

**JOINT RESOLUTION ESTABLISHING AN
ORDERLY ANNEXATION AGREEMENT BETWEEN
THE CITY OF BENSON AND TORNING TOWNSHIP**

WHEREAS, the City of Benson ("City") and Torning Township ("Township") hereby designate for orderly annexation the lands legally described in the attached Exhibit A and shown on the attached Exhibit B (collectively referred to herein as the "Designated Area"), all located within Torning Township, County of Swift, State of Minnesota; and

WHEREAS, the City and Township are in agreement as to the orderly annexation of the Designated Area and each determines the annexation is in their best respective interests; and

WHEREAS, Minn. Stat. § 414.0325 provides a procedure whereby the City and Township may agree on a process for the orderly annexation of the Designated Area; and

WHEREAS, on November 18, 2016, the property owner of the Designated Area submitted a petition for orderly annexation to the City and Township pursuant to Minn. Stat. § 414.0325, subd. 1a; and

WHEREAS, notice of intent to designate an area for orderly annexation required by Minn. Stat. § 414.0325, subd. 1b does not apply in this instance because this Joint Resolution only designates for immediate annexation property for which all property owners have petitioned to be annexed; and

NOW, THEREFORE, the City and Township hereby jointly resolve to enter into this agreement to provide for the immediate annexation of the Designated Area into the City upon the following terms and conditions:

1. The City and Township hereby designate the area described in Exhibit A attached hereto and shown in Exhibit B attached hereto as in need of orderly annexation pursuant to Minn. Stat. § 414.0325. The Designated Area consists of 83.44 acres and the population in the area is approximately 40.
2. The City and Township request the immediate annexation of the Designated Area to the City upon submission of this agreement to the Chief Administrative Law Judge.
3. The Township and City, by submission of this Joint Resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confer jurisdiction upon the Chief Judge so as to accomplish the annexation of the Designated Area in accordance with the terms of this agreement.
4. The City and Township mutually agree that no alteration of the boundaries stated herein is appropriate and that all conditions for annexation of the area legally described herein are contained in this Joint Resolution, and that no consideration by Minnesota Planning is necessary. Upon the execution and filing of this Joint Resolution, Minnesota Planning may

review and comment thereon, but shall, within thirty (30) days of receipt of this Joint Resolution, order the annexation of the area legally described herein in accordance with the terms and conditions of this Joint Resolution.

5. The City and Township agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the Minnesota Planning Municipal Boundary Adjustments Office.

Adopted on this 21st day of November, 2016.

CITY OF BENSON

ATTEST:

By: [Signature]
Mayor

By: [Signature]
City Clerk

Adopted on this 21st day of November, 2016.

TORNING TOWNSHIP

ATTEST:

By: [Signature]
Chairperson

By: [Signature]
Township Clerk

EXHIBIT A:

The East Half of the Northeast Quarter (E $\frac{1}{2}$ -NE $\frac{1}{4}$) of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39), excepting therefrom a tract of land described as follows: Commencing at the SE corner of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$) of Section Five (5), thence running West Thirty-two (32) rods, thence running North Twenty-five (25) rods, thence running East Thirty-two (32) rods, thence running South Twenty-five (25) rods to the place of beginning.

EXHIBIT B:

