

RESOLUTION NO. 2005 - 176**A RESOLUTION ANNEXING PROPERTY (THE VILLAS AT RIVER'S EDGE - RAILROAD PARCEL) 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:

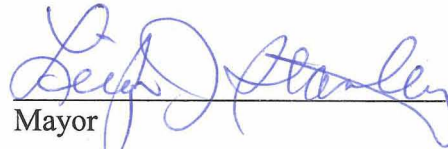
- A. The recitals set forth above are incorporated herein.
- B. The City of Rogers has approved the proposed annexation of the aforementioned property of Hassan Township in the City of Rogers.
- C. The staff is hereby directed to forward this Resolution to Minnesota Municipal Boundary Adjustments for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

Moved by Councilmember Adams, seconded by Councilmember Davis


The following voted on favor of said Resolution: Adams, Davis, Brimm, Jakel, and Stanley.

The following voted against the same: None.

Whereupon said Resolution was declared carried.
Dated this 23rd day of August, 2005.


Mayor

ATTEST:


City Clerk

(SEAL)

EXHIBIT A**LEGAL DESCRIPTION**

That part of the East Half of the Northeast Quarter of Section 16, Township 120 North, Range 23 West, Hennepin County, Minnesota, being a 100 foot wide strip of land lying southwesterly of the following described line:

Commencing at the southeast corner of said East Half of the Northeast Quarter; thence on an assumed bearing of North 00 degrees 27 minutes 56 seconds West, along the east line of said East Half of the Northeast Quarter, a distance of 784.45 feet to the intersection with the southerly right of way line of the Burlington Northern Santa Fe Railway Company right of way; thence northwesterly along said right of way line a distance of 152.84 feet along a nontangential curve concave northeasterly and having a central angle of 4 degrees 21 minutes 25 seconds, a radius of 2009.88 feet (rail road curve), a chord of 152.80 feet and a chord bearing of North 45 degrees 42 minutes 36 seconds West; thence North 43 degrees 31 minutes 54 seconds West, continuing along said right of way line and tangent to said curve, a distance of 477.36 feet to the point of beginning of the line to be described; thence North 43 degrees 31 minutes 54 seconds West, continuing along said right of way line, a distance of 545.00 feet and said line there terminating.

Resolution No. 2005 - 16, 1.26 acres

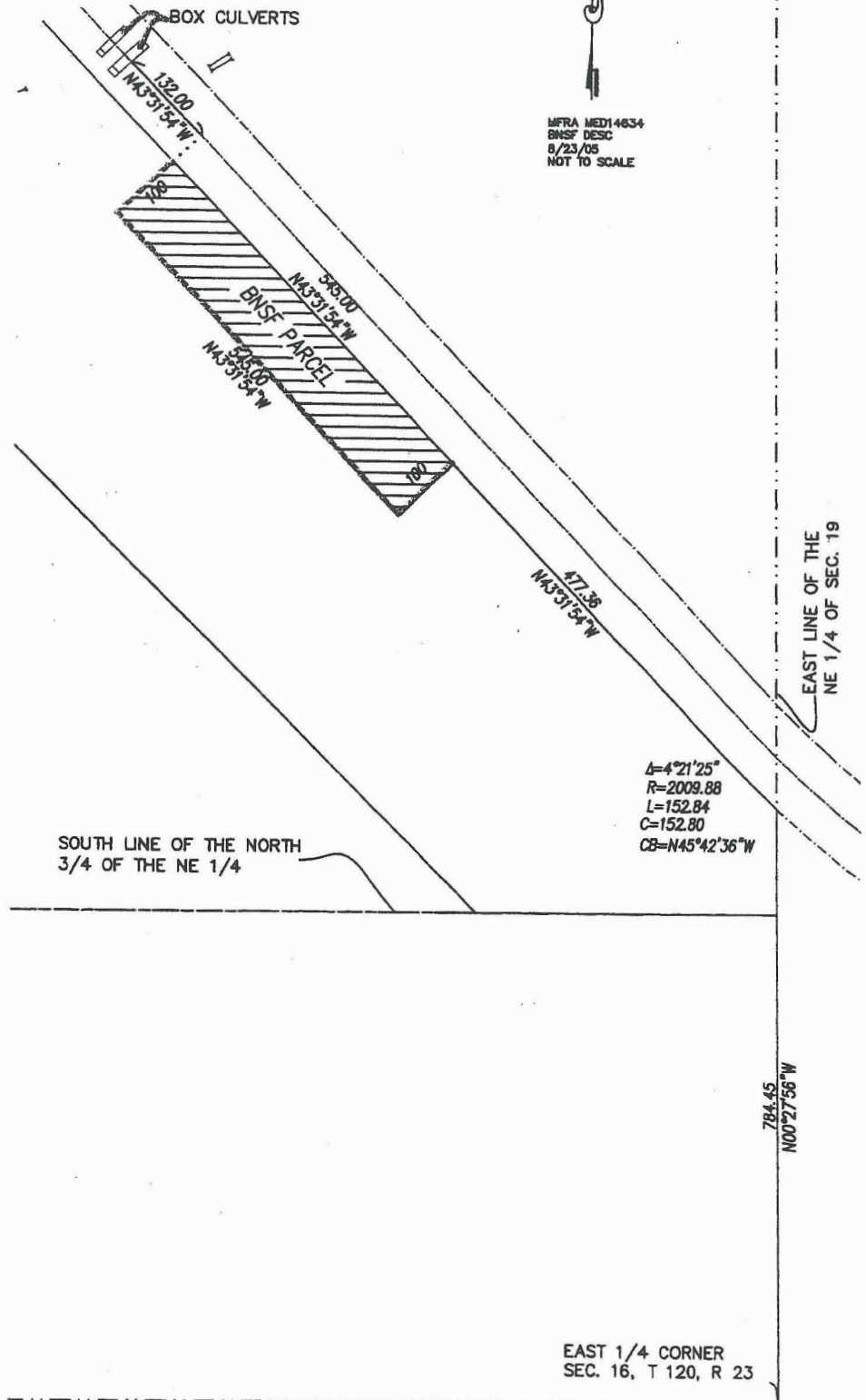


REC'D BY
M.M.B.

SEP 02 2005



MFRA MED14634
BNSF DESC
8/23/05
NOT TO SCALE



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