

TO: THE DIRECTOR OF THE OFFICE OF
STRATEGIC AND LONG RANGE PLANNING
OF THE STATE OF MINNESOTA
658 CEDAR STREET, ROOM 300
ST. PAUL, MN 55155

IN THE MATTER OF THE JOINT RESOLUTION
OF THE TOWN OF BARCLAY AND THE CITY
OF PINE RIVER DESIGNATING CERTAIN
UNINCORPORATED AREAS FOR ORDERLY
ANNEXATION AND CONFERRING JURISDICTION
OF SAID AREA IN ACCORDANCE WITH
MINNESOTA CHAPTER 414.

**JOINT RESOLUTION
FOR ORDERLY
ANNEXATION**

The Township of Barclay and the City of Pine River hereby jointly agree to the following:

1. The City of Pine River desires to acquire property for purposes of expanding the Pine River airport in accordance with Chapter 414 of Minnesota Statutes.
2. The Township of Barclay desires to create specific boundaries that permit the township to provide for its residents and services in an organized and reasonable manner in accordance with Chapter 414 of Minnesota Statutes.
3. The City of Pine River has served notice of intent to annex land to expand its airport. The property proposed to be annexed lies within Barclay Township. Barclay Township has served its objection to said annexation and the Office of Strategic and Long Range Planning has Notice of Hearing in accordance with Minnesota Chapter 414.
4. The Township of Barclay and the City of Pine River have met to discuss future plans, budgets and reasonable expectations for both municipalities as is required by the Office of Strategic and Long Range Planning.
5. The owners of the property to be annexed have represented to the City that they do not oppose annexation. In an effort to be responsive to the desires and wishes of property owners within both municipalities, the City of Pine River and Barclay Township desire to enter into an agreement that reflects its citizens wishes and serves the best interests of the community.
6. As part of the agreement, Barclay Township will agree to the annexation of property as proposed in the annexation notice for expansion of the airport. In consideration for this agreement, the City of Pine River agrees that it will not annex property located within Barclay Township for a period of ten (10) years unless the

following occurs:

- A. 100% of the affected property owners petition for annexation and said parcel abuts the boundary of the City of Pine River; OR
- B. The property owner is in immediate need of City water services beyond what is currently being provided; OR
- C. If there is an agreement for annexation between the City of Pine River and Barclay Township. If there is a failure to reach an agreement both the City of Pine River and the Township of Barclay agree to follow the dispute resolution procedure set forth in Minnesota Statute Chapter 414.12; OR
- D. Said annexation is ordered by State or Federal Authority.

7. In addition to the conditions outlined in paragraph 6, the City agrees that as part of any annexation, the City will first provide the Township with notice in accordance with Minnesota Law or thirty (30) days notice if Minnesota law does not require notification of the proposed annexation.

8. As part of any annexation, the City agrees to reimburse the Township for any Capital Improvements expended by the Township, less depreciation and special assessments, within the area proposed for annexation or the proportional share of the cost of said improvements to the property proposed for annexation when said improvement is a shared responsibility between the Township and another unit of government. In the event of a failure to reach agreement on the reimbursement amount both parties agree to submit the matter to an arbitrated, and binding, settlement.

9. Taxation of any property proposed for annexation shall be addressed in accordance with Minnesota law unless an agreement is reached between the City and the Township. For purposes of the immediate annexation it is agreed that 100% of the tax revenue attributable to those parcels lying within the annexation area and above the north line of parcel no. 02 -032 -2303 shall be immediately, and permanently, payable to the City. The tax revenue from those portions of the annexed area south of and including parcel no. 02 -032- 2303 shall abate in proportional shares to the City and the Township in the following manner:

- 2003: 100% to Barclay Township
- 2004: 70% to Barclay Township, 30% to the City.
- 2005: 50% to Barclay Township, 50% to the City.
- 2006: 30% to Barclay Township, 70% to the City.
- 2007: 10% to Barclay Township, 90% to the City.

10. With the above stated agreement in place the following described area in Cass County is subject to orderly annexation pursuant to Minnesota Statutes Section 414.0325, and the parties designate this area for orderly annexation:

JUL 21 2003

The West ½ of NW1/4 of SW1/4, Sec. 32 Township 138 Range 29

And

That part of the SW1/4 of the NW1/4, Sec. 32 Township 138, Range 29 lying westerly of the following described line: Beginning at a point on the North line of said SW1/4 of the NW1/4, 360 feet East of the northwest corner thereof and running southerly, parallel to the West line of said SW1/4 of the NW1/4 a distance of 675 feet; running thence easterly parallel to the north line of said SW1/4 of the NW1/4 a distance of 165 feet; running thence southerly, parallel to the west line of said SW1/4 of the NW1/4 to the south line thereof, and there terminating;

And

The Plat of Pine River Hanger Lots according to the map or plat thereof on file and of record in the office of the County Recorder of Cass County

And

The South 163.5 feet of the West 360 feet of NW1/4 of the NW1/4 Sec. 32, Township 138, Range 29, specifically including the East 70 feet of the South 84 feet of the West 360 feet, and the West 50 feet of the South 163.5 feet of the West 360 feet of Section 32, Township 138, Range 29.

11. That the Township of Barclay does, upon passage of this resolution and its adoption by the City Council of the City of Pine River, Cass County, Minnesota, and upon acceptance by the Office of Strategic and Long Range Planning confer jurisdiction upon the Office of Strategic and Long Range Planning over various provisions contained in this agreement.

CITY OF PINE RIVER

TOWNSHIP OF BARCLAY

By Robert J. Fladung
Mayor

Clarence E. Sears
Chairman

Archie Sham
Supervisor

Walter Joenke
Supervisor

ATTEST: Wanda Mongan
City Clerk

Le Sears
Township Clerk

Passed and adopted by the City Council of Pine River, Minnesota this 28 day of March, 2003.

Passed and adopted by the Town Board of Barclay Township this 28 day of March, 2003

REC'D BY
MMB

JUL 21 2003

Approved by Minnesota Planning Municipal Boundary Adjustments

Christine M. Scotillo
Executive Director

Dated : _____, 2003

MAP OF
PINE RIVER
CASS COUNTY
POP. 881

