

CITY RESOLUTION NO. 11425

TOWN RESOLUTION NO. 00-2-8-1

**JOINT RESOLUTION OF AGREEMENT AS TO ORDERLY
ANNEXATION BY AND BETWEEN THE CITY OF HUTCHINSON
AND HASSEN VALLEY TOWNSHIP**

WHEREAS, the City of Hutchinson ("City") and Hassen Valley Township ("Township"), McLeod County, Minnesota, desire to provide for the orderly development and extension of services to a property in the Township that is contiguous to the city limits and is or is about to become urban or suburban in character; and

WHEREAS, said property ("subject property") is owned by the US Bank as Trustee of the Michael Hoernemann Revocable Trust, which has expressed a need and desire for the extension of municipal sewer and water services to the subject property; and

WHEREAS, the City and the Township wish to provide for the extension of municipal services to the subject property upon certain terms and conditions; and

WHEREAS, the City and the Township have reached an agreement which is in the best interests of both the citizens and property owners of the City and the Township.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HUTCHINSON AND THE BOARD OF SUPERVISORS OF HASSEN VALLEY TOWNSHIP:

1. Description of Area to be Annexed. That the following described area is properly subject to orderly annexation under and pursuant to Minnesota Statutes §414.0325, and the parties do hereby designate the area for orderly annexation ("subject property") as provided by statute, as set forth in the legal description attached hereto as Exhibit 1, and the map attached hereto as Exhibit 2.

2. State Jurisdiction. That upon final approval by the governing bodies of the City and the Township, this resolution of agreement shall confer jurisdiction upon the State of Minnesota ("State") so as to accomplish said orderly annexation in accordance with the terms of this resolution of agreement.

3. No Alterations of Boundaries. The City and the Township mutually state that no alteration by the State of the boundaries of those areas designated herein for orderly annexation is appropriate.

4. Review and Comment by Municipal Board. The City and the Town mutually state and agree that this resolution sets forth all of the conditions for annexation of the areas designated herein

for orderly annexation, and that no consideration by the State is necessary. The State may review and comment, but shall order the annexation of the subject area within thirty (30) days after submission to the State of a final resolution approved by both the City and the Township.

5. Annexation of Subject Area. The City and Town mutually state and agree that the subject property legally described in Exhibit 1 and shown on Exhibit 2, shall immediately be annexed to the City, upon the effective date of the State order in the matter.

6. Authorization. The appropriate officers of the City and Township are hereby authorized to carry the terms of this resolution into effect.


* See 7. and 8. below

14th day of March, 2000

This resolution adopted by the Hutchinson City Council the ~~8th day of February~~ 14th day of March, 2000.

Attest:

CITY OF HUTCHINSON, MINNESOTA


City Clerk


Mayor

This resolution adopted by the Hassen Valley Township Board of Supervisors the 8th day of February, 2000.

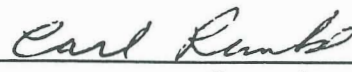
Attest:

HASSEN VALLEY TOWNSHIP


Town Clerk


Chair, Board of
Town Supervisors

* 7. The City and Township further agree that taxes shall be paid to the township for the following five (5) years with a reduction of 20% per year, beginning in 2001. 414.036


Supervisor

8. The City agrees not to annex the Virgil Hajicek property at 1315 State Hwy. 15 So., PID #06.051.0280, except when petitioned by the property owner.


Supervisor

*9. The property owner must dedicate to the City of Hutchinson, a drainage and utility easement and a temporary permit to construct the improvements planned for the area.

EMR 4-10-00
MKA 4/10/00

EXHIBIT 1

REC'D. BY APR 24 2000
MMB

The subject property legally described as:

State of Minnesota

County of McLeod

✓ The Southwest Quarter of the Southwest Quarter of Section 7, Township 116, Range 29, now being known as Lot 21 of Auditor's Plat of Section 7, Township 116, Range 29, McLeod County, Minnesota;

And

The South 10 acres of the Northwest Quarter of the Southwest Quarter of Section 7, Township 116, Range 29, being the South 10 acres of Lot 20 of Auditor's Plat of Section 7, Township 116, Range 29, McLeod County, Minnesota;

And

That part of Lot 20 of Auditor's Plat of Section 7, Township 116, Range 29, McLeod County, Minnesota described as follows: Commencing at a point on the East line of said Lot 20 and 340 feet North of the Southeast corner of said Lot 20; thence West, parallel with the South line of said Lot 20, 1195.5 feet to the Center of Minnesota Trunk Highway 15; thence Northerly along said centerline, 291.7 feet; thence East, parallel with said South line, to said East line, thence South, along said East line, 291.7 feet, to the point of beginning;

And

The south 260.2 feet of Lot 19 of Auditor's Plat of Section 7, Township 116, Range 29, McLeod County;

LESS AND EXCEPT that part of the West Half of the Southwest Quarter of Section 7, Township 116, Range 29, also known as Lots 20 and 21 of Auditor's Plat of Section 7, Township 116, Range 29, McLeod County, Minnesota shown as Parcel 250 on Minnesota Department of Transportation Right of way Plat numbered 43-19, as the same is on file and of record in the office of the County Recorder in and for McLeod County, Minnesota.

(Abstract property)

And also

Tract C REGISTERED LAND SURVEY No. 28, files of the Registrar of Titles, County of McLeod Minn., EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT TO-WIT:

That part of Tract C of REGISTERED LAND SURVEY NO. 28 McLeod County, Minnesota, described as follows:

Beginning at the northwest corner of said Tract C; thence East assumed bearing, along the north line of said Tract C to the northwest corner of Tract A of said REGISTERED LAND SURVEY NO 28; thence South, along the West line of said Tract A 50.00 feet to the southwest corner of said Tract A; thence East, along the south line of said Tract A 60.00 feet to the northwest corner of Tract B of said REGISTERED LAND SURVEY NO 28; thence South, along the west line of said Tract B and its southerly prolongation 200.00 feet; thence West parallel with the north line of said Tract C to the west line of said Tract C; thence North 0 degrees 15 minutes 55 seconds West, along said west line to the point of beginning.

REVISED LEGAL DESCRIPTION

That part of the Southwest Quarter of Section 7, Township 116, Range 29, described as follows:

Commencing at the Southwest corner of said Southwest Quarter; thence South 89 degrees 21 minutes 16 seconds East, along the south line of said Southwest Quarter, a distance of 1,213.26 feet to a point which is 1,196.00 feet west of the southeast corner of the Southwest Quarter (as measured along the south line of said Southwest Quarter); thence North 0 degrees 47 minutes 54 seconds East a distance of 1,963.53 feet; thence North 89 degrees 12 minutes 18 seconds West a distance of 1,100.58 feet to the east line of Minnesota Department of Transportation Right of way Plat No. 43-19; thence continue North 89 degrees 12 minutes 18 seconds West to the West line of said Southwest Quarter; thence South along the West line of said Southwest Quarter to the place of beginning.

AND

The south 260.2 feet of Lot 19 of Auditor's Plat of Section 7, Township 116, Range 29, McLeod County.

Abstract Property

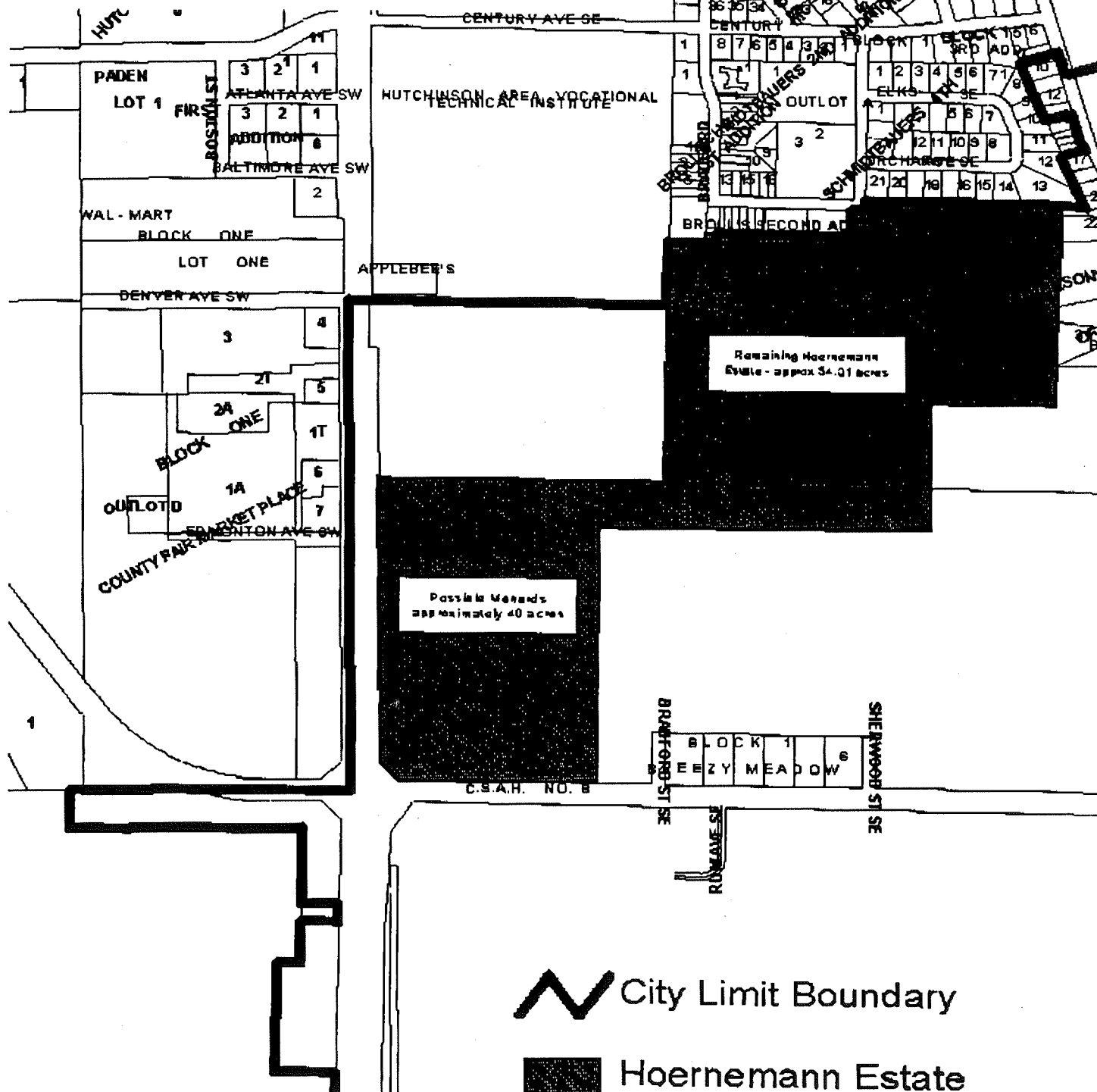
AND

Tract C, REGISTERED LAND SURVEY NO. 28, files of the Registrar of Titles, County of McLeod, Minn., EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT, TO-WIT: That part of Tract C of REGISTERED LAND SURVEY NO. 28, McLeod County, Minnesota, described as follows: Beginning at the northwest corner of said Tract C; thence East assumed bearing, along the north line of said Tract C to the northwest corner of Tract A of said REGISTERED LAND SURVEY NO. 28; thence South along the West line of said Tract A 50.00 feet to the southwest corner of said Tract A; thence East, along the south line of said Tract A, 60.00 feet to the northwest corner of Tract B of said REGISTERED LAND SURVEY NO. 28; thence South, along the west line of said Tract B and its southerly prolongation 200.00 feet; thence West parallel with the north line of said Tract C to the west line of said Tract C; thence North 0 degrees 15 minutes 55 seconds West, along said west line to the point of beginning.

Registered (Torrens) Property, certificate number 9325

| | | | | | |
|-------------------|--------|---------|--------------------|------------|---|
| Post-it* Fax Note | 7671 | Date | 5/2/00 | # of pages | 1 |
| To | Rachel | From | Holly Kraft | | |
| Co./Dept. | | Co. | City of Hutchinson | | |
| Phone # | | Phone # | | | |
| Fax # | | Fax # | | | |

10
SE



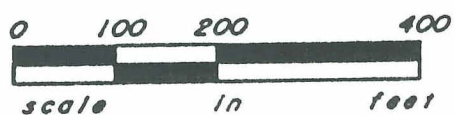
CITY OF HUTCHINS

Exhibit 2

The orientation of the bearings shown on this plat are based on the east line of the SE 1/4 of Section 7, T.116 N., R.29 W., which is assumed to have a bearing of S2°04'46"W.

REC'D BY
MAG
APR 24 2000

SECTION 7,



12 7

MONTE VENE

OUTLOT B

12 7
13 18

NW 1/4 OF SW 1/4

NE 1/4

LOT 19

RLS
No. 28

LOT 20

PARCEL 3A

RIGHT OF WAY PLAT NO. 43-19

STATE HIGHWAY NO. 15

MINNESOTA DEPARTMENT OF TRANSPORTATION

N0°02'52"W

SW 1/4 OF SW 1/4

LOT 21

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

8

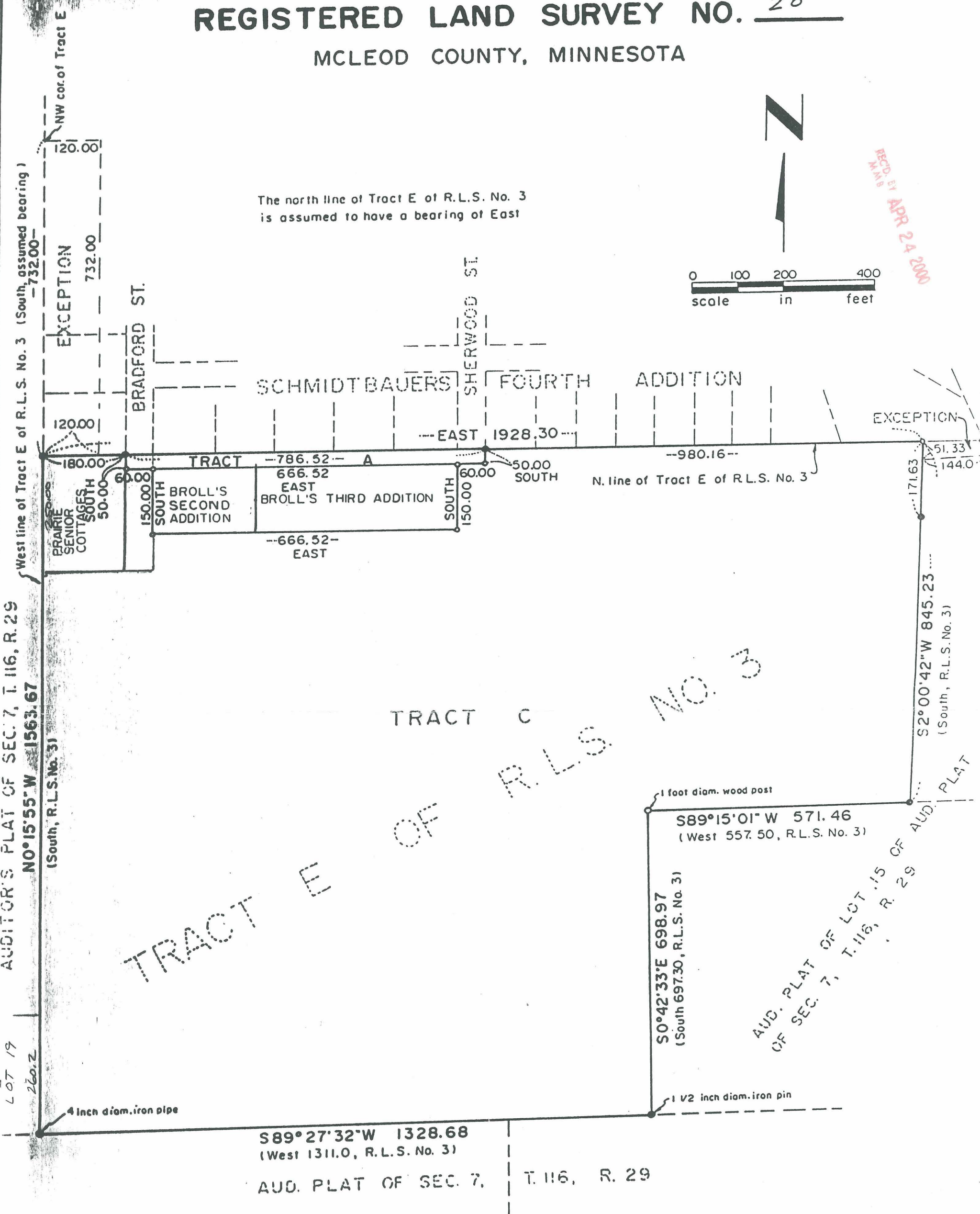
REGISTERED LAND SURVEY NO. 28

MCLEOD COUNTY, MINNESOTA

The north line of Tract E of R.L.S. No. 3
is assumed to have a bearing of East



RECORDED
APR 24 2000



- Denotes iron monument found
- Denotes 1/2 inch diam. iron pipe set, marked with License No. 9626