

REC'D. BY
MMB JUL 27 1999

SOUTHSIDE TOWNSHIP RESOLUTION

**CITY OF ANNANDALE RESOLUTION
NO. 99-22**

**JOINT RESOLUTION AND AGREEMENT FOR
ORDERLY ANNEXATION BETWEEN
TOWNSHIP AND THE CITY OF ANNANDALE, MINNESOTA**

WHEREAS, the Southside Township Board passed a resolution on June 1, 1999, approving the annexation to the City of Annandale of certain parcels of land owned by Southbrook Development Corporation and legally described as follows:

The East Half (E1/2) of the Northeast Quarter (NE1/4) of Section 36, Township 121, Range 28. Except therefrom the following described tracts: The South 955.0 feet and the East 443.2 feet of the North 1,183.1 feet. Subject to road easement on the East 33.0 thereof. Containing 38.11 acres more or less.

WHEREAS, the City Council of the City of Annandale agreed to the annexation of the above described parcel of land at its June 7, 1999, meeting; and

WHEREAS, the Southside Township Board and the City Council for the City of Annandale have both determined that the annexation of a portion of the Township with the City is of mutual benefit to both parties and the residents thereof.

NOW, THEREFORE, BE IT RESOLVED by the Southside Township Board and the City Council of the City of Annandale as follows:

1. **Designation of Merger Area.** Southside Township (hereinafter "Township") and the City of Annandale (hereinafter "City") desire to designate, by joint resolution and agreement, the area encompassing the territory of the Township as described herein (the "Annexed Parcel") subject to merger and orderly annexation under and pursuant to Minnesota Statutes Section 414.0325.
2. **Population of Merger Area.**
 - (a) The Township and the City state that the population of the annexed area is approximately 0 persons.
 - (b) The 1997 State Demographer's estimate of the population of the City of Annandale was 2425 persons. Therefore, following the annexation, the estimated population of the City will increase by 0 persons.

3. **State Agency Jurisdiction.** Upon approval by the respective governing bodies of the Township and the City, this Joint Resolution and Agreement confers jurisdiction upon the Minnesota Municipal Board to accomplish the orderly annexation in accordance with the terms of this Joint Resolution and Agreement.
4. **No Alterations of Boundaries.** City and Township mutually state that no alterations by the Municipal Board of the boundaries of the area designated herein for orderly annexation is appropriate.
5. **Payment In Lieu of Taxes.** Southbrook Development Corporation agrees to pay Southside Township the sum of \$270 as full payment for 10 years of the Township's lost tax revenues as a result of this annexation.
6. **Zoning.** Upon annexation, the property shall be zoned One and Two Family Residential (R-2) and shall be a part of the City's approved Planned Unit Development for Southbrook Development Corporation.
7. **Authorization.** The appropriate officers of the City and the Township are hereby authorized to carry the terms of this Joint Resolution and Agreement into effect.
8. **Severability and Repealer.** Should any section of this Joint Resolution and Agreement be held by a court of competent jurisdiction to be unconstitutional or void, the remaining provisions will remain in full force and effect.
9. **Effective Date.** This Joint Resolution and Agreement is effective upon its adoption by the respective governing bodies of the Township and the City, as provided by law.
10. **Review and Comment by State Board.** The Township and the City mutually state that this Joint Resolution and Agreement sets forth all the conditions for the merger of the area designated herein for such merger and orderly annexation, and that no consideration by the Municipal Board is necessary. The Municipal Board may review and comment, but must, within thirty (30) days of receipt of this Joint Resolution and Agreement, order merger and orderly annexation in accordance with its terms and conditions.

REC'D. BY JUL 27 1999
MMB

Adopted by the Southside Township Board this 1st day of June, 1999.

SOUTHSIDE TOWNSHIP

Sett Har
Supervisor

Attest:

Carmen Merrill
Carmen Merrill
Town Clerk

Adopted by the City Council of the City of Annandale this 7th day of June, 1999.

CITY OF ANNANDALE

By *Harold L. Lanning*
Its Mayor

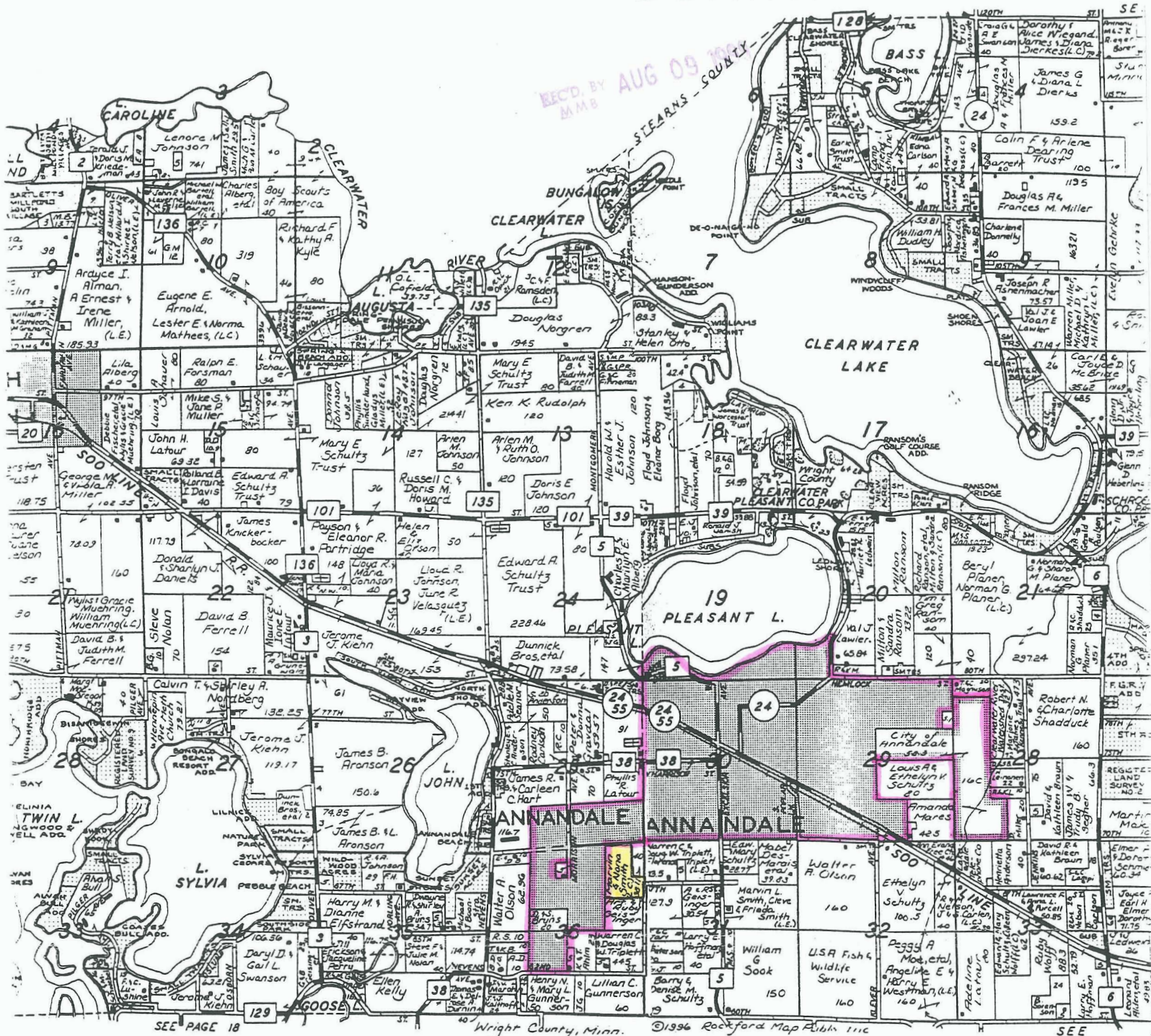
Attest:

Mary Degiovanni
Mary Degiovanni
City Coordinator

APPROVED AS TO FORM:

Gordon H. Hansmeier
Gordon H. Hansmeier
City Attorney

T. 121 N. - R. 28 W. COR. JNA



ROWN, LLP

L. YOUNG*
A. WITTMER

359
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REAL PROPERTY
ASSOCIATION

ARNOLD'S

CASE III

KIMBALL
398-3800

LITCHFIELD
693-2831

WILLMAR
235-4898

0 ELM STREET, HIGHWAY 55 ANNANDALE, MINN



274-8294

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