

STATE OF MINNESOTA

OFFICE OF STRATEGIC AND LONG-RANGE PLANNING

IN THE MATTER OF THE JOINT RESOLUTION
OF THE CITY OF BENSON AND THE TOWN OF
TORNING DESIGNATING CERTAIN AREAS
AS IN NEED OF FUTURE ORDERLY ANNEXATION
PURSUANT TO MINNESOTA STATUTE, SECTION
414.0325

JOINT RESOLUTION FOR
ORDERLY ANNEXATION

WHEREAS, the Town of Torning (hereinafter "Township") and the City of Benson (hereinafter "City") have agreed to work cooperatively to accomplish the orderly future annexation of the area legally described herein, and

WHEREAS, the above-mentioned area is in need of orderly future annexation and immediate extension of municipal sanitation service because the area is in part already developed as institutional/residential area and the balance of the area is proposed for similar uses; and

WHEREAS, the present and future development of the above-mentioned area will require immediate municipal sanitation service and the City has available capacity to provide needed service to the above-mentioned area; and

WHEREAS, the above-mentioned area is currently used to operate a non-profit corporation and is thereby tax exempt; and

WHEREAS, the owner of the above-mentioned area has agreed by separate agreement that the owner of the above-mentioned area and its heirs, administrators, executors, successors and assigns agree to pay any and all costs and expenses related to immediate extension of municipal sanitation service to the above-mentioned area, including, but not limited to, engineering, design, installation and procurement of any necessary right of way easements; and

WHEREAS, the City and Township agree that orderly future annexation and immediate extension of municipal sanitation service to the area legally described herein is in the best interest of the area owner and would provide needed government services to the community and would benefit the local school districts and economy of the community; and

WHEREAS, the City and Township agree that the area legally described herein is designated as in need of future orderly annexation and immediate extension of municipal sanitation service; and

WHEREAS, the City and Township agree that future orderly annexation shall occur immediately at such time that any portion of the area legally described herein is no longer used for non-profit purposes and thereby no longer tax exempt or for any other reason ceases to be tax exempt; and

WHEREAS, the City and Township desire to accomplish the future orderly annexation and immediate extension of municipal service for the area legally described herein without the need for a hearing.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Benson and the Town Board of Supervisors of the Town of Tarning as follows:

1. The City and Township hereby designate the area described in Exhibit A attached hereto for future orderly annexation to occur immediately at such time that any portion of the area legally described herein is no longer used for non-profit purposes and thereby no longer tax exempt or for any other reason ceases to be tax exempt.
2. The City and Township agree that the area legally described herein and designated as in need of future orderly annexation and immediate extension of municipal sanitation service is 8344 acres.
3. A boundary map showing the area legally described herein is attached hereto as Exhibit B and incorporated herein by reference.
4. The City and Township agree the population of the area legally described herein and designated as in need of future orderly annexation and immediate extension of municipal sanitation service is zero.
5. The City and Township agree that the area designated for future orderly annexation and immediate extension of municipal sanitation service does abut the current City limits.
6. Pursuant to Minnesota Statute, section 414.0325, the City and Township 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 future annexation of the area legally described herein in accordance with the terms and conditions of this Joint Resolution.
7. 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.

APR 17 2002

Passed, adopted, and approved by the Town Board of Supervisors of the Town of
Torning, Swift County, Minnesota this 18th day of March, 2002.

TOWN OF TORNING

By:

Allen Saunders
Allen Saunders, Chair

ATTEST:

Roman Kalthoff
Roman Kalthoff, Town Clerk

Passed, adopted, and approved by the City Council of the City of Benson, Swift County,
Minnesota this 28th day of March, 2002.

CITY OF BENSON

By: 

Paul Kittelson, Mayor

ATTEST:



Glen Pederson, City Clerk

REC'D BY
MMB

APR 17 2002

EXHIBIT A
LEGAL DESCRIPTION

The East Half of the Northeast Quarter (E1/2 – NE1/4) of Section Five (5), Township One Hundred Twenty-two (122), Range Thirty-nine (39), Swift County, Minnesota, excepting therefrom a tract described as follows: Commencing at the Southeast corner of the Northeast Quarter of the Northeast Quarter (NE1/4 – NE1/4) of said Section Five (5), thence running West 32 rods; thence running North 25 rods; thence running East 32 rods; thence running South 25 rods to the place of beginning.

REC'D BY
M M B

APR 17 2002

T. H. NO. 9

