

IN THE MATTER OF THE JOINT
RESOLUTION OF THE CITY OF
MANKATO AND THE TOWN OF
LIME DESIGNATING CERTAIN
AREAS AS IN NEED OF ORDERLY
ANNEXATION PURSUANT TO
MINNESOTA STATUTES § 414.0325

JOINT RESOLUTION FOR
ORDERLY ANNEXATION

WHEREAS, the City of Mankato (hereinafter the "City") and Town of Lime (hereinafter the "Township") deem it necessary and appropriate that they work together to develop and implement a process for the orderly and controlled growth of the City and Township; and

WHEREAS, the City and Township agree that municipal government most efficiently provides governmental services in areas which are developed for residential, commercial, industrial, and governmental purposes, and that Township government most efficiently provides governmental services in areas used or developed for agricultural, open space and rural residential purposes; and

WHEREAS, the City and Township agree that given the potential public health threat from individual sewage treatment systems in certain areas designated herein, there is a need for municipal sanitary sewer service; and

WHEREAS, the City and Township agree that orderly annexation and extension of municipal sanitary sewer service to areas needing such service would benefit the public health, safety, and welfare of the entire community; and

WHEREAS, the City and Township agree that orderly urban development using municipal services in a responsible, controlled, and environmentally sound manner is in the best interests of the entire community; and

WHEREAS, the City and Township agree that orderly annexation and orderly development of the areas designated herein is one way to promote the public health, safety, and welfare of the entire community by providing for the logical development of the community and the extension of municipal services as urban development occurs; and

WHEREAS, for the areas designated herein, the City and the Township desire to accomplish the orderly annexation of said areas in a mutually acceptable and beneficial manner without the need for a hearing before the Minnesota Municipal Board as urban development occurs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mankato and the Town Board of Supervisors of the Town of Lime as follows:

1. Designation of Orderly Annexation Areas. The City and Township hereby designate the following areas as in need of orderly annexation pursuant to Minnesota Statutes, Section 414.0325:
 - a. "Orderly Annexation Area I." "Orderly Annexation Area I," hereinafter referred to as "Area I," is legally described in Exhibit 1 attached hereto and incorporated herein by

reference. For ease of reference, Area I is shown on the map attached hereto as Exhibit 2 and is generally an area of the Township which is currently developed in a residential character and in the future will have need of municipal sanitary sewer service.

- b. "Orderly Annexation Area II." "Orderly Annexation Area II," hereinafter referred to as "Area II," is legally described in Exhibit 3 attached hereto and incorporated herein by reference. For ease of reference, Area II is shown on the map attached hereto as Exhibit 4 and is generally that area of the Township which is currently developed in a residential character, is now or about to become urban or suburban in character, and in the future will have need of municipal sanitary sewer service.
- c. "Orderly Annexation Area III." "Orderly Annexation Area III," hereinafter referred to as "Area III, is legally described as all the lands within the Township not contained in Area I or Area II."

2. Definitions. For purposes of this Joint Resolution, the terms defined in this paragraph have the meanings given them:

- a. "Abutting" shall have the meaning contained in 1997 Minnesota Statute 414.011, Subdivision 6.
- b. "Agricultural development" means improvements, buildings, structures, or fixtures, existing or proposed, suitable for use in farming located on forty (40) or more acres of agricultural land, including one single-family dwelling located on forty (40) or more acres of agricultural land that is or will be occupied by a farmer and structures attached to or incidental to the use of the dwelling.
- c. "Agricultural land" means land used or to be used in farming.
- d. "Any adjacent, necessary land" means any unincorporated land lying between the City and the area proposed for annexation or used or proposed for urban, non-farm development that, in the determination of the City and Township, is necessary to maintain the symmetry of its corporate boundaries along recognizable physical features; or any unincorporated land adjacent to the City lying between the City and the area proposed for annexation or used or proposed for urban, non-farm development that, in the determination of the City and Township, is necessary to effectively provide municipal services to said unincorporated area.
- e. "Dwelling" means any building or place used or intended to be used by human occupants.
- f. "Farming" means the cultivation of land for the production of agricultural crops, the raising of poultry, the production of eggs, the production of milk, the production of fruit or other horticultural crops, grazing, the production of livestock, aquacultural, hydroponics, or the production of forest products.

Joint Resolution for Orderly Annexation

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- g. "Individual Sewage Treatment System" means a sewage treatment system, or part thereof, serving a dwelling, or other establishment, or group thereof, which uses subsurface soils treatment and disposal. Individual sewage treatment system includes holding tanks and privies.
 - h. "Licensed inspector" means a person who is licensed pursuant to Minnesota Statutes or Rules to conduct inspections to determine compliance of individual sewage treatment systems with local ordinances or the minimum standards as set forth in Minnesota Rules, Chapter 7080 or other similar state statutes or rules.
 - i. "Lot of Record" means an existing lot within in an existing subdivision, in which property has been platted and subdivided into lots and blocks, and said subdivision has been recorded in the office of the Blue Earth County Recorder prior to the date of the adoption of this Joint Resolution.
 - j. "MPCA" means the Minnesota Pollution Control Agency.
 - k. "Notice of Imminent Public Threat" means a notice given and signed by a licensed inspector under Minnesota Rules, Chapter 7080 or other similar state statute or rule, that an individual sewage treatment system presents an imminent threat to the public health or safety because said systems have failed or are failing as defined by Minnesota Rules, Chapter 7080.
 - l. "Other establishment" means any public or private structure other than a dwelling which generates sewage.
 - m. "Professional installer" means a person who designs, installs, alters, repairs, maintains, pumps or inspects individual sewage treatment systems pursuant to the minimum standards as set forth in Minnesota Rules, Chapter 7080 or other similar state statutes or rules.
 - n. "State" means the State of Minnesota.
 - o. "Urban, non-farm development" means any development, existing or proposed, which is not defined as agricultural development.
3. In Addition to the Other Terms of This Joint Resolution, the Following Agreements Apply to Area I:
- a. Acreeage of Area I. The City and Township agree that Area I is designated as in need of orderly annexation and contains 164.04 acres.

~~Water Service Required~~ The City and Township agree that the annexation of Area I may be initiated upon the occurrence of any of the following:

- 1. A licensed inspector determines that 55 percent of the individual sewage treatment systems present an imminent threat to the public health and safety;
- 2. The City is required to provide municipal water service to a designated area

- within Area I by order of an agency of the State;
3. Individual sewage treatment systems located in Area I are found by the MPCA or any other State agency to be failing and in need of municipal sanitary sewer service pursuant to Minnesota Statutes § 115.49 or other similar state statutes;
 4. Over fifty percent of the area contained in Area I is subject to a petition for the extension of municipal water or sewer services;
 5. Over fifty percent of the area contained in Area I has been annexed; or
 6. Upon the occurrence of January 1, 2013.

Upon the occurrence of any of the above, any signatory to this Joint Resolution may initiate annexation of Area I by submitting a resolution so providing along with a copy of this Joint Resolution to the Minnesota Municipal Board. The City and Township agree that no alteration of the stated boundaries as described herein is appropriate, that no consideration by the Minnesota Municipal Board is necessary, and that all terms and conditions for annexation of said area are provided for in this Joint Resolution. Pursuant to Minnesota Statutes, Section 414.0325, upon receipt of a resolution of any signatory to this Joint Resolution, the Minnesota Municipal Board may review and comment, but shall, within thirty (30) days of receipt, order the annexation of Area I in accordance with the terms and conditions of this Joint Resolution.

~~No Urban, Non-Farm Development~~ The City and Township agree that all new urban, non-farm development within Area I is prohibited, unless the property proposed for such development and any adjacent, necessary land, is first annexed to the City pursuant to the terms and conditions of this Joint Resolution.

- e. Exceptions. The City and Township agree that the following development may occur within Area I without having to be first annexed prior to development thereof:
- i. Agricultural development as defined in paragraph 2(b); or
 - ii. The repair, improvement, or limited expansion of structures currently used for urban, non-farm development in existence on the effective date of this Joint Resolution. For purposes of this paragraph, the repair, improvement, or limited expansion of structures currently used for urban, non-farm development in existence on the effective date of this Joint Resolution shall not exceed a cumulative fifty percent (50%) increase in square footage of each existing structure proposed for repair, improvement, or limited expansion over a five (5) year period; or
 - iii. In residential zoning districts, the construction of a new single-family dwelling and accessory buildings may be permitted on a lot of record that is part of a residential subdivision in existence on the date of the execution of this joint resolution; or
 - iv. Urban, non-farm development which is first approved in writing by both the City and Township.
- f. Provision of Municipal Services. The City and Township agree that after annexation of Area I pursuant to the terms of this Joint Resolution, the City shall be responsible for

providing municipal governmental services thereto.

4. In Addition to the Other Terms of This Joint Resolution, the Following Agreements Apply to Area II:

- a. Acreage of Area II. The City and Township agree that Area II is designated as in need of orderly annexation and contains 337.72 acres.
- b. No Hearing Required. The City and Township agree that the annexation of Area II may be initiated upon the occurrence of any of the following:
 1. A licensed inspector determines that 35 percent of the individual sewage treatment systems present an imminent threat to the public health and safety;
 2. The City is required to provide municipal water service to a designated area within Area II by order of an agency of the State;
 3. Individual sewage treatment systems located in Area II are found by the MPCA or any other State agency to be failing and in need of municipal sanitary sewer service pursuant to Minnesota Statutes § 115.49 or other similar state statutes;
 4. Over fifty percent of the area contained in Area II is subject to a petition for the extension of municipal water or sewer services;
 5. Over fifty percent of the area contained in Area II has been annexed; or
 6. Upon the occurrence of January 1, 2018.

Upon the occurrence of any of the above, any signatory to this Joint Resolution may initiate annexation of Area II by submitting a resolution so providing along with a copy of this Joint Resolution to the Minnesota Municipal Board. The City and Township agree that no alteration of the stated boundaries as described herein is appropriate, that no consideration by the Minnesota Municipal Board is necessary, and that all terms and conditions for annexation of said area are provided for in this Joint Resolution. Pursuant to Minnesota Statutes, Section 414.0325, upon receipt of a resolution of any signatory to this Joint Resolution, the Minnesota Municipal Board may review and comment, but shall, within thirty (30) days of receipt, order the annexation of Area I in accordance with the terms and conditions of this Joint Resolution.

- d. No Urban, Non-Farm Development. The City and Township agree that all new urban, non-farm development within Area II is prohibited, unless the property proposed for such development and any adjacent, necessary land, is first annexed to the City pursuant to the terms and conditions of this Joint Resolution.
- e. Exceptions. The City and Township agree that the following development may occur within Area II without having to be first annexed prior to development thereof:
 - i. Agricultural development as defined in paragraph 2(b); or
 - ii. The repair, improvement, or limited expansion of structures currently used for urban, non-farm development in existence on the effective date of this Joint Resolution. For purposes of this paragraph, the repair, improvement, or limited expansion of structures currently used for urban, non-farm development in

existence on the effective date of this Joint Resolution shall not exceed a cumulative fifty percent (50%) increase in square footage of each existing structure proposed for repair, improvement, or limited expansion over a five (5) year period; or

- iii. In residential zoning districts, the construction of a new single-family dwelling and accessory buildings may be permitted on a lot of record that is part of a residential subdivision in existence on the date of the execution of this joint resolution; or
- iv. Urban, non-farm development which is first approved in writing by both the City and Township.

f. Provision of Municipal Services. The City and Township agree that after annexation of Area II pursuant to the terms of this Joint Resolution, the City shall be responsible for providing municipal governmental services thereto.

5. In Addition to the Other Terms of This Joint Resolution, the Following Agreements Apply to Area III:

a. No Urban, Non-Farm Development. The City and Township agree that all urban, non-farm development within Area III is prohibited unless the property proposed for such development and any adjacent, necessary land, is first annexed to the City pursuant to the terms and conditions of this Joint Resolution.

b. Exceptions. The City and Township agree that the following development may occur within Area III without having to be first annexed prior to development thereof:

- i. Agricultural development as defined in paragraph 2(b); or
- ii. The repair, improvement, or limited expansion of structures currently used for urban, non-farm development in existence on the effective date of this Joint Resolution. For purposes of this paragraph, the repair, improvement, or limited expansion of structures currently used for urban, non-farm development in existence on the effective date of this Joint Resolution shall not exceed a cumulative fifty percent (50%) increase in square footage of each existing structure proposed for repair, improvement, or limited expansion over a five (5) year period. For the purposes of this paragraph, the repair, improvement, or limited expansion shall not increase the number of dwelling units located within a dwelling; or
- iii. In residential zoning districts, the construction of a new single-family dwelling and accessory buildings may be permitted on a lot of record that is part of a residential subdivision in existence on the date of the execution of this joint resolution; or
- iv. In agricultural and conservation zoning districts, the construction of a new single-family dwelling and accessory buildings may be permitted per the density regulation of one non-farm dwelling per a 40-acre quarter-quarter section.

The density regulation shall not apply to lots of record in the conservation zoning district; provided the lot is part of a residential subdivision in existence on the date of the execution of this joint resolution; or


- v. Quarrying, gravel pits and other mining activities involving the extraction of minerals may occur within Area III without having to be first annexed prior to development thereof; or
 - vi. Urban, non-farm development which is first approved in writing by both the City and Township.
- c. Sewer and Water Extension Required by State Agency. The City and Township agree that under the following circumstances any property located within Area III being used for urban, non-farm development may be designated by the City as in need of orderly annexation and annexed in accordance with paragraph 6(c) of this Joint Resolution. The City and Township may also designate any adjacent, necessary land as also in need of orderly annexation and annexed in accordance with paragraph 6(c) of this Joint Resolution:
- i. When the City is required to provide municipal water service to a designated area by order of an agency of the State; or
 - ii. When individual sewage treatment systems located in a designated area are found by the MPCA or any other State agency to be failing and in need of municipal sanitary sewer service pursuant to Minnesota Statutes § 115.49 or other similar state statutes.


The property owner provided with municipal sewer or water service under any of the above circumstances shall be responsible for all costs associated with the service extension unless other arrangements are agreed to by the City.

6. In Addition to the Other Terms of This Joint Resolution, the Following Agreements Apply to Areas I, II, and III:

- a. Petition for Sewer or Water Service. The City and Township agree that if any property located in Areas I, II, or III is being used for urban, non-farm development, and a property owner located therein petitions the City for extension of municipal sewer or water service, then the property petitioning for municipal sewer or water service may be designated by the City as in need of orderly annexation and annexed in accordance with paragraph 6(c) of this Joint Resolution. The City and Township may also designate any adjacent, necessary land as also in need of orderly annexation and annexed in accordance with paragraph 6(c) of this Joint Resolution. The property owner shall be responsible for all costs associated with the service extension unless other arrangements are agreed to by the City.
- b. Annexation by Property-Owner Petition. The City and Township agree that if the City or Township receive a property-owner petition for annexation by any property-owner with land abutting municipal corporate limits within Area I, II, or III and said land is

platted or subdivided, is proposed to be platted or subdivided, or is proposed for urban, non-farm development, the land may be designated as in need of orderly annexation and annexed in accordance with paragraph 6(c) of this Joint Resolution.

- c. No Hearing Required. The City and Township agree that upon receipt of a resolution from the City providing for annexation of a designated area and a copy of this Joint Resolution, the Minnesota Municipal Board, pursuant to Minnesota Statutes, Section 414.0325, may review and comment, but shall, within thirty (30) days of receipt of said resolution, order the annexation of the area designated therein in accordance with the terms and conditions of this Joint Resolution. The City and Township agree that no alteration of the boundaries as described in the filed resolution is appropriate, that no consideration by the Minnesota Municipal Board is necessary, and that all terms and conditions for annexation of the area designated in the filed resolution are provided for in this Joint Resolution.
- d. Establishment of Planning Board. The City and Township agree that as of the date of execution of this Joint Resolution, all planning, zoning, and subdivision review activities within the Township area shall be carried out by a "Planning Board."
-  The Planning Board hereby established shall be responsible for exercising all planning and land use control authority within the unincorporated portions of the Township designated herein. The Planning Board shall be the governing body for purposes of exercising all of the powers enumerated in Minnesota Statutes, Sections 462.351 to 462.364 within the designated areas of the Township. The Planning Board shall be the City of Mankato Planning Commission.
- f. Official Controls. The City and Township agree that the Township Board and four members of the City Planning Commission shall prepare and adopt official controls for the Township within 180 days of the execution of this Joint Resolution. The Township Board and the four members of the City Planning Commission may utilize City Staff in developing these official controls. All actions by this combined Board shall be by majority vote of its members. The adopted official controls shall be generally consistent with the City ordinances and give full effect to the covenants and conditions provided for in this Joint Resolution.
- g. Enforcement. The City and Township agree that upon adoption of official controls, enforcement and implementation of the official controls shall be by the City. Staff for the Planning Board shall be provided by the City at the City's expense.
- h. Termination. The Planning Board established by this Joint Resolution shall continue in effect for the term of this Joint Resolution unless otherwise terminated earlier by mutual written joint resolution of the governing bodies of the City and Township or should the remaining unincorporated areas of the Township merge with the City.

 The City and Township agree that the City shall be responsible, as of the date of execution of this Joint Resolution, for the issuance of all building permits within the Township in accordance with this Joint Resolution and applicable City ordinances.

8. Zoning, Subdivision, and Building Permit Application Procedure. The City and Township agree that:
 - a. Whenever any person(s) or business entity makes application to have any parcel of land located within the Township subdivided, platted, or rezoned, or whenever application is made for a building permit for the construction, repair or improvement of a building within the Township, such application shall be submitted to the City for review.
 - b. Should the City, during its review of an application under subparagraph (8)(a) above, determine that the application qualifies as urban, non-farm development for which an exception is not listed under the terms of this Joint Resolution, the City shall provide notice to the Township and the property owner, within thirty (30) days of receipt, that the property and any adjacent necessary land are subject to annexation and extension of services by the City in accordance with the terms of this Joint Resolution. The City shall in the notice state whether the City intends to annex the property and any adjacent necessary land. The City shall state in the notice that the property owner, in the event of annexation, will be responsible for all costs associated with the service extension unless other arrangements are agreed to by the City.
 - c. The City and Township, thereafter, within sixty (60) days of such notice, shall each consider and either approve or deny the annexation. If either the City or Township determines that such annexation is not appropriate or is premature, the City shall deny the application.
 - d. If the City and Township both approve the annexation per Subpart (8)(c) above, the City and Township agree that the City may submit a resolution for annexation of the area proposed for urban, non-farm development in accordance with paragraph 6(c) of this Joint Resolution. The City and Township may also designate any adjacent, necessary land as also in need of orderly annexation and annexed in accordance with paragraph 6(c) of this Joint Resolution.
 - e. After annexation of an area as provided for in this paragraph, the City shall be responsible for providing municipal governmental services to the area annexed.
9. City Property. The City may at any time annex any property owned by the City in accordance with paragraph 6(c) of this Joint Resolution.
10. Tax Reimbursement. When a parcel is annexed, the City of Mankato will reimburse Lime Township for the loss of taxes generated from the property annexed. If the annexation becomes effective on or before August 1 of the levy year, the City of Mankato may levy on the annexed area beginning with the same levy year. If the annexation becomes effective after August 1, of the levy year, Lime Township may continue to levy on the annexed property for that levy year and the City of Mankato may not levy on the annexed area until the following year. For the year following the last tax year that Lime Township last collects a levy, the City will reimburse the Township ninety percent (90%) of the amount of taxes that were collected by the Township the previous year. For each year thereafter, the City of Mankato will reimburse a declining amount adjusted by ten percent (10%) per year of the original taxes up until and including the year that the reimbursement equals ten percent (10%) of the original amount. Thereafter, the

City of Mankato will no longer reimburse Lime Township. If an annexation occurs before and within 10 years of the termination of this agreement, payments will continue in conformance with the above beyond the termination date.

11. The City and Township to Adopt and Enforce Regulations. The City and Township agree to enact, adopt, and strictly enforce all such resolutions, ordinances, or regulations, as may be or shall be necessary to give full effect to the stipulations contained in this Joint Resolution.

Installation of Municipal Services. The installation of municipal services shall conform to city standards. Where feasible and cost effective, the installation shall minimize the disruption of existing street surfaces, provided adequate easements and access are provided by the property owners and any extra cost is assessed to the benefitting properties.

For the purposes of this agreement, the usable life expectancy of the existing Township roads shall be the term of this agreement. If the installation of municipal services causes the excavation or other physical disruption to a road surface, the road shall be restored to its original condition and configuration, unless a street improvement conforming to City standards is petitioned for by the abutting property owners.

After the term of this agreement, any street improvement in an annexed area shall conform to the street improvement standards of the City of Mankato.

13. Assessments. The assessment policy of the City of Mankato shall be incorporated by reference into this agreement.
14. Governing Law. This Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.
15. Modification / Amendment. This Joint Resolution shall not be modified, amended, or altered except upon the written joint resolution of the City and the Township duly executed and adopted by the City Council and the Township Board of Supervisors and filed with the Minnesota Municipal Board.
16. Term. This Joint Resolution shall be in full force and effect until July 1, 2018, unless otherwise terminated earlier by mutual written joint resolution of the City and Township or should the remaining unincorporated areas of the Township merge with the City.
17. Severability. In the event that any provision of this Joint Resolution is determined and adjudged to be unconstitutional, invalid, illegal or unenforceable by a court of competent jurisdiction, the remaining provisions of this Joint Resolution shall remain in full force and effect, and the parties hereto shall negotiate in good faith and agree to such amendments or modifications of or to this Joint Resolution or other appropriate actions as shall, to the maximum extent practicable in light of such determination, implement and give effect to the intentions of the parties hereto.
18. Headings and Captions. Headings and captions are for convenience only and are not intended to alter any of the provisions of this Joint Resolution.

Approved by the Town of Lime this 12th day of Nov, 1997.

TOWN OF LIME

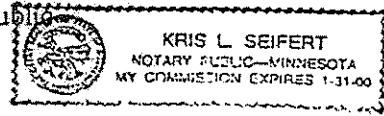
By: [Signature]
Karl O. Friedrichs, Chair

By: [Signature]
Lora J. Mamer, Town Clerk

STATE OF MINNESOTA)
)ss.
COUNTY OF BLUE EARTH)

On this 12th day of November, 1997, before me, a Notary Public within and for said County and State, personally appeared Karl O. Friedrichs to me known to be the same person described in and who executed the foregoing instrument, and acknowledged that he executed the same as authorized by the Lime Town Board of Supervisors.

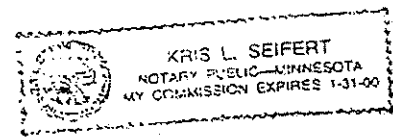
[Signature]
Notary Public



STATE OF MINNESOTA)
)ss.
COUNTY OF BLUE EARTH)

On this 12th day of November, 1997, before me, a Notary Public within and for said County and State, personally appeared Lori Mamer to me known to be the same person described in and who executed the foregoing instrument, and acknowledged that he executed the same as authorized by the Lime Town Board of Supervisors.

[Signature]
Notary Public



Joint Resolution for Orderly Annexation
Exhibit 1

Orderly Annexation Area I includes the following described lands located within Blue Earth County, Minnesota:

1. All lands, streets, and other dedications contained in Schaefer's Subdivision; Schaefer's Subdivision No. 2; Greenwood Heights Subdivision; Greenwood Heights Subdivision No. 2; and North Hill Subdivision, according to the plats thereof on file and of record in the office of the register of deeds in and for said County and State..
2. Lots 1, 2, 3, and 4, Block One, Jo Ray Estates Subdivision; Registered Land Survey No. 45; and Registered Land Survey No. 75, according to the plats thereof on file and of record in the office of the register of deeds in and for said County and State.
3. The following described parcels:

a) A strip of land 250 feet in width extending over and across the East Half of the Southeast quarter of said Section 32, and the Southwest quarter of Section 33, said strip of land being 100 feet in width on the Southerly side and 150 feet in width on the Northerly side of the center line of the main track (now removed) of the Winona and St. Peter Railroad Company (now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Sections 32 and 33, and which extended from Eagle Lake to St. Peter.

b) That certain tract or parcel of land lying within the East ½ of Section 32, Township 109 N. Range 26 W. Circumscribed as follows, to wit:

Commencing at a point 208 feet East and 52 feet South of the intersection of the center line of the Township Road known as the "Bluff Road" with the East and West center line of Section 32, Township 109 N. Range 26 W. Thence running East a distance of 115 feet, thence running North a distance of 60 feet, to the Westerly Right of Way line of the old abandoned main line track of the Chicago and Northwestern Railroad, thence running N. 35° W. along the said old Right of Way line a distance of 594 feet to the center line of the said Township "Bluff Road", thence running South along the said center line of said "Bluff Road" a distance of 595 feet, thence running S. 67 degrees a distance of 179 feet, thence running N. 23° 30' East a distance of 115 feet to the place of beginning. Containing 2.59 acres.

Also an easement for access and egress to the above described tract; being a strip of roadway 16.5 feet in width extending from the center line of the said "Bluff Road" along the Southerly line of the above described property, circumscribed as follows to-wit: Commencing at a point in the center of said "Bluff Road" said point being 86 feet South of the center line of said Section 32, -109, -26, thence running S. 67° E a distance of 179 feet, thence running S 23° 30' West a distance of 16.5 feet, thence running N 67° W a distance of 172.3 feet, to the center line of said "Bluff Road", thence running North along the said center line of said "Bluff Road" to the place of beginning.

c) That certain tract or parcel of land lying within the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Thirty-two (32), Township One Hundred Nine (109) North, Range Twenty Six (26) West, circumscribed as follows, to-wit: commencing at a point 208 feet East and 52 feet South of the intersection of the center line of the Township Road known as the "Bluff Road" with the East and West center line of said Section Thirty-Two (32), Township One Hundred Nine (109), Range Twenty-Six (26), thence running East 115 feet, thence South 66 degrees West 221.5 feet, thence North 45 degrees West, 114.4 feet, thence North 23 degrees 30 minutes East, 131.5 feet, to the place of beginning. Containing .33 of an acre. Also an easement for access and egress to the tract, being 16.5 feet in width extending from the center line of the said Bluff Road to the above described property, said easement being circumscribed as follows, to-wit: Commencing at a point in the center line of the Township Road known as "Bluff Road" said point being 86 feet South of the center line of said Section Thirty-two (32), Township One Hundred Nine (109), Range Twenty-Six (26), thence running South 67 degrees East, 179 feet, to the Westerly line of the above described property, thence South 23 degrees 30 minutes West 16.5 feet, thence North 67 degrees West, 172.3 feet to the said center line of said Bluff Road, thence North along said center line to the place of beginning.

d) A tract of land lying in the SE1/4 of the SW1/4 of Sec. 33-109-26, described as follows to wit: Commencing at the Southwest corner of the SE 1/4 SW 1/4 of said Section 33, thence running east on the South line of said Section 33, a distance of 480 feet, thence North at right angles to the right of way of the Chicago, Northwestern Railway, thence West along the South line of said Railroad right of way to the North South Center line of the SW 1/4 of said Section 33, thence South along the said Quarter line to the place of the beginning.

e) Commencing at a point on the South line of Section 33-109-26, 480.00 feet East of the SW corner of the SE1/4 of the SW1/4, thence East along the South line of said Section 33, 786.20 feet, thence North 323.85 feet; thence North 4° 49' East along 180.65 feet, thence North 44° 06 minutes West 525.70 feet, thence North 36 degrees 45 minutes West, 391.20 feet to the Southerly Right of Way of the Chicago Northwestern Railway Company; thence Southerly 55 degrees 42 minutes West along said Right of Way 144.03 feet; thence South 59 degrees 13 minutes West along said Right of Way 98.85 feet, thence South 1,056.25 feet to the point of beginning. Said tract containing 16.407 acres all in Blue Earth County, Minnesota.

f) Commencing at the South Quarter Corner of Section 33; thence North 90 degrees 00 minutes East (assumed bearing) along the South line of the Southeast quarter of Section 33, a distance of 466.31 feet to the point of beginning; thence North 12 degrees 18 minutes 36 seconds West along the existing driveway entrance road, 1096.30 feet; thence South 79 degrees 30 minutes 00 seconds West, 247.95 feet, and there terminating, being a part of the Southeast Quarter of the Southwest quarter and the Southwest quarter of the Southwest Quarter of Section 33, Township 109 North, Range 26 West.

g) That part of the Southeast quarter of the Southwest quarter of Section 33, Township 109 North, Range 26 West, described as:

Commencing at the South quarter corner of Section 33; thence South 90 degrees 00 minutes 00 seconds West (assumed bearing) along the westerly extension of the South line of the Southeast quarter of Section 33, a distance of 181.75 feet; thence North 00 degrees 00 minutes 00 seconds East, 897.00 feet to the point of beginning; thence South 60 degrees 46 minutes 18 seconds East, 178.80 feet; thence North 12 degrees 10 minutes 30 seconds West, 455.00 feet; thence South 57 degrees 15 minutes 48 seconds West, 267.51 feet; thence continuing South 57 degrees 15 minutes 48 seconds West, 185 feet more or less to a point of the Northeasterly property line of the Knollwood Parks Mobile Home Court property; thence Southeasterly along said Northeasterly property line, 210 feet more or less to the point of intersection of said property line with a line which bears South 74 degrees 38 minutes 42 seconds West from the point of beginning; thence North 74 degrees 38 minutes 42 seconds East, 196 feet more or less to the point of beginning; Containing 2.54 acres together with an easement for accesses purpose 33.00 feet in width, the centerline of which is described as:

Commencing at the South quarter corner of Section 33; thence North 90 degrees 00 minutes 00 seconds East (assumed bearing) along the South line of the Southeast quarter section 33, a distance of 466.31 feet to the point of beginning; thence North 12 degrees 18 minutes 36 seconds West along the existing driveway entrance road, 1096.30 feet; thence South 79 degrees 30 minutes 00 seconds West, 307.75 feet to a point on the easterly boundary line of the above described tract at a point distant 210.00 feet northerly of the southeasterly corner of said tract as measured along its easterly boundary and there terminating.

h) Commencing at the South quarter Corner of Section 33; thence North 90 degrees 00 minutes East (assumed bearing) along the South line of the Southwest quarter of Section 33, a distance of 466.31 feet to the point of beginning; thence North 12 degrees 18 minutes 36 seconds West along the existing driveway entrance road, 1232.18 feet, and there terminating.

i) That part of the South half of Section 33, Township 109 North, Range 26 West, Blue Earth County, Minnesota, described as follows:

Commencing at the South quarter corner of Section 33; thence North 90 degrees 00 minutes 00 seconds East (assumed bearing) along the South line of Section 33, a distance of 466.31 feet; thence North 12 degrees 18 minutes 36 seconds West, 1232.18 feet; thence South 58 degrees 59 minutes 50 seconds West, 27.11 feet to the point of beginning; thence North 58 degrees 59 minutes 50 seconds East, 120.00 feet; thence North 18 degrees 40 minutes 54 seconds West, 371.62 feet to the southerly right-of-way line of the abandoned Chicago and Northwestern Railroad; thence westerly along said railroad right-of-way, an arc distance of 451.85 feet to a point of intersection with a line which bears North 60 degrees 00 minutes 00 seconds West, from the point of beginning; thence South 60 degrees 00 minutes 00 seconds East 504.54 feet to the point of beginning.

Joint Resolution for Orderly Annexation

Exhibit 1

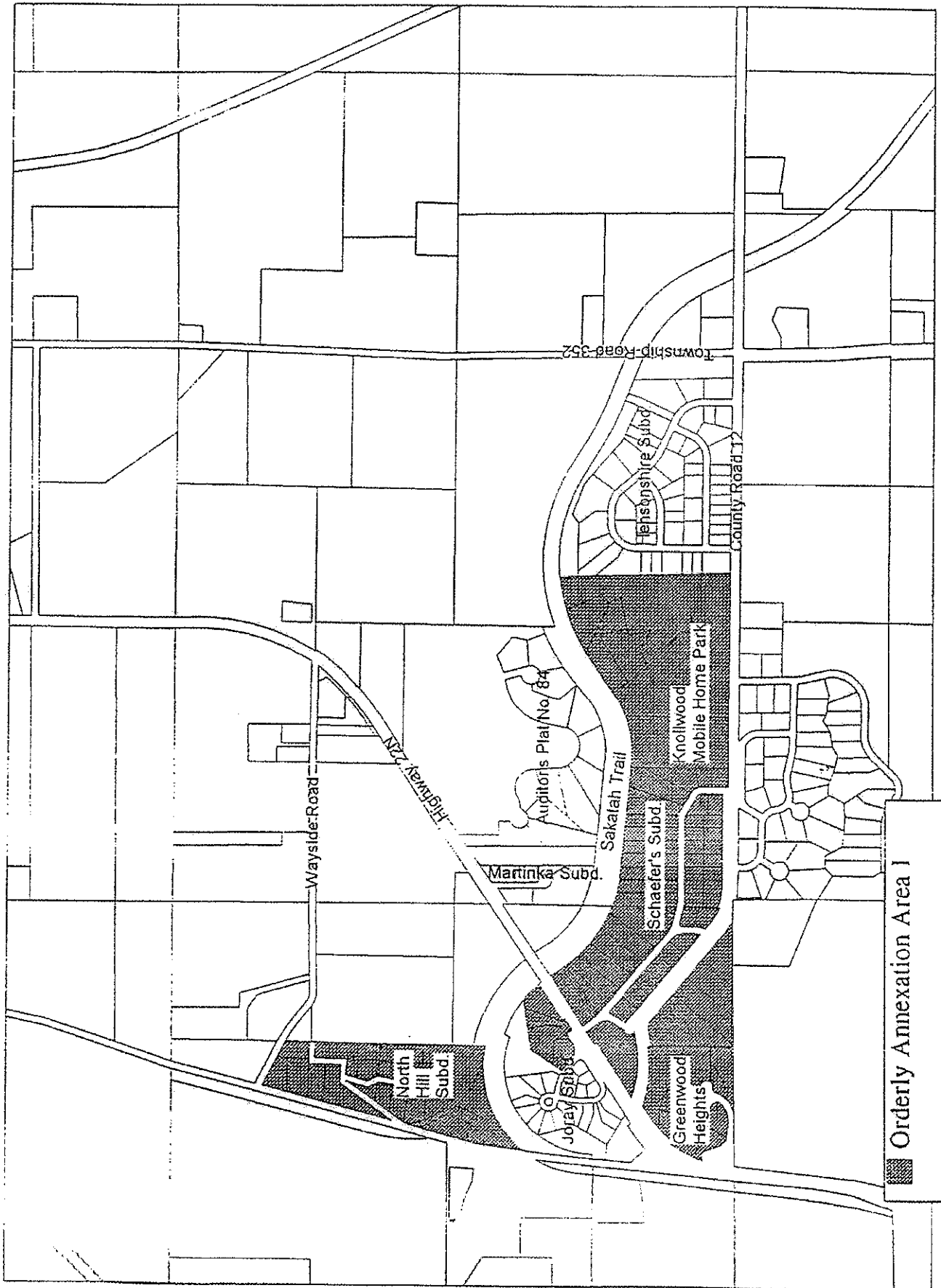
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i) (continued)

Containing 2.53 acres together with a easement for access purposes 33.00 feet in width, the centerline of which is described as follows:

Commencing at the South quarter corner of Section 33; thence North 90 degrees 00 minutes 00 seconds East (assumed bearing) along the South line of Section 33, a distance of 466.31 feet to the point of beginning; thence North 12 degrees 18 minutes 36 seconds West along the existing driveway entrance road, 1232.18 feet to a point on the Southerly boundary line of the above described tract at a point 27.11 feet northeasterly of the Southwest corner of said tract, as measured along it's southerly boundary and there terminating.

Joint Resolution for Orderly Annexation
Exhibit 2



Joint Resolution for Orderly Annexation
Exhibit 3

Orderly Annexation Area II includes the following described lands located within Blue Earth County, Minnesota:

1. All lands, streets, and other dedications contained in Martinka Subdivision; Auditor's Plat No. 84, Hensonshire Subdivision; and Hensonshire Subdivision No. 2, according to the plats thereof on file and of record in the office of the register of deeds in and for said County and State..
2. All lands, streets, and other dedications contained in Jo Ray Estates, except Lots 1, 2, 3, and 4, Block One; according to the plat thereof on file and of record in the office of the register of deeds in and for said County and State..
3. The following described parcels:
 - a) The part of the former 250 foot Chicago and North Western Transportation Company right-of-way (now Sakatah Singing Hills State Trail) located in the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section Thirty-two (32), Township One hundred Nine (109) North, Range Twenty-six (26) west, Blue Earth County, Minnesota, being a strip of land 20 feet in width measured at right angles to, lying southerly of, parallel with, adjacent and contiguous to the northeasterly right-of-way line of said railroad and southerly of the southerly right-of-way line of Minnesota Truck Highway No. 22; containing 0.32 acres.
 - b) 20.5 acres located in NE1/4SE1/4, Section 32, Lime Township, described as follows: All that part of the Northeast quarter of the Southeast quarter (NE1/4SE1/4) of section Thirty-two (32) in Township One Hundred Nine (109), Range Twenty-six (26), Blue Earth County, Minnesota, which lies on the North side of the center line of the Winona & St. Peter Railroad, as the same is now located, which line commences seventy-five (75) feet west of the Southwest corner of said tract, following the said railroad to a point three hundred seventy (370) feet south of the northwest corner of said tract, containing about 25 acres, more or less, subject to public-highway running across said described premises.

Excepting there from the following:

That part of Tract A described below:

That part of the Northeast Quarter of the Southeast Quarter of Section 32, Township 109 North, Range 26 West, Blue Earth County, Minnesota, which lies to the North side of the right of way of the Winona and St. Peter Railroad (now the Chicago and North Western Transportation Company) as the same was formerly located; excepting there from the right of way of Trunk Highway No. 22 as now located and established: Which lies between two lines run parallel with and distant 110 feet and 170 feet northwesterly of Line 1 described below:

Line 1: Beginning at the point of termination of Line 2 Described below: thence run northeasterly on said Line 2 for 100 feet and there terminating.

b) (continued)

Line 2: Beginning at a point on the east line of said Section 32, distant 389 feet south of the northeast corner thereof, thence run southwesterly at an angle of 56 degrees 38 minutes 00 seconds from said east section line (measured from south to west) for 608 feet and there terminating; together with that point of Tract A herein before described lying southeasterly of the southeasterly right of way line of Trunk Highway No. 22 as now located and established, which lies northwesterly of a line run parallel with and distant 100 feet southeasterly of the following described line: Beginning at the point of beginning of Line 2 described above; thence run southwesterly on said line 2 for 518 feet and there terminating; also together with a strip 40 feet in width adjoining and southwesterly of the last above described strip. Beginning opposite a point on Line 2 described above, distant 423 feet southwesterly of its point of beginning and extending southwesterly for 45 feet (both distances measure along said line 2). Containing .56 acres, more or less.

c) Right-of-way described as a strip of land 150 feet in width extending over and across the Southeast Quarter of said Section 33, Township 109 North, Range 26 West, said strip of land being 50 feet in width on the Northerly side and 100 feet in width on the Southerly side of said original main track center line.

d) Beginning at the West Quarter corner of Section 33, Township 109 North, Range 26 West, thence running east along East-West Quarter line of said Section 33, a distance of 288 feet; thence running South and parallel to the West line of said Section 33, a distance of 207 feet to the center line of Minnesota Trunk Highway number 169; thence running southwesterly along said center line, a distance of 345 feet to the West line of said Section 33; thence running North along said West line, a distance of 398 feet to the place of beginning.

e) That part of the West Half of the Northwest Quarter of the Southwest Quarter of Section 33, Township 109 North, Range 26 West, Blue Earth County, Minnesota, described as: Commencing at the West Quarter corner of Section 33, Township 109 North, Range 26 West: thence North 89 degrees 59 minutes 43 seconds East (assumed bearing) along the East-West Quarter line of Section 33, a distance of 547.38 feet; thence South 00 degrees 00 minutes 17 seconds East 123.18 feet to the southerly right-of-way line of Minnesota Trunk Highway No. 22 also being the point of beginning; thence South 56 degrees 27 minutes 05 seconds West along the southerly Highway right-of-way line 221.86 feet to the Northeast corner of Lot 4 Block One, Martinka Subdivision, thence South 00 degrees 36 minutes 05 seconds West along the East line of Martinka Subdivision 1064.67 feet to the northerly right-of-way line of the Chicago and Northwestern Transportation Company Railroad (now abandoned and a nature trail); thence South 85 degrees 37 minutes 08 seconds East along the northerly railroad right-of-way line 196.75 feet; thence North 00 degrees 00 minutes 17 seconds West 1202.25 feet to the point of beginning.

f) Commencing at the Northeast corner of the West Half of the Northwest Quarter of the Southwest Quarter of Section 33, Township 109, Range 26, thence South on line 400 feet, thence West at an angle of 90 degrees 109 feet, thence North at an angle of 90 degrees 400 feet, thence East at an angle of 90 degrees and along the East and West center line of said Section 33, a distance of 109 feet to the place of beginning. Being in the West Half of the Northwest Quarter of the Southwest Quarter of Section 33, Township 109, Range 26.

g) Tract III: All that part of the Southeast Quarter of Section 33, Township 109, Range 26, lying North of the Right-of-Way of Chicago and Northwestern Railway Company AND a strip of land One Hundred (100) feet wide, extending across the Southeast Quarter of Section Thirty-three (33), Township One Hundred Nine (109) North, Range Twenty-six (26) West, said strip of land lying between two parallel lines, both drawn parallel with the center line of the main tack of the Chicago and North Western Railway Company, as now located and established, one of said lines being distant Fifty (50) feet Northerly, measured at right angles, and the other of said lines being distant, One Hundred Fifty (150) feet Northerly, measured at right angles, from said railway center line.

h) E 248 feet of SE 1/4 of SE 1/4 between State Aid Road #18 and R.R, Section 33, Township 109, Range 26, containing 5.730 acres.

i) The Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 34 and the North 51 feet of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 34, all in Township 109 North, Range 26 West. Except:
The North 51 feet of the West 545 feet of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4), and the South 149 feet of the West 545 feet of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4), all in Section 34, Township 109 North, Range 26 West.

j) The North 51 feet of the West 545 feet of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4), and the South 149 feet of the West 545 feet of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4), all in Section 34, Township 109 North, Range 26 West.

k) A strip of land 100 feet in width extending over and across the Southwest quarter of the Southwest quarter of Section 34, said strip of land being 50 feet in width on each side of the center line of said (Winona and St. Peter Railroad Company) main track, as originally located and established over and across said Section 34, Township 109 North, Range 26 West..

l) An undivided one-half interest in Southwest Quarter of the Southwest Quarter of Section 34-109-26, EXCEPT the following for tracts:

1. -Railroad right of way
2. -The North 51 feet of the Southwest Quarter of the Southwest Quarter of said Section 34.

l) (continued)

3. -That part of the Southwest Quarter of the Southwest Quarter of Section 34, Township 109 North, Range 26 West, Blue Earth County, Minnesota, described as follows: Beginning at the Southwest corner of Section 34; thence North 0 degrees 00 minutes (assumed bearing) along the line of said Section 34, the same being the centerline of a township road, 366.64 feet; thence South 88 degrees 43 minutes East, 297.10 feet; thence South 0 degrees 00 minutes, 366.64 feet to the South line of Section 32, thence North 88 degrees 43 minutes West along said South line, 297.10 feet to the place of beginning.

Said tract contains 2.50 acres and is subject to roadway easements over and across the southerly and westerly boundary thereof.

4. -That part of the Southwest quarter of Section 34, Township 109 North, Range 26 West, Blue Earth County, Minnesota, described as: Commencing at the Southwest corner of Section 34; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing) along the West line of the Southwest Quarter of Section 34, a distance of 366.64 feet; thence South 88 degrees 43 minutes 00 seconds East, 297.10 feet to the point of beginning; thence continuing South 88 degrees 43 minutes 00 seconds East, 309.65 feet to a point on the westerly right-of-way of the abandoned Chicago and Northwestern Railroad (now the Department of Natural Resources State Trail); thence southeasterly along said westerly right-of-way line, 411.3 feet to the point of intersection with the south line of the Southwest quarter of Section 34; thence North 88 degrees 36 minutes 12 seconds West along said south line, 484.89 feet to the point of intersection with a line which bears South 00 degrees 00 minutes 00 seconds West for the point of beginning; thence North 00 degrees 00 minutes 00 seconds East and parallel with the West line of the Southwest quarter of Section 34, a distance of 367.23 feet to the point of beginning.

Said tract contains 3.35 acres, subject to an easement of County Highway purposes, over and across the southerly boundary.

m) That part of the Southwest Quarter of the Southwest Quarter of Section 34, Township 109 North, Range 26 West, Blue Earth County, Minnesota, described as follows:

Beginning at the Southwest corner of Section 34; thence North 0 degrees, 00 minutes (assumed bearing) along the west line of said Section 34, the same being the centerline of a township road, 366.64 feet; thence South 88 degrees 43 minutes East, 297.10 feet; thence South 0 degrees 00 minutes, 366.64 feet to the South line of Section 34; thence North 88 degrees 43 minutes West along said South line, 297.10 feet to the place of beginning.

Said tract contains 2.50 acres and is subject to roadway easements over and across the southerly and westerly boundary thereof.

n) That part of the Southwest Quarter of the Southwest Quarter of Section 34, Township 109 North, Range 26 West, Blue Earth County, Minnesota, described as:

Commencing at the Southwest corner of Section 34; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing) along the west line of the Southwest Quarter of Section 34, a distance of 366.64 feet; thence South 88 degrees 43 minutes 00 seconds East, 297.10 feet to the point of beginning; thence continuing South 88 degrees 43 minutes 00 seconds East, 309.65 feet to a point on the westerly right-of-way of the abandoned Chicago and Northwestern Railroad;

n) (continued)

(now the Department of Natural Resources State Trail) thence southeasterly along said westerly right-of-way line, 411.3 feet to the point of intersection with the south line of the Southwest Quarter of Section 34; thence North 88 degrees 36 minutes 12 seconds West along said south line, 484.89 feet to the point of intersection with a line which bears South 00 degrees 00 minutes 00 seconds West from the point of beginning; thence North 00 degrees 00 minutes 00 seconds East and parallel with the west line of the Southwest Quarter of Section 34, a distance of 367.23 feet to the point of beginning. Said tract contains 3.35 acres, subject to an easement for County Highway purposes, over and across the southerly boundary.

o) That part of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 34, Township 109 North, Range 26 West beginning at the Northeast corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) thence south along the quarter line a distance of 272.25 feet; thence west at a right angle 400 feet; thence north at a right angle to the north line of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4); thence east along the North line of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) to the point of beginning.

Joint Resolution for Orderly Annexation
Exhibit 4

