

RESOLUTION NO. 2005 – 44

**A RESOLUTION ANNEXING PROPERTY (PAUL & LEE ANN
HAGEL/ALPINE HOMES, INC.) 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, Stanky

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)

REC'D BY
MMB

JUL 20 2005

EXHIBIT A

LEGAL DESCRIPTION

That part of the West Half of the Northeast Quarter of the Northeast Quarter of Section 27, Township 120, Range 23, Hennepin County, Minnesota; described as follows: Commencing at the most southerly corner of Lot 1, Block 1, Territorial View, according to the plat thereof on file and of record in the office of the County Recorder, Hennepin County, Minnesota; thence North 0 degrees 49 minutes 43 seconds East, plat bearing, along the easterly line of said Lot 1, a distance of 90.86 feet to the point of beginning; thence North 26 degrees 16 minutes 44 seconds East a distance of 92.50 feet to the southerly line of said Lot 1; thence North 89 degrees 10 minutes 17 seconds West along said southerly line, a distance of 39.75 feet; thence South 0 degrees 49 minutes 43 seconds West along the easterly line of said Lot 1, a distance of 83.52 feet to the point of beginning.

JUL 20 2005

REC'D BY
J.M.B.SOUTHERLY LINE OF
LOT 1 BLOCK 1
N 89°10'17" W
39.75EASTERLY LINE OF
LOT 1 BLOCK 1
S 0°49'43" W
83.52

1660 S.F.

PARCEL A

N 26°16'44" E
85.02SOUTHERLY LINE OF
LOT 1 BLOCK 1
S 26°16'44" W
85.02

1660 S.F.

PARCEL B

N 0°49'43" E
90.86MOST SOUTHERLY CORNER
OF LOT 1 BLOCK 1
TERRITORIAL RD.
(C.S.A.H. NO. 116)
S 68°05'24" E
39.16

0 30 60 90

GRAPHIC SCALE IN FEET

LEGAL DESCRIPTIONS

FOR

ALPINE HOMES

PARCEL A (to be decided from Hagel to Alpine Homes)

That part of the West Half of the Northeast Quarter of the Northeast Quarter of Section 27, Township 120, Range 23, Hennepin County, Minnesota, described as follows: Commencing at the most southerly corner of Lot 1, Block 1, TERRITORIAL VIEW, according to the plat thereof on file and of record in the office of the County Recorder, Hennepin County, Minnesota; thence North 0 degrees 49 minutes 43 seconds East, plat bearing, along the easterly line of said Lot 1, a distance of 80.86 feet to the point of beginning; thence North 26 degrees 16 minutes 44 seconds East, a distance of 82.50 feet to the southerly line of said Lot 1; thence North 89 degrees 10 minutes 17 seconds West along said southerly line, a distance of 39.75 feet; thence South 0 degrees 49 minutes 43 seconds West along the easterly line of said Lot 1, a distance of 83.52 feet to the point of beginning. Containing 1660 square feet.

PARCEL B (to be decided from Alpine Homes to Hagel)

That part of Lot 1, Block 1, TERRITORIAL VIEW, according to the plat thereof on file and of record in the office of the County Recorder, Hennepin County, Minnesota, described as follows: Beginning at the most southerly corner of said Lot 1; thence North 0 degrees 49 minutes 43 seconds East, plat bearing, along the easterly line of said Lot 1, a distance of 80.86 feet; thence South 26 degrees 16 minutes 44 seconds West, a distance of 85.02 feet to the southerly line of said Lot 1; thence South 68 degrees 05 minutes 24 seconds East along said southerly line, a distance of 39.16 feet to the point of beginning. Containing 1660 square feet.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a Licensed Land Surveyor under the laws of the State of Minnesota.

Date 9/20/04

Robert L. Rohlin
License No. 7439MEYER-ROHLIN, INC
ENGINEERS-LAND SURVEYORS
1111 Hwy. 281N, Duluth, MN 55812

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REVISIONS 08/08/04
9/20/04

DATE 5/30/04

DRAWN BY
AWBOOK
PAGESHEET 1 OF
1 SHEETSFILE NO.
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