

**JOINT RESOLUTION BETWEEN THE TOWN OF MOORHEAD AND THE CITY OF
MOORHEAD DESIGNATING AN AREA FOR ORDERLY ANNEXATION PURSUANT
TO MINNESOTA STATUTE 414.0325**

**(North 1,150.5 Feet of the SW ¼ of Section 22, Moorhead Township, less the west 33 feet of
the North 1,150.5 feet of the SW 1/4)**

BE IT RESOLVED by the Town of Moorhead, hereinafter referred to as "the Town", by and through its Board of Supervisors, and the City of Moorhead, hereinafter referred to as "the City", by and through its City Council, that the Town and City do hereby jointly agree to the following:

I. Definitions

For the purposes of this Joint Resolution the following definitions will mean:

1. City. Will mean the City of Moorhead, Minnesota, a municipal corporation duly organized and existing under the laws of the State of Minnesota, except whenever in the provisions of this document reference is made to water or electrical services, then and in that case, "City" will include within its meaning both the City of Moorhead and the Moorhead Public Service Commission, a board to which the control, management and operation of all City water and electrical systems have been committed by Section 12.02 of the Moorhead City Charter.
2. County. Will mean the County of Clay, Minnesota, a body corporate and politic duly organized and existing under the laws of the State of Minnesota.
3. Effective Date of Annexation. Will mean the date the Minnesota Planning issues its order approving the annexation contemplated in the Initiating Resolution.
4. Effective Date of this Joint Resolution. Will mean the date the Minnesota Municipal Board accepts this Joint Resolution for filing.

5. Initiating Resolution. This Joint Resolution shall serve as the Initiating Resolution adopted by the City and filed with the Minnesota Planning.
6. Joint Resolution. Will mean the Joint Resolution between the Town and the City designating an area for orderly annexation pursuant to Minnesota Statute Section 414.0325.
7. Minnesota Planning. Will mean the Minnesota Planning, which is created by Minnesota Statute Section 414.01.
8. Orderly Annexation Area. Will mean that area of the Town legally described as:

The North 1,150.5 feet of the Southwest Quarter of Section 22, Township 139 North, Range 48 West (Moorhead Township), Clay County, Minnesota, less the West 33 feet, containing 70 acres more or less.

and a map of which is attached as Exhibit A.

9. Town. Will mean the Town of Moorhead, a body corporate and politic, duly organized under the laws of the State of Minnesota.

II. Population

The population of the Orderly Annexation Area is zero and the population of the City of Moorhead will not increase as a result of the annexation.

III. Reason for Annexation

It is specifically found that:

1. Certain Properties Urban or Suburban. Certain areas within the Town abutting upon the City are presently or are about to become urban or suburban in nature.
2. City Capable of Providing Services. City has provided or is capable of providing wastewater collection services and water distribution and is capable of providing additional municipal service to this property to adequately protect the public health, safety, and general welfare of the property.

IV. **Annexation Date**

All property within the Orderly Annexation Area will be annexed to the City upon the date the Minnesota Planning issues its order approving annexation following the Board's acceptance of this Joint Resolution and based on the City filing an Initiating Resolution with the Board.

V. **Zoning/Subdivision/Land Use Control Regulations**

Upon the effective date of annexation, the Orderly Annexation Area will be zoned TZ, Transitional Zone, so that the entire Orderly Annexation Area will be governed by the City's comprehensive land use plan and subdivision regulations as such plan and regulations may be amended, modified or replaced from time to time.

VI. **Electric Service**

The provisions of electric service vests with the Moorhead Public Service Commission, a board to which the control, management, and operation of the City's electrical system has been committed by Section 12.02 of the Moorhead City Charter. The policy of the Moorhead Public Service Commission and the City of Moorhead is to have the Moorhead Public Service Department provide electric service to all property located within the City of Moorhead.

VII. **No Referendum**

As all of the conditions for annexation are contained within and have been mutually agreed upon by the Town and City, at the time of annexation of the Orderly Annexation Area no referendum will be conducted.

VIII. **Modifying/Amending Joint Resolution**

The parties to this agreement concur that this agreement will not be modified or amended, nor will the stated boundaries be altered unless mutually agreed to through resolution of each party and acceptance by the Minnesota Planning.

IX. **Ordering in of Annexation**

Upon receipt of this Joint Resolution, the Minnesota Planning may review and comment, but will, within 30 days, order the annexation in accordance with the terms of this Joint Resolution.

X. **Town/City Cooperation**

The Town and City resolve to fully cooperate with the Minnesota Planning in connection with this Joint Resolution and agreements therein.

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**(North 1,150.5 feet of the SW ¼ of Section 22, less the West 33 feet of the North 1,150.5 feet
of the SW ¼ of Section 22, Moorhead Township)**

APPROVED by the Town Board of Moorhead, Minnesota, this 18th day of Sept., 2001.

ATTEST:

Brenda Mazour
Brenda Mazour, Town Clerk

APPROVED BY:

Arvid Leiseth
Arvid Leiseth, Chairperson

(SEAL)

APPROVED by the City Council of the City of Moorhead this 2nd day of July, 2001.

ATTEST:

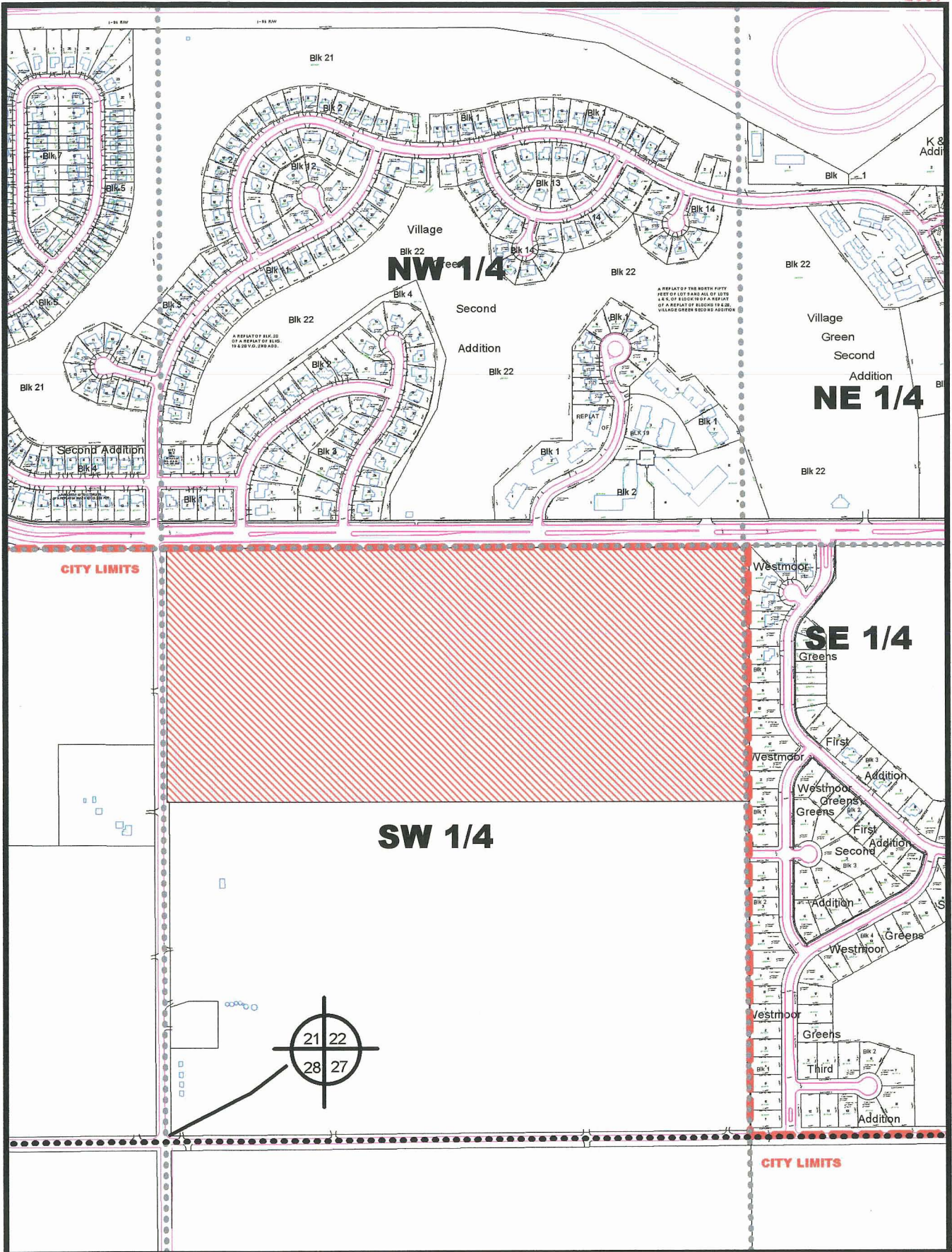
Kaye E. Buchholz
Kaye E. Buchholz, City Clerk

APPROVED BY:

Morris L. Lanning
Morris L. Lanning, Mayor

(SEAL)

Drafted by: City of Moorhead Department of Community and Economic Development



ORDERLY ANNEXATION
CITY OF MOORHEAD AND MOORHEAD TOWNSHIP
NORTH 1,150.5 FEET OF THE SW 1/4 OF SECTION 22, MOORHEAD TOWNSHIP,
LESS THE WEST 33 FEET OF THE NORTH 1,150 FEET, OF THE SW 1/4 OF SECTION 22