

**A RESOLUTION ANNEXING PROPERTY (HERITAGE DEVELOPMENT LLC)
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:

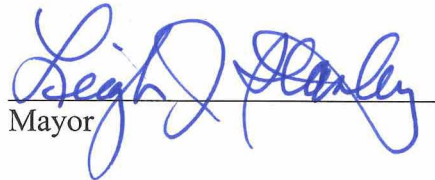
- A. The recitals set forth above are incorporated herein.
- B. The City of Rogers has approved the proposed annexation of the aforementioned property of Hassan Township in the City of Rogers.
- C. The staff is hereby directed to forward this Resolution to Minnesota Municipal Boundary Adjustments for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

Moved by Councilmember Grimm, seconded by Councilmember Adams

The following voted on favor of said Resolution: Adams, Grimm, Takel, 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)

REC'D BY
MMB

JUN 16 2005

EXHIBIT A

LEGAL DESCRIPTION

Title Commitment No. 1364
Baker Parcel
PID No. 16-120-23-43-0001

That part of Government Lot 4, Section 16, Township 120, Range 23, Hennepin County lying Easterly of the Southerly extension of the East line of Government Lot 3 extending Southerly to Cowley Lake, and also that part of the Southwest 1/4 of the Southwest 1/4 and that part of Government Lot 4, Section 16, Township 120, Range 23, Hennepin County, Minnesota described as follows:

Commencing at the Northeast corner of said Southwest 1/4 of the Southwest 1/4; thence west along the north Line of said Southwest 1/4 of the Southwest 1/4, a distance of 22.46 feet to the centerline of a public road; thence southerly deflecting 81 degrees 43 minutes 01 seconds left along said centerline, a distance of 22.28 feet to the actual point of beginning; thence easterly deflecting 96 degrees 24 minutes 53 seconds left, a distance of 1347.07 feet to the southerly extension of the east line of Government Lot 3 of said Section 16; thence south along said southerly extension line, a distance of 66.04 feet; thence westerly deflecting 91 degrees 52 minutes 50 seconds right, a distance of 1356.66 feet to said centerline of a public road; thence northerly deflecting 96 degrees 24 minutes 53 seconds right, a distance of 66.42 feet to the point of beginning. Subject to the right of way of said public road.

REC'D BY
MMB

JUN 16 2005

