

RECD BY
JUN 11 2007

**TOWN OF EMPIRE
CITY OF FARMINGTON
R19-07**

**IN THE MATTER OF THE JOINT
RESOLUTION OF THE TOWN OF
EMPIRE AND THE CITY
OF FARMINGTON, ANNEXING PROPERTY
PREVIOUSLY DESIGNATED FOR
ORDERLY ANNEXATION PURSUANT TO
M.S. §414.0325**

JOINT RESOLUTION

**(Newland Annexation #3 -
Railroad Property)**

WHEREAS, the City of Farmington and the Township of Empire in 1999 previously approved and filed with the State of Minnesota Boundary Adjustment Office a Joint Resolution for Orderly Annexation of unplatted property currently located in Empire Township, a portion of which is legally described as stated in Attachment A, and;

WHEREAS, pursuant to the Orderly Annexation agreement, the City and Township have processed annexation of unplatted parcels in the Orderly Annexation area to facilitate urban development of those parcels, and;

WHEREAS, the parcel subject to this Joint Resolution for Orderly Annexation is a portion of a rail corridor (right of way) that lies between two parcels that have previously been annexed to the City, and;

WHEREAS, the City and Township have determined that it is in the public interest that this portion of the rail corridor (right of way) be annexed to and served by the City, and;

WHEREAS, the City of Farmington can provide the requested urban services to the property.

NOW, THEREFORE, the Township of Empire and the City of Farmington jointly agree to the following:

1. The Township and City hereby designate for immediate annexation into the City that portion of the previously established Orderly Annexation Area ("OAA") as shown on the attached Exhibit B and legally described on Exhibit A. The property abuts the existing northern corporate boundaries of the City west of Highway 3, is approximately 24.14 acres in size, and has a current population of zero people.

2. That the purpose of the annexation of the OAA property involved in this annexation is to transfer jurisdiction over the property in order to provide urban services from the City of Farmington and to facilitate the delivery of urban services to the abutting developing parcels..
3. That in order to accomplish these purposes, the property described herein should be immediately annexed to and made part of the City of Farmington.
4. Upon approval by the respective governing bodies of the City and the Township, this joint resolution and agreement shall confer jurisdiction upon the Director of the Office of Administrative Hearings, Boundary Adjustments (or her successor designee responsible for administering Minnesota Statutes Chapter 414) so as to immediately annex the lands described in the attached Exhibit A in accordance with the terms of this joint resolution and agreement without need for any subsequent resolution(s) of the parties.
5. The City and the Township mutually state that no alteration by the director to the OAA boundaries, as illustrated on Exhibit B and described in Exhibit A, is appropriate or permitted.
6. The City and Township agree that upon annexation all planning, official controls, and governmental services for the annexed area shall become the responsibility of the City, and that the provisions of Minn. Stat. §§414.035 and 414.036 authorizing differential taxation and municipal reimbursement for the annexed property will not be applied for in this proceeding.
7. The City and the Township mutually state that the annexation of the property will not result in any change of electrical service and will not require joint planning since upon final approval of this joint resolution and issuance of the annexation order by the Director the property will immediately be fully subject to the official controls and other ordinances of the City of Farmington, including all land use controls.
8. Having designated the area illustrated on Exhibit B and described in Exhibit A as in need of orderly annexation, and having provided for all of the conditions of its annexation within this document, the parties to this agreement agree that no consideration by the director is necessary. The director may review and comment but shall within thirty (30) days order the annexation in accordance with the terms of this Resolution.

Approved and Adopted
this 23rd day of Jan, 2007.

TOWN OF EMPIRE

BY: 

Its Town Board Chair

AND 

Its Town Board Clerk

Approved and Adopted
this 23rd day of Jan, 2007.

CITY OF FARMINGTON

BY: 

Kevan A. Soderberg

Its Mayor

AND 

Peter J. Herlofsky, Jr.

Its City Administrator

REC'D BY
MMB

FEB 09 2007

EXHIBIT A

(Legal description of area identified as "ANNEXATION NUMBER #3 on Exhibit B)

That part of the Soo Line Railroad right of way lying southerly of the north line of the Northwest Quarter of Section 18, Township 114, Range 19, Dakota County, Minnesota and lying northerly of the westerly extension of the south line of Block 2, PERCINE LOTS 2ND ADDITION, according to the recorded plat thereof, said Dakota County, Minnesota.

Total area of Annexation Number 3 is 24.14 acres.

GOVERNOR STATE DEPT. 0241.
Tel: City Area 651-454-0000
Ext. 7777 - 700-222-1166



ANCA FOR ALL

[illegible]Abstracts from *Journal of Interpersonal Violence*

NEW

with another firm.

21
27
28
29

Total area of survey

John Langdon Dr

12

Newland Communities

Lee, Paula, Kenneth 1834

Newland Knopire

Date 10/24/03

1 or 1

EXHIBIT B