in Lieu of Allocation of Real Estate Taxes. The City agrees that in lieu of the Town receiving any other allocation of the real estate taxes for the entire annexed are for a six (6) year period of time, City will, upon acceptance and Order of the Minnesota Municipal Board of this Agreement and resulting annexation of the area described in Schedule I, pay to the Town the sum of Nine Hundred Ninety-three Dollars and 96/100 (\$993.96).

The Town shall be entitled to receive all real estate taxes payable in 1998. The City shall be entitled to receive all real estate taxes payable in 1999 and thereafter.

4. Reimbursement for Township Fire Assessment. Upon acceptance and Order of the Municipal Board of this Agreement and resulting annexation of the area described in Schedule I, the City shall give credit to the Town for the sum of Sixty-three Dollars and 42/100 (\$63.42) as and for its loss of township fire assessment for calendar year 1998; said \$63.42 shall be paid by City to Town by City giving credit to Town of said amount in the 1999 assessment for fire services pursuant to the fire insurance contract by and between the City and Town.

5. Population. The Town and City agree that the population of the area described in Schedule I is five (5) people. Upon annexation, the City's population shall increase by five (5) and the Town's population shall decrease by five (5) people.

TOWNSHIP OF BUSE:

Passed and adopted by the Town Board of Buse this 26th day of May, 1998.

ATTESTED:

Carolyn Sund
Township Clerk

APPROVED:

Gene Wells
Township Chairman

CITY OF FERGUS FALLS:

Passed and adopted by the City of Fergus Falls this 18th day of May, 1998.

ATTESTED:

James L. Nohab
City Administrator

APPROVED:

Ray Finner
Mayor

SCHEDULE I
(Two Parcels)

PARCEL 1

That part of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Eleven (11), Township One Hundred Thirty-two (132) North, Range Forty-three (43) West, described as follows, to-wit:

Commencing at the South Quarter Section corner; thence North 119.18 feet; thence North 23 degrees West 1,646.08 feet to point of beginning; thence South 66 degrees West 210 feet; thence North 23 degrees West 535.71 feet; thence North 66 degrees East 210 feet; thence South 23 degrees East 278.11 feet; thence South 66 degrees West 20 feet; thence South 23 degrees East 180 feet; thence North 66 degrees East 20 feet; thence South 23 degrees East 77.6 feet to point of beginning and there terminating.

Total acreage - 2.50 acres

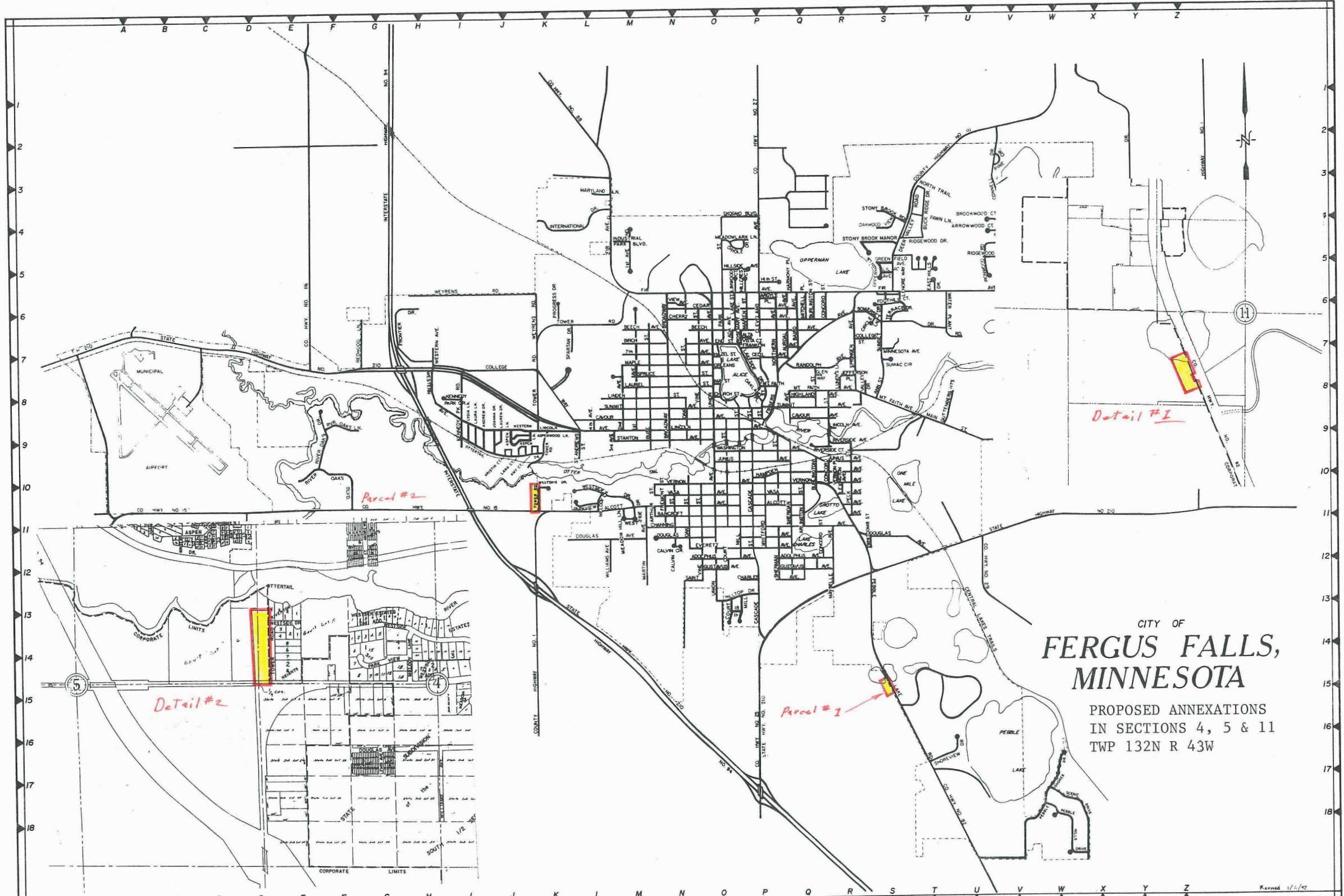
PARCEL 2

That part of Government Lot Six (6), Section Five (5), Township One Hundred Thirty-two (132) North, Range Forty-three (43) West, together with that part of Government Lot Five (5) of Section Four (4), Township One Hundred Thirty-two (132) North, Range Forty-three (43) West, all in Otter Tail County, Minnesota, described as follows:

Beginning at the Southeast Corner of said Government Lot 6; thence South 88 degrees 27 minutes 49 seconds West (Assumed Bearing) along the South line of said Government Lot 6 a distance of 48.97 feet; thence North 02 degrees 51 minutes 16 seconds West a distance of 1100.37 feet to the North line of the South 1100.00 feet of said Government Lot 6; thence North 88 degrees 27 minutes 49 seconds East along the North line of the South 1100.00 feet of said Government Lot 6 a distance of 85.94 feet to the East line of said Government Lot 6; thence on a bearing of East along the North line of the South 1100.00 feet of Government Lot 5 of said Section 4 a distance of 90.01 feet; thence South 00 degrees 55 minutes 45 seconds East a distance of 1100.15 feet to the South line of Government Lot 5 of Section 4; thence on a bearing of West along said South line a distance of 90.01 feet to the point of beginning; containing 3.98 acres.

The South 1100.00 feet of the East 75.00 feet of the West 165.00 feet of Government Lot Five (5), Section Four (4), Township One Hundred Thirty-two (132), Range Forty-three (43), Otter Tail County, Minnesota.

Total acreage - 5.87 acres



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