

JOINT RESOLUTION

CITY OF SPICER
RESOLUTION NO. 98110401
TOWNSHIP OF GREEN LAKE
RESOLUTION NO. _____

A JOINT RESOLUTION OF THE CITY OF SPICER AND THE TOWNSHIP OF GREEN LAKE DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF ORDERLY ANNEXATION AND CONFERRING JURISDICTION OVER THE AREA TO THE MINNESOTA MUNICIPAL BOARD, PURSUANT TO MINNESOTA STATUTES SECTION 414.0325.

WHEREAS, the City of Spicer and the Township of Green Lake have met, conferred, considered and reached agreement relating to the annexation on an area located in the Township of Green Lake; and

WHEREAS, the area proposed for annexation is owned by the following parties;

Gary Sanderson and Ruth Sanderson, husband and wife;
Charles DeCathelineau;
James Doty;
Michael Schoffman;
Five T Inc.

WHEREAS, the City of Spicer and the Township of Green Lake desire to designate a certain unincorporated area as in need of orderly annexation pursuant to Minnesota Statutes Section 414.0325 and have agreed upon certain terms and conditions relating to the annexation of said property; and

WHEREAS, the owners of the property described in Paragraph Two, has waived the provisions of MSA 414.0325 subd. 1a regarding Electrical Utility Service.

NOW, THEREFORE, BE IT RESOLVED AND AGREED between the City of Spicer and the Township of Green Lake as follows:

1. That the City of Spicer (hereinafter "City") is a city pursuant to the laws of the State of Minnesota and that the Township of Green Lake (hereinafter "Township") is a township pursuant to the laws of the State of Minnesota, and that both parties are fully authorized and empowered to enter into this resolution.
2. That the following unincorporated area is in need of orderly annexation, lies wholly with Green Lake Township, Kandiyohi County, Minnesota and is described as follows:

GARY SANDERSON AND RUTH SANDERSON

That part of Government Lot One (1) of Section Four (4) in Township One Hundred Twenty (120) North, Range Thirty-four (34) West of the 5th P. M. Kandiyohi County, Minnesota, described as follows: Beginning at a point on the Center line of State Aid Road No. 10, which point is 650 feet West of the Southeast corner of said Government Lot 1; thence running North on a line parallel with the East Line of said Government Lot 1, a distance of 450 feet to a point; thence East on a line parallel with the center line of said State Aid Road No. 10 a distance of 225 feet to a point; thence running South on a line parallel with the East line of said Government Lot 1 a distance of 450 feet to the center line of said State Aid Road No. 10; and thence running West along the center line of said State Aid Road No. 10 a distance of 225 feet to the point of beginning.

CHARLES DECATHELINEAU

That part of Government Lot 1, Section 4, Township 120, Range 34 of the 5th P. M., Kandiyohi County, Minnesota described as follows: Commencing at a point in Government Lot 1, which point is 450 feet North of the center line of State Aid Road No. 10 and 400 feet West of the East line of said Government Lot 1, thence North on a line parallel to said East line a distance of 600 feet, thence West on a line parallel with the Center line of said State Aid Road No. 10 a distance of 250 feet, thence South on a line parallel with the East line of said Government Lot 1 a distance of 600 feet, thence East on a line parallel with the North line of this description a distance of 250 feet to the point of beginning, containing 3.45 acres, be the same more or less; **AND**

That part of Government Lot 1, Section 4, Township 120, Range 34, described as follows: Commencing at a point on the East line of said Government Lot 1, which point is 450 feet North of the Center line of State Aid Road No. 10, thence North on the East line of said Government Lot 1 a distance of 600 feet, thence West on a line parallel with the center line of said State Aid Road No. 10 a distance of 400 feet, thence South on a line parallel with the East line of said Government Lot 1 a distance of 600 feet, thence East on a line parallel with the center line of said State Aid Road No. 10 a distance of 400 feet to the point of beginning, containing 5½ acres, be the same more or less; **EXCEPT AND EXCLUDING**

All that part of Lot 1, Block 1 of Engwall's Lots and of Government Lot 1 of Section 4, Township 120, Range 34, described as follows: commencing at the intersection of the South line of the North 50.00 feet of Lot 1, Block 1 of Engwall's Lots as extended Easterly to the East Line of said Government Lot 1, thence North on and along the East Line of said Government Lot 1, which is also the center line of the Township Road, a distance of 375.00 feet, thence West and parallel with the South line of said Lot 1, Block 1 of Engwall's Lots a distance of 160.00 feet to the point of beginning of the tract herein described; thence

continuing on the same course Westerly a distance of 80.00 feet; thence South to a point on the South line of North 50.00 feet of said Lot 1, Block 1 of Engwall's Lots which is 195.00 feet from the point of beginning, as measured on the South line of the North 50.00 feet of said Lot 1, Block 1 of Engwall's Lots; thence East on and along the South line of the North 50.00 feet of Lot 1, Block 1 of Engwall's Lots to a point on said line 115.00 feet from the point of beginning; thence Northerly to the point of beginning of the tract herein described. Grantor reserve the right of ingress and egress for himself and his heirs and assigns for a period of 99 years from the date of this conveyance over and across a strip of land 50.00 feet in width lying 25.00 feet on each side of a line that transverses the property East to West and is parallel to and 100.00 feet North of the South line of said Lot 1 of Block 1 of Engwall's Lots. Subject to road right of way. **AND EXCEPT AND EXCLUDING:**

All that part of Lot 1, Block 1, of Engwall's Lots and of Government Lot 1 of Section 4, Township 120, Range 34, described as follows: Commencing at intersection of the South line of the North 50 feet of Lot 1, Block 1 of Engwall's Lots as extended Easterly, and the East line of said Government Lot 1, thence North on and along the East line of said Government Lot 1, which is also the center line of the Township Road, a distance of 375 feet, thence West and parallel with the South line of said Lot 1, Block 1 of Engwall's Lots a distance of 160 feet; thence South to a point on the South line of the North 50 feet of said Lot 1, Block 1 of Engwall's Lots which is 115 feet from the point of beginning, as measured on the South line of the North 50 feet of said Lot 1, Block 1 of Engwall's Lots: thence East on and along the South line of the North 50 feet of Lot 1, Block 1 of Engwall's Lots and along said line as extended Easterly to the point of beginning. Grantor reserves the right of ingress and egress for himself and his heirs and assigns for a period of 99 years from the date of this conveyance over and across a strip of land 50 feet in width lying 25 feet on each side of a line that transverses the property East to West and is parallel to and 100 feet North of the South line of said Lot 1 of Block 1 of Engwall's Lots. Subject to road right of way.

JAMES DOTY

All that part of Lot 1, Block 1 of Engwall's Lots and of Government Lot 1 of Section 4, Township 120, Range 34, described as follows: commencing at the intersection of the South line of the North 50.00 feet of Lot 1, Block 1 of Engwall's Lots as extended Easterly to the East Line of said Government Lot 1, thence North on and along the East Line of said Government Lot 1, which is also the center line of the Township Road, a distance of 375.00 feet, thence West and parallel with the South line of said Lot 1, Block 1 of Engwall's Lots a distance of 160.00 feet to the point of beginning of the tract herein described; thence continuing on the same course Westerly a distance of 80.00 feet; thence South to a point on the South line of North 50.00 feet of said Lot 1, Block 1 of Engwall's

Lots which is 195.00 feet from the point of beginning, as measured on the South line of the North 50.00 feet of said Lot 1, Block 1 of Engwall's Lots; thence East on and along the South line of the North 50.00 feet of Lot 1, Block 1 of Engwall's Lots to a point on said line 115.00 feet from the point of beginning; thence Northerly to the point of beginning of the tract herein described. Grantor reserve the right of ingress and egress for himself and his heirs and assigns for a period of 99 years from the date of this conveyance over and across a strip of land 50.00 feet in width lying 25.00 feet on each side of a line that transverses the property East to West and is parallel to and 100.00 feet North of the South line of said Lot 1 of Block 1 of Engwall's Lots. Subject to road right of way.

MICHAEL SCHOFFMAN

All that part of Lot 1, Block 1, of Engwall's Lots and of Government Lot 1 of Section 4, Township 120, Range 34, described as follows: Commencing at intersection of the South line of the North 50 feet of Lot 1, Block 1 of Engwall's Lots as extended Easterly, and the East line of said Government Lot 1, thence North on and along the East line of said Government Lot 1, which is also the center line of the Township Road, a distance of 375 feet, thence West and parallel with the South line of said Lot 1, Block 1 of Engwall's Lots a distance of 160 feet; thence South to a point on the South line of the North 50 feet of said Lot 1, Block 1 of Engwall's Lots which is 115 feet from the point of beginning, as measured on the South line of the North 50 feet of said Lot 1, Block 1 of Engwall's Lots; thence East on and along the South line of the North 50 feet of Lot 1, Block 1 of Engwall's Lots and along said line as extended Easterly to the point of beginning. Grantor reserves the right of ingress and egress for himself and his heirs and assigns for a period of 99 years from the date of this conveyance over and across a strip of land 50 feet in width lying 25 feet on each side of a line that transverses the property East to West and is parallel to and 100 feet North of the South line of said Lot 1 of Block 1 of Engwall's Lots. Subject to road right of way.

FIVE T, INC.

Commencing at the Northeast corner of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 4, Township 120, Range 34; thence West along the North boundary of said NW $\frac{1}{4}$, 64 rods; thence South to a point on the South boundary of said NW $\frac{1}{4}$, 64 rods West of the Southeast corner of said NW $\frac{1}{4}$; thence East along the South boundary of said NW $\frac{1}{4}$, 64 rods to the Southeast corner of said NW $\frac{1}{4}$; thence North along the East boundary of said NW $\frac{1}{4}$ to the said Northeast corner of said NW $\frac{1}{4}$ to the place of beginning, except that part thereof described as follows: Commencing at a point, which point is 60 rods West of the Northeast corner of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 4, Township 120, Range 34; thence running South at right angles a distance of 40 rods parallel with the West line of the

NW¼ of the SE¼; thence West a distance of 4 rods parallel with the South line of the NW¼ of the SE¼; thence North a distance of 40 rods parallel with the West line of the NW¼ of the SE¼; thence East on the North line of the NW¼ of the SE¼ to point of beginning, subject to easements, restrictions and reservations of record, if any.

Kandiyohi County, Minnesota

("The Property") and no alteration of its stated boundaries is appropriate.

3. That jurisdiction over annexation within the Property and over the various provisions contained in this Resolution is hereby conferred upon the Minnesota Municipal Board (hereinafter "Board").
4. That the Property abuts the City and is, or is about to become, urban or suburban in character. Further, the City will upon annexation take action to provide sewer service, water, power and other essential municipal services needed for the development and use of the Property.
5. That the Property will be immediately annexed to the City upon the adoption of this Resolution and the Order of the Board.
6. That no consideration by the Board of the annexation is necessary and the City and the Township request that the Board order the annexation in accordance with the terms of this Resolution.
7. That the real estate taxes collected from the Property due and payable in 1998 will be paid and delivered to the Township. That the real estate taxes due and payable in 1999 and for all years thereafter will be paid and delivered to the City of Spicer.
8. That there will be no reimbursement by the City to the Township for tax revenues lost in accordance with Minnesota Statutes Section 414.036.
9. That connection to the sewer system will be the responsibility of the City and will be conducted in accordance with the ordinances of the City as well as any State or Federal agency laws, rules or regulations.
10. That no abandoned wells are on the Property and no individuals reside on the Property.
11. That the owner of the Property has waived the provisions of MSA Sec. 414.0325 subd. 1a relative to notice of the costs of electric utility service.

12. That every provision of this Resolution will be and hereby is declared severable, and if any part or portion is held invalid, it will not affect or invalidate the remaining parts or portions of the Resolution.
13. That the Property annexed will be, and hereby is, zoned commercial residential, highway business and agricultural as set forth in the attached map marked Exhibit "A".

AGREED TO AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
SPICER THIS 4 DAY OF November 1998.

CITY OF SPICER

By Eugene D. Wenzel
Its Mayor

By Kimberly Efton
Its City Administrator

AGREED TO AND APPROVED BY THE TOWN BOARD OF THE TOWNSHIP OF
GREEN LAKE THIS 24th DAY OF November 1998.

TOWNSHIP OF GREEN LAKE

By Leonard Stulen
Its Chairman

By Kristine M. Bengtson
Its Clerk

EXHIBIT A

REC'D. BY DEC 02 1998
M M B

CITY of SPICER
ZONING DISTRICTS



