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FEB 20 2003

MAINE PRAIRIE RESOLUTION**CITY OF KIMBALL RESOLUTION**NO 03 - 2003**JOINT RESOLUTION AND AGREEMENT FOR
ORDERLY ANNEXATION BETWEEN
TOWNSHIP AND THE CITY OF KIMBALL, MINNESOTA**

January 14
WHEREAS, the Maine Prairie Township Board passed a resolution on
2003, approving the annexation to the City of Kimball of certain
land owned by Willow Creek Concrete Products Inc. and legally described as follows:

See attached Exhibit A

WHEREAS, the City Council of the City of Kimball agreed to the annexation of
the above described parcel of land at its February 3, 2003, meeting; and

WHEREAS, the Maine Prairie Township Board and the City Council for the City
of Kimball have both determined that the annexation of a portion of the Township with
the City is of mutual benefit to both parties and the residents there.

NOW, THEREFORE, BE IT RESOLVED by the Maine Prairie Township
Board and the City Council of the City of Kimball as follows:

1. **Designation of Merger Area.** Main Prairie Township (hereinafter
"Township") and the City of Kimball (hereinafter "City") desire to
designate, by joint resolution and agreement, the area encompassing the
territory of the Township as described herein (the "Annexed Parcel")
subject to merger and orderly annexation under and pursuant to Minnesota
Statutes Section 414.0325.
2. **Population of Merger Area.**
 - (a) The Township and the City state that the population of the annexed
area is approximately 0 persons.
 - (b) The 2000 census results of the population of the City of Kimball was
639 persons. Therefore, following the annexation, the
estimated population of the City will increase by 0 persons.

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3. **State Agency Jurisdiction.** Upon approval by the respective governing bodies of the Township and the City, this Joint Resolution and Agreement confers jurisdiction upon the office of Minnesota Planning to accomplish the orderly annexation in accordance with the terms of this Joint Resolution and Agreement.
4. **No Alterations of Boundaries.** City and Township mutually state that no alterations of the boundaries of the area designated herein for orderly annexation is appropriate.
5. **Property Taxes.** Township agrees that effective January 1, 2004, the City may levy on the Annexed Parcel. Township waives the five year statutory distribution outlined in Minnesota Statutes § 414.033, subd. 12.
6. **Authorization.** The appropriate officers of the City and the Township are hereby authorized to carry out the terms of this Joint Resolution and Agreement into effect.
7. **Severability and Repealer.** Should any section of this Joint Resolution and Agreement be held by a court of competent jurisdiction to be unconstitutional or void, the remaining provisions will remain in full force and effect.
8. **Effective Date.** This Joint Resolution and Agreement is effective upon its adoption by the respective governing bodies of the Township and the City, as provided by law.
9. **Review and Comment by State Board.** The Township and the City mutually state that this Joint Resolution and Agreement sets forth all the conditions for the merger of the area designated herein for such merger and orderly annexation, and that no consideration by the office of Minnesota Planning is necessary. The office of Minnesota Planning may review, comment, but must, within thirty (30) days of receipt of this Joint Resolution and Agreement, order merger and orderly annexation in accordance with its terms and conditions.

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Adopted by the Main Prairie Township Board this 6th day of February
2003.

MAIN PRAIRIE TOWNSHIP

James Untermyer
Supervisor

Attest:

Beverly Adolph
Town Clerk

Adopted by the City Council for the City of Kimball this 1st day of
February, 2003.

CITY OF KIMBALL

By Karla K Davis
Mayor

Attest:

Shirley H. Hershman
City Clerk

EXHIBIT A

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All that part of the Southwest Quarter of the Northwest Quarter (SW~~1~~4NW~~1~~4) and the Northwest Quarter of the Southwest Quarter (NW~~1~~4SW~~1~~4) of Section Eleven (11), Township One Hundred Twenty-one (121) North, Range Twenty-nine (29) West, lying East of State Trunk Highway No. 15 and North of County Gravel Road, LESS & EXCEPT a piece of land described as follows: Commencing at a point on the East side of the St. Cloud and Forest City Road where the North line of the SW~~1~~4NW~~1~~4 of Section 11, Township 121, Range 29, crosses said road; thence running East 200 feet along the North line of said SW~~1~~4NW~~1~~4; thence South 50 feet; thence West 200 feet; thence North along said road to place of beginning; ALSO LESS & EXCEPT the following: Commencing at a point on the East side of the St. Cloud-Forest City Road, where the North line of the SW~~1~~4NW~~1~~4 of Section 11, Township 121, Range 29, crosses said Road; thence South 50 feet along the East side of said Road to the point of beginning of the tract of land hereby described; thence due East 200 feet parallel with the North line of the SW~~1~~4NW~~1~~4 aforesaid; thence South 250 feet parallel with the East side of said Road; thence due West 200 feet parallel with the North line of the SW~~1~~4NW~~1~~4 aforesaid; thence North 250 feet along the East side of said Road to the point of beginning and there terminating. ALSO LESS & EXCEPT: That part of the SW~~1~~4NW~~1~~4 & NW~~1~~4SW~~1~~4 of Section 11, Township 121, Range 29 lying North of the centerline of Stearns County Highway No. 150 described as follows: Beginning at the Southeast corner of said SW~~1~~4NW~~1~~4; thence on an assumed bearing of North 01° 17' 18" East along the East line of said SW~~1~~4NW~~1~~4 a distance of 1067.24 feet; thence South 14° 08' 15" West a distance of 916.97 feet to the centerline of said Stearns County Highway No. 150; thence South 48° 34' 54" East along said centerline a distance of 91.06 feet; thence Southeasterly along said centerline, being a tangential curve concave to the Southwest having a radius of 4578.28 feet and a central angle of 02° 14' 08" a distance of 178.63 feet to the East line of said NW~~1~~4SW~~1~~4; thence North 01° 18' 55" East along said East line a distance of 3.22 feet to the point of beginning.

ALSO LESS & EXCEPT:

That part of the Southwest Quarter of the Northwest Quarter of Section 11, Township 121 North, Range 29 West, of the 5th Principal Meridian, Stearns County, Minnesota, described as follows: Commencing at the southeast corner of said Southwest Quarter; thence North 01° 17' 18" East, on an assumed bearing along the east line of said Southwest Quarter of the Northwest Quarter, a distance of 1067.24 feet; thence South 14° 08' 15" West, a distance of 601.42 feet to the point of beginning of the land to be described; thence continue South 14° 08' 15" East, a distance of 315.55 feet to the centerline of Stearns County Road 150; thence North 48° 44' 49" West along said centerline, a distance of 230.92 feet; thence North 39° 57' 02" East, a distance of 269.90 feet; thence South 55° 40' 38" East, a distance of 93.92 feet to the point of beginning.

TOGETHER WITH AND INCLUDING:

That part of the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 11, Township 121, Range 29 lying north of the centerline of Stearns County Highway No. 150, described as follows: Beginning at the southeast corner of said Southwest Quarter of the Northwest Quarter; thence on an assumed bearing of the North 01° 17' 18" East, along the east line of the said Southwest Quarter of the Northwest Quarter, a distance of 1067.24 feet; thence South 14° 08' 15" West, a distance of 916.97 feet to the centerline of said Stearns County Highway No. 150; thence South 48° 34' 54" East, along said centerline, a distance of 91.60 feet; thence southeasterly along said centerline, being a tangential curve concave to the southwest having a radius of 4578.28 feet and a central angle of 02° 14' 08", a distance of 178.63 feet to the east line of said Northwest Quarter of the Southwest Quarter; thence North 01° 18' 55" East, along said East line a distance of 3.22 feet to the point of beginning, which lies northerly of a line drawn from Point A to Point B hereinafter described: Commencing at said southeast corner; thence North 01° 17' 18" East on an assumed bearing along said east line, a distance of 393.91 feet to a point hereinafter referred to as Point A; thence continue North 01° 17' 18" East, a distance of 673.33 feet; thence South 14° 05' 15" West, a distance of 601.42 feet to the point hereinafter referred to as point B.

PROPOSED LEGAL DESCRIPTION FOR ANNEXATION

All that part of the Southwest Quarter of the Northwest Quarter of Section 11, Township 121 North, Range 29 West, lying east of the easterly right of way line of State Trunk Highway No. 15 and north of the center line of Stearns County Road No. 150.

Except:

That part of said Southwest Quarter of the Northwest Quarter described as follows:

Commencing at a point on the east side of the St. Cloud and Forest City Road where the north line of the Southwest Quarter of the Northwest Quarter of Section 11, Township 121, Range 29, crosses said road; thence running east 200 feet along the north line of said Southwest Quarter of the Northwest Quarter; thence south 50 feet; thence west 200 feet; thence north along said road to the place of beginning.

Also Except:

That part of said Southwest Quarter of the Northwest Quarter described as follows:

Commencing at a point on the east side of the St. Cloud and Forest City Road, where the north line of the Southwest Quarter of the Northwest Quarter of Section 11, Township 121, Range 29, crosses said road; thence south 50 feet along the east side of said road to the point of beginning of the tract of land hereby described; thence due east 200 feet parallel with said north line of the Southwest Quarter of the Northwest Quarter; thence south 250 feet parallel with the east side of said road; thence due west 200 feet parallel with said north line of the Southwest Quarter of the Northwest Quarter aforesaid; thence north 250 feet along the east side of said road to the point of beginning and there terminating..

Also Except:

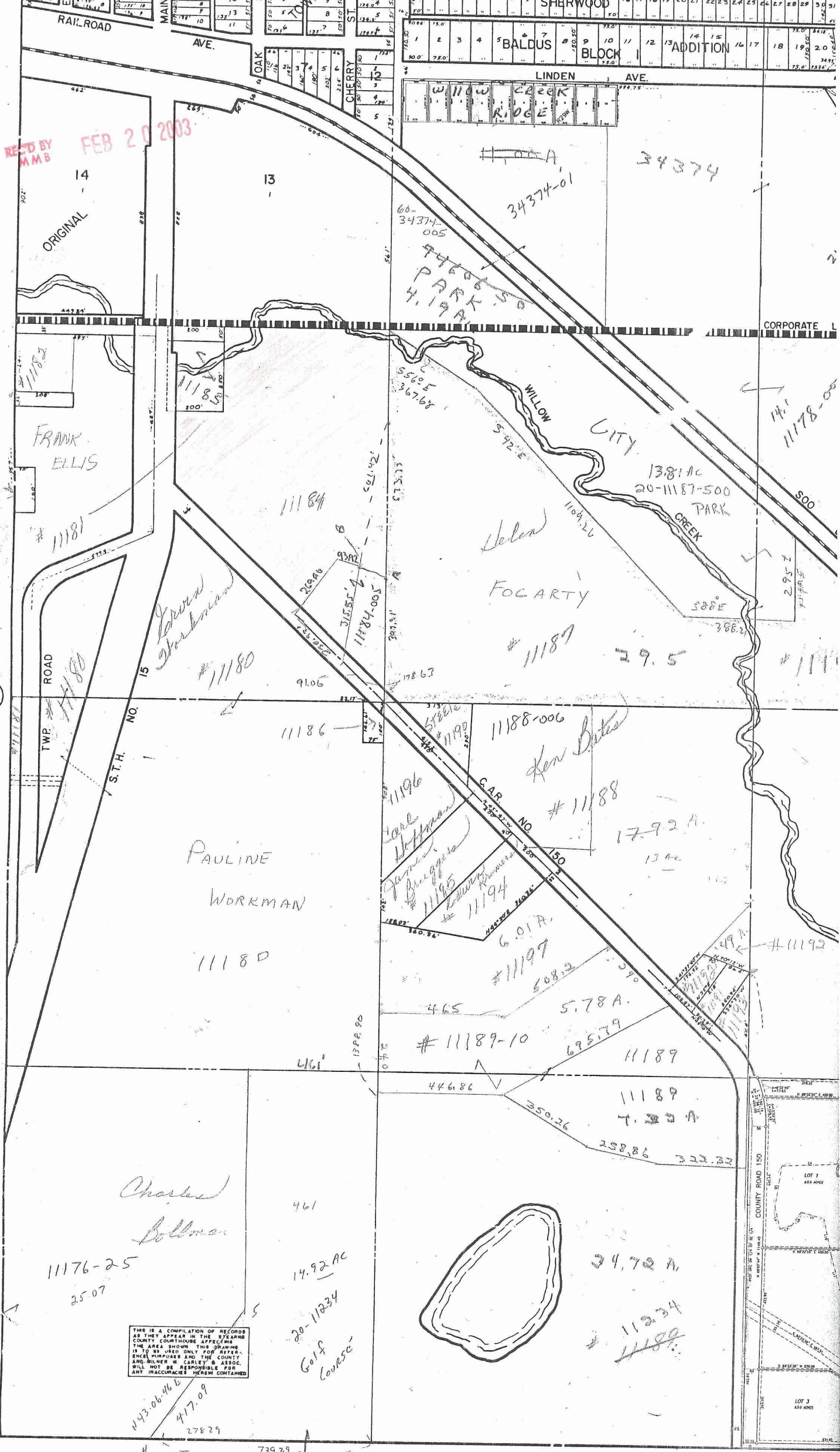
That part of said Southwest Quarter of the Northwest Quarter described as follows:

Beginning at the southeast corner of said Southwest Quarter of the Northwest Quarter; thence North 00 degrees 47 minutes 02 seconds West, assumed bearing, along the east line of said Southwest Quarter of the Northwest Quarter, a distance of 393.91 feet; thence North 57 degrees 44 minutes 58 seconds West, a distance of 253.46 feet; thence South 37 degrees 52 minutes 42 seconds West, a distance of 269.60 feet to the center line of said Stearns County Road 150; thence southeasterly along said center line to the south line of said Southwest Quarter of the Northwest Quarter; thence easterly along said south line to the point of beginning.

SITE AREA = 13.77 ACRES

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SCALE 0 100 200 300 660

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Maine Prairie Township Section 11 Township 121 N Range 29 West