

RESOLUTION

Designating an unincorporated area as in need of Orderly Annexation

WHEREAS, certain property owners have presented a request to both the City of Chatfield and Elmira Township to subdivide a parcel of property in Elmira Township; and

WHEREAS, the City of Chatfield desires to accommodate growth in the most orderly fashion; and

WHEREAS, a joint Orderly Annexation Agreement between the governing bodies is beneficial to all parties from the standpoint of orderly planning and orderly transition of government in the area proposed to be annexed, and provides the guidelines under which such annexation shall take place; and

WHEREAS, the governing bodies hereto wish to enter into a binding contract, which encompasses the terms of this joint resolution; and

WHEREAS, the City of Chatfield does not object to Elmira Township granting a permit to allow for the split of property as proposed; and

WHEREAS, this agreement will allow one dwelling to be placed on the entire parcel, until after the property has been annexed to the City of Chatfield,

NOW THEREFORE BE IT RESOLVED by the City of Chatfield (hereinafter referred to as "the City") and the Town of Elmira (hereinafter referred to as "the Township") that the property described herein is designated for orderly annexation by the City and shall be annexed in a timely manner upon petition of the property owner or subject to the following conditions:

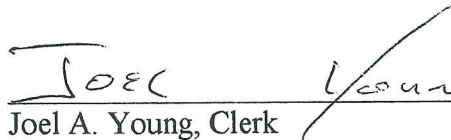
1. The property that is covered by this orderly annexation agreement is all or part of the parcel legally described as attached in Exhibit A.
2. The property is adjacent to the City and City sewer and water are available to be extended to the property.
3. Not less than fifteen years has expired from the date of the orderly annexation agreement.
4. The annexation of the property will be consistent with the City's policies concerning zoning, extension of municipal utilities, storm sewer and street

- improvements. Nothing in this agreement shall prevent the City from assessing the property owner for such improvements once it is annexed.
5. This agreement shall go into effect on the date that the Minnesota Office of Strategic and Long Range Planning approves the Orderly Annexation Agreement.
 6. This resolution shall be a binding contract upon the governing bodies herein, and may be enforced either in Law or Equity, notwithstanding further amendments in Minnesota Statutes, except as specifically provided otherwise in this Agreement.

Approved by the City of Chatfield this 26th day of August, 2002.




Gregory A. Forbes, Mayor



Joel A. Young, Clerk

Approved by the Town of Elmira, this 10th day of September, 2002



Chair



Clerk

Amendment #1 to a Joint Orderly Annexation Agreement

Whereas, the City of Chatfield and Elmira Township have previously entered into an Orderly Annexation Agreement (Agreement) regarding property that is commonly referred to as the "Manahan Property," and

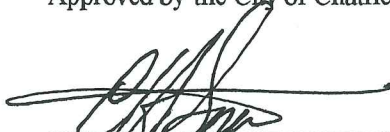
Whereas the Office of Municipal Boundary Adjustments of the State of Minnesota has requested that certain statutory language be added to the Agreement, and

Whereas, that language is consistent with the intent and purposes of the original Agreement,

NOW THEREFORE be it resolved that the following recitation be considered a part of the original agreement as requested by the Office of Municipal Boundary Adjustments:

7. That the Township and the City of Chatfield do, upon their adoption and upon acceptance by Municipal Boundary Adjustments, confer jurisdiction upon Municipal Boundary Adjustments over the various tracts described in this agreement so as to accomplish said orderly annexation in accordance with the terms of this Resolution. No consideration by Municipal Boundary Adjustments is necessary although the Board may review and comment. However, within thirty (30) days, the Board shall order the annexation in accordance with the terms of this joint resolution.

Approved by the City of Chatfield this 14th day of July, 2003.


Curtis A. Sorenson, Mayor
Joel A. Young, Clerk

Approved by the Township of Elmira this 5th day of August, 2003.


David McGuire, Chair
Gary L. Pedersen, Clerk

Parcel "A" Description

That part of the following described parcel:

That part of the South Half of the Southwest Quarter of Section 32, Township 105 North, Range 11 West, Olmsted County, Minnesota, being described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 01 degrees 11 minutes 16 seconds East, assumed bearing, along with west line of said Southwest Quarter, 469.90 feet; thence continue North 01 degrees 11 minutes 16 seconds East, 126.90 feet to the right of way line of the township road for the point of beginning; thence North 50 degrees 55 minutes 01 seconds East, along said right of way, 100.00 feet; thence South 39 degrees 04 minutes 59 seconds East, 100.00 feet; thence South 51 degrees 54 minutes 59 seconds West, 182.06 feet (previously described 178.13 feet) to the west line of said Southwest Quarter, said point being 469.90 feet northerly of the Southwest corner of said Southwest Quarter; thence South 01 degrees 11 minutes 16 seconds West, 469.90 feet to the southwest corner of said Southwest Quarter; thence South 88 degrees 35 minutes 03 seconds East, along the south line of said Southwest Quarter, 608.53 feet; thence North 34 degrees 28 minutes 30 seconds West, 886.42 feet to the centerline of the township road; thence South 50 degrees 55 minutes 01 seconds West, along the centerline of the township road, 120.22 feet to the west line of said Southwest Quarter; thence South 01 degrees 11 minutes 16 seconds West, along said west line, 43.25 feet to the point of beginning which lies southerly of the following described line:

Commencing at the Southwest corner of the Southwest Quarter; thence North 01 degrees 11 minutes 16 seconds East along the west line of said Southwest Quarter, 80.00 feet to the point of beginning of the line to be described: thence North 70 degrees 51 minutes 13 seconds East, 227.91 feet; thence North 49 degrees 14 minutes 46 seconds East, 227.91 feet more or less to a point in the East line of the described parcel. Being subject to all covenants, other easements, and restrictions of record.

Said parcel contains 2.32 acres,

Parcel "B" Description

That part of the following described parcel:

That part of the South Half of the Southwest Quarter of Section 32, Township 105 North, Range 11 West, Olmsted County, Minnesota, being described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 01 degrees 11 minutes 16 seconds East, assumed bearing, along with west line of said Southwest Quarter, 469.90 feet; thence continue North 01 degrees 11 minutes 16 seconds East, 126.90 feet to the right of way line of the township road for the point of beginning; thence North 50 degrees 55 minutes 01 seconds East, along said right of way, 100.00 feet; thence South 39 degrees 04 minutes 59 seconds East, 100.00 feet; thence South 51 degrees 54 minutes 59 seconds West, 182.06 feet (previously described 178.13 feet) to the west line of said Southwest Quarter, said point being 469.90 feet northerly of the Southwest corner of said Southwest Quarter; thence South 01 degrees 11 minutes 16 seconds West, 469.90 feet to the southwest corner of said Southwest Quarter; thence South 88 degrees 35 minutes 03 seconds East, along the south line of said Southwest Quarter, 608.53 feet; thence North 34 degrees 28 minutes 30 seconds West, 886.42 feet to the centerline of the township road; thence South 50 degrees 55 minutes 01 seconds West, along the centerline of the township road, 120.22 feet to the west line of said Southwest Quarter; thence South 01 degrees 11 minutes 16 seconds West, along said west line, 43.25 feet to the point of beginning which lies northerly of the following described line:

Commencing at the Southwest corner of the Southwest Quarter; thence North 01 degrees 11 minutes 16 seconds East along the west line of said Southwest Quarter, 80.00 feet to the point of beginning of the line to be described: thence North 70 degrees 51 minutes 13 seconds East, 227.91 feet; thence North 49 degrees 14 minutes 46 seconds East, 227.91 feet more or less to a point in the East line of the described parcel. Being subject to an easement for the township road right of way across the northerly boundary thereof and also being subject to all covenants, other easements, and restrictions of record.

Said parcel contains 3.05 acres,

Exhibit A

SEP 16 2003

[illegible]

SCALE 1"=4000'

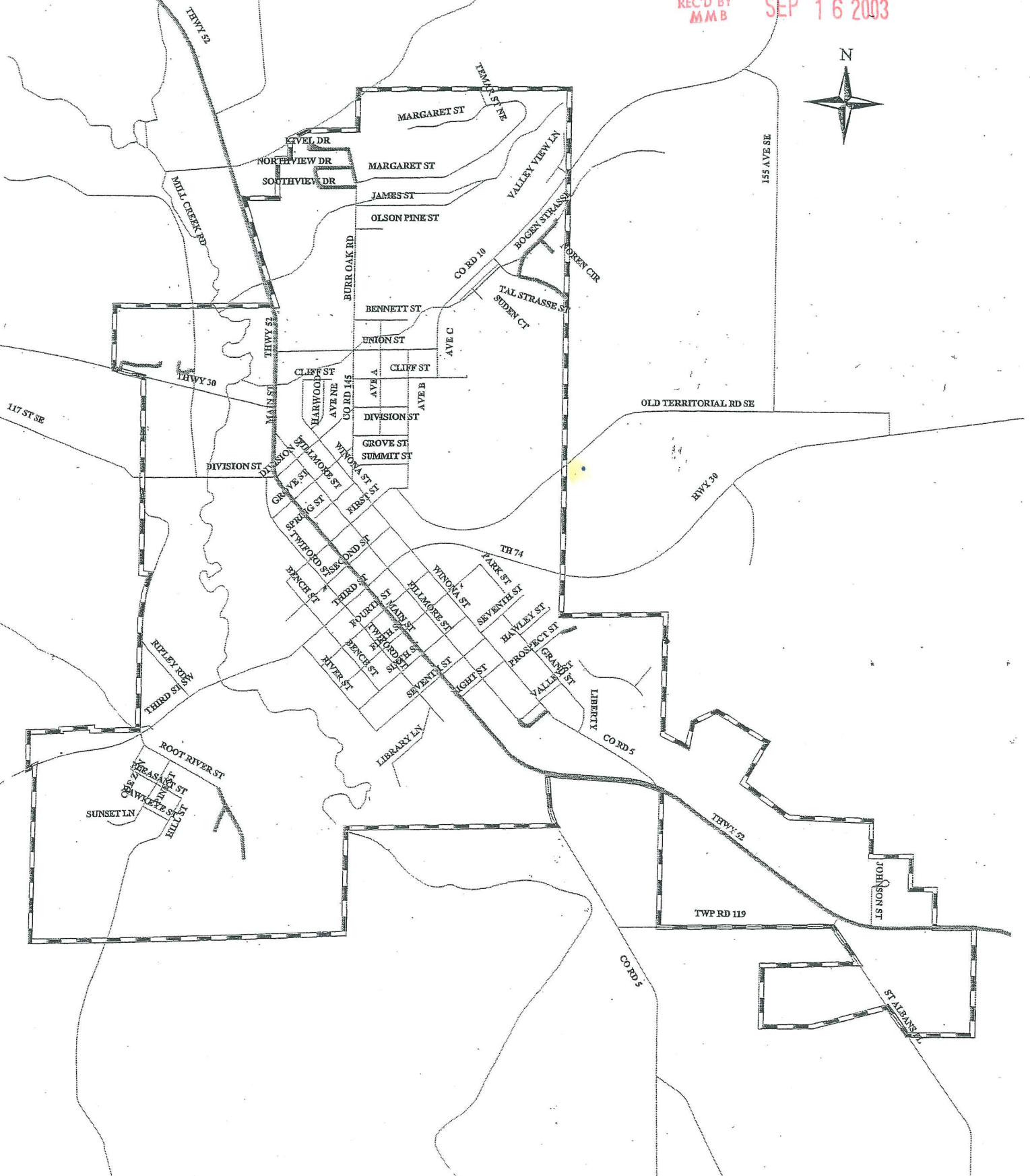
Drawn by EK

Date 10/4/02 Reg. No. 15809

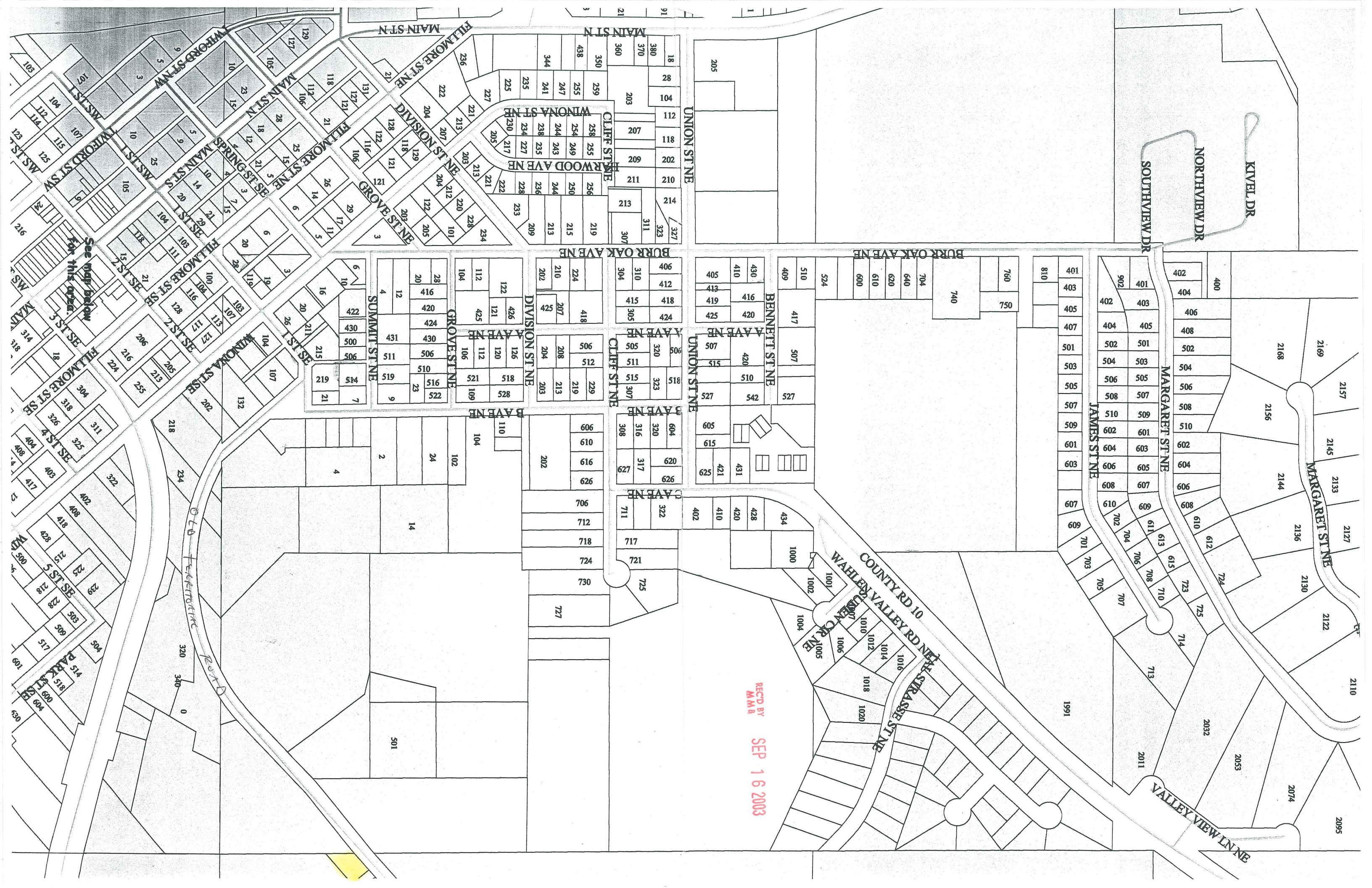
CITY OF CHATFIELD

REC'D BY
MMB

SEP 16 2003



PREPARED BY:
ROCHESTER OLMTED COUNTY PLANNING DEPT
GEOGRAPHIC INFORMATION SYSTEMS DIVISION



REC'D BY
M.M.B.
SEP 16 2003