

**JOINT RESOLUTION OF THE CITY OF JACKSON AND THE
TOWNSHIP OF DES MOINES IN JACKSON COUNTY DESIGNATING
CERTAIN UNINCORPORATED LAND OWNED BY MICHAEL LEV AND
JUDITH LEV AND LOCATED IN THE NW¹/₄NW¹/₄ OF SECTION 23, DES
MOINES TOWNSHIP, AS IN NEED OF ORDERLY ANNEXATION,
CONFERRING JURISDICTION UPON MINNESOTA PLANNING, AND
AGREEING TO IMMEDIATE ANNEXATION TO
THE CITY OF JACKSON**

Township Resolution No. 2000-1

City Resolution No. 014-200

WHEREAS, the Board of Supervisors of the Township of Des Moines ("Township") and the City Council of the City of Jackson ("City"), both located in Jackson County, Minnesota, find:

A. That certain real property (hereinafter called "Annexation Area") in the Township is improved with a residence and other improvements, abuts the corporate limits of the City on its west side, is served by public utility services provided by the City, and is now urban or suburban in character;

B. That the Annexation Area comprises approximately 4.14 acres;

C. That the population of the Annexation Area is two (2);

D. That a "JOINT RESOLUTION FOR ORDERLY ANNEXATION" for the orderly annexation of the Annexation Area ("Joint Resolution") was adopted by the City on January 19, 1993, and by the Township on February 9, 1993;

E. That in 1993 an "AGREEMENT" for the orderly annexation of the Annexation Area ("Agreement") was made and entered into by the City, the Township, and Michael Lev and Judith Lev, as owners of the Annexation Area;

F. That both the Agreement and the Joint Resolution provide that the Annexation Area would be annexed into the City as of December 1, 1998, and that immediately upon annexation the mill levy on the Annexation Area would be increased to equality with the mill levy on property already within the City;

G. That through mistake or inadvertence the Agreement and the Joint Resolution were not filed with the Municipal Board;

H. That the Municipal Board terminated on June 1, 1999, and its authorities and duties were transferred to the office of Strategic and Long-Range Planning ("Minnesota Planning");

I. That the Agreement and the Joint Resolution were filed with Minnesota Planning in September 1999, after the mistake was discovered, but Minnesota Planning has declined to issue an order approving of the annexation because the Agreement and Joint Resolution were not timely filed;

K. That the Annexation Area now adjoins the City on three sides, continues to be served by municipal services provided by the City, continues to be taxed at Township rates, and is still in need of orderly annexation;

L. That the Township has received real estate tax revenues from the Annexation Area for 1999 and will receive such revenues for 2000;

M. That from prior to 1993 and continuing to date, the City has provided – and after annexation will continue to provide – electric utility services to the Annexation Area; and there will be no change in electric utility service – including rate changes and assessments – resulting from this annexation, though water utility rates charged by the City for service to the Annexation Area will be reduced as a result of the annexation; and

N. That after due and legal notice a public hearing on annexation of the Annexation Area was held during a regular meeting of the City Council on December 21, 1999, and no one appeared in person, in writing, or by agent to oppose annexation of the Annexation Area,

Now, therefore, it is **JOINTLY RESOLVED AND AGREED** by the Board of Supervisors of the Township of Des Moines and the City Council of the City of Jackson as follows:

1. **Orderly annexation:** The Annexation Area -- more particularly described as follows:

Part of the NW¹/₄NW¹/₄ of Section 23 in Township 102, North of Range 35, West of the Fifth Principal Meridian, described as follows: beginning at an existing railroad spike on the east line of the NW¹/₄NW¹/₄ of said Section 23 and the centerline of Springfield Parkway as per Rolling Hills Addition plat, thence North 00°00'10" East, assumed bearing, along said east line, and along and near the existing fence line 846.62 feet to the existing centerline of the Des Moines River as of March, 1992; thence North 56°48'44" West 248.53 feet along the existing centerline of the Des Moines River; thence South 00°00'10" West 885.51 feet along a line parallel with the east line of the NW¹/₄NW¹/₄ of said Section 23 to the centerline of Springfield Parkway as existing in March, 1993; thence South 64°57'50" East 229.56 feet along the centerline of Springfield Parkway as existing as of March, 1993, to the point of beginning;

including street right-of-way and subject to easements of record, if any;

including all streets, roads, or alleys passing through or adjacent thereto -- is properly subject to orderly annexation under and pursuant to Minnesota Statutes §414.0325, Subd. 1 ("Statute"), and is hereby designated as in need of orderly annexation.

2. **Jurisdiction.** Jurisdiction over annexation of the Annexation Area and over the various provisions of this joint resolution is conferred upon Minnesota Planning.

3. **No alteration of boundaries, conditions, or consideration.** No alteration of the stated boundaries of the Annexation Area is appropriate, no conditions for the annexation are required, and no consideration by Minnesota Planning is necessary.

4. **Mill levy.** Immediately upon annexation the mill levy on the Annexation Area may be increased to equality with the mill levy on property already within the City.

5. **Property taxes.** Property taxes on the Annexation Area due and payable in 2000 shall be paid to the Township; property taxes payable thereafter shall be paid to the City; and the City shall not be required to make any payment in lieu of taxes to the Township after the City can first levy on the Annexation Area.

6. **Review and comment.** Pursuant to the Statute, Minnesota Planning may review and comment, but within 30 days it shall order the annexation in accordance with the terms of this resolution.

Duly adopted at a meeting of the Board of Supervisors of Des Moines Township, Jackson County, Minnesota, held this 8th day of Feb., 2000.

TOWNSHIP OF DES MOINES

Attest:

Mark Eggmann
Clerk

By:

Mark C. Goede
Chairman, Board of Supervisors

Duly adopted at a regular meeting of the City Council of the City of Jackson, Minnesota, held this 1st day of February, 2000.

CITY OF JACKSON

Attest:

Dean Albrecht
Dean Albrecht, City Administrator

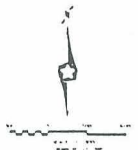
By:

Gary Willink
Gary Willink, Mayor

ZONING MAP

- Agriculture Residence District (RA)
- One & Two Family Residence District (R2)
- Multiple Family Residence District (R3)
- Service Business District (B1)
- General Business District (B2)
- General Industrial District (I2)

CITY OF
JACKSON,
MINNESOTA



SAFETY ZONE

REC'D BY JAN 10 2000
M.M.B.

REC'D BY FEB 23 2000
M.M.B.

A

A-6209

SAFETY ZONES

B

JDC

B+H

A

SAFETY ZONES

B

Lev.
Annexation
Area

Previously
annexed

