

RESOLUTION NO. 2005 - 38

A RESOLUTION ANNEXING PROPERTY (EUGENE & PHYLLIS WEBER)
FROM THE TOWN OF HASSAN INTO THE CITY OF ROGERS
(MBA DOCKET OA-992)

WHEREAS, the City of Rogers ("City") and the Town of Hassan ("Hassan"), have entered into an orderly annexation agreement entitled, "Agreement between the Town of Hassan and the City of Rogers for Growth Management, Orderly Annexation and the Exercise of Joint Powers for the Extension of Municipal Services and Transportation Improvements" identified as MBA Docket No. OA-992; and

WHEREAS, said Agreement constitutes a "Joint Resolution" between the City and the Town authorized by Minn. Statutes §414.0325; and

WHEREAS, said Agreement designates the land shown on the attached map and legally described in Exhibit A as Phase II property and which may be annexed only in a contiguous manner to the City during the period of January 1, 2004 and August 15, 2010 (said described land is so contiguous) and provides for annexation of said land; and

WHEREAS, pursuant to said Annexation Agreement between the City and the Township (Docket No. OA-992), the City of Rogers states:

1. That the following described property in Hassan Township is subject to annexation pursuant to Minnesota State Statutes 414.0325 and the said "Joint Resolution" and hereby requests annexation of the following described properties to wit:

SEE ATTACHED EXHIBIT A

2. That the annexation as contemplated herein pursuant to subparagraph 4.02(c) of the Joint Resolution has been triggered by all the landowner(s) filing a petition with the City for annexation and connection with the City municipal sewer and water services and the City filing this Resolution with the Department of Administration and Municipal Boundary Adjustments following receipt of such Petition.
3. Said Joint Resolution provides that the City may execute a resolution for annexation of property and file the same with the Department of Administration, Municipal Boundary Adjustments, or its successors upon the occurrence of any event triggering annexation as provided in said Joint Resolution.

4. Upon receipt of this Resolution from the City providing for annexation of a designated area and a copy of the initial Joint Resolution, the Department of Administration and Municipal Boundary Adjustments pursuant to Minnesota Statutes 414.0235, may review and comment, but shall, within 30 days of receipt of this Resolution order the annexation of the area designated therein in accordance with the terms and conditions of the Joint Resolution.
5. The City acknowledges that after annexation of any portion of Phase II, pursuant to the terms of the Joint Resolution, the City shall provide municipal governmental services to such area, and the parcels therein shall then be required to connect to municipal sewer and water services as directed by the City from time to time.
6. Pursuant to paragraph 5.01 of the Joint Resolution, the City of Rogers' portion of the property taxes for these properties is phased over a five year period.

NOW, THEREFORE, be it resolved by the City Council of the City of Rogers, that:

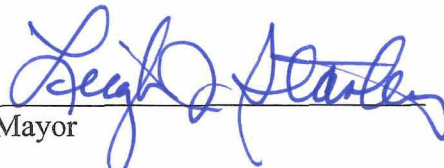
- A. The recitals set forth above are incorporated herein.
- B. The City of Rogers has approved the proposed annexation of the aforementioned property of Hassan Township in the City of Rogers.
- C. The staff is hereby directed to forward this Resolution to Minnesota Municipal Boundary Adjustments for review and comment.

Moved by Councilmember Grimm, seconded by Councilmember Adams

The following voted on favor of said Resolution: Adams, Grimm, Jakel, Stanley

The following voted against the same: None

Whereupon said Resolution was declared carried.
Dated this 24th day of May, 2005.


Mayor

ATTEST:


City Clerk

(SEAL)

EXHIBIT ALEGAL DESCRIPTION**PARCEL 1:**

That part of the Northwest Quarter of the Northeast Quarter of Section 27, Township 120, Range 23, Hennepin County, Minnesota described as follows: Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence east along the north line of said Northwest Quarter of the Northeast Quarter, a distance of 666.00 feet; thence southerly along a line hereinafter referred to as Line A on line with a point on the centerline of Hennepin County State Aid Highway No. 116 as shown on HENNEPIN COUNTY STATE AID HIGHWAY NO. 116, PLAT 21 according to the recorded plat thereof distant 569.67 feet southeasterly from the west line of said Northwest Quarter of the Northeast Quarter as measured along said centerline shown as a survey line on said HENNEPIN COUNTY STATE AID HIGHWAY NO. 116, PLAT 21, a distance of 310.95 feet to the point of beginning of the land to be described; thence east parallel with said north line of the Northwest Quarter of the Northeast Quarter, a distance of 219.82 feet; thence southerly, a distance of 491.49 feet to a point on said centerline of Hennepin County State Aid Highway No. 116 distant 695.52 feet southeasterly of the west line of said Northwest Quarter of the Northeast Quarter as measured along said centerline; thence northwesterly along said centerline, a distance of 125.85 feet to the intersection of the southerly extension of said Line A; thence northerly along said extension line, a distance of 415.39 feet to the point of beginning.

PARCEL 2:

That part of the Northwest Quarter of the Northeast Quarter of Section 27, Township 120, Range 23, Hennepin County, Minnesota described as follows: Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence east along the north line of said Northwest Quarter of the Northeast Quarter, a distance of 666.00 feet to the point of beginning of the land to be described; thence southerly on line with a point on the centerline of Hennepin County State Aid Highway No. 116 as shown on HENNEPIN COUNTY STATE AID HIGHWAY NO. 116, PLAT 21 according to the recorded plat thereof distant 569.67 feet southeasterly from the west line of said Northwest Quarter of the Northeast Quarter as measured along said centerline shown as a survey line on said HENNEPIN COUNTY STATE AID HIGHWAY NO. 116, PLAT 21, a distance of 310.95 feet; thence east parallel with said north line of the Northwest Quarter of the Northeast Quarter, a distance of 219.82 feet; thence southerly, a distance of 491.49 feet to a point on said centerline of Hennepin County State Aid Highway No. 116 distant 695.52 feet southeasterly of the west line of said Northwest Quarter of the Northeast Quarter as measured along said centerline; thence southeasterly along said centerline, a distance of 127.01 feet to an angle point in said centerline as shown on said survey line of HENNEPIN COUNTY STATE AID HIGHWAY NO. 116, PLAT 21; thence continue southeasterly along said centerline, distance of 606.59 feet to the east line of said Northwest Quarter of the Northeast Quarter; thence north along said east line, a distance of 1033.89 feet to the northeast corner of said Northwest Quarter of the Northeast Quarter; thence west along said north line of the Northwest Quarter of the Northeast Quarter, a distance of 666.12 feet to the point of beginning.

27-125-23-12-0003

1/2 SEC.27 T.120 R.23

HASSAN-
ROGERS-

SEC.22,T.120,R.23

RECTY BY
DMD

JUL 20 2005



LEGEND

- STORM SEWER DISTRICT BOUNDARY
- SCHOOL DISTRICT BOUNDARY
- WATERSHED DISTRICT BOUNDARY
- INCREMENT BOUNDARY
- MUNICIPAL BOUNDARY

HENNEPIN C
TAXPAYER :
SURVEY DIV