

CITY OF WACONIA
RESOLUTION 2012- 176

REC'D BY
MBA

OCT 04 2012

**A RESOLUTION AMENDING RESOLUTION 2012-152 REGARDING THE
ORDERLY ANNEXATION OF CERTAIN PROPERTY IN LAKETOWN TOWNSHIP**

WHEREAS, M & I Regional Properties, LLC ("M&I") previously filed a Petition for Annexation (the "Original Petition") with the City of Waconia (the "City") requesting the City to annex the following property located in Laketown Township:

Outlot I and Outlot K, Interlaken 4th Addition, according to the recorded plat thereof, Carver County, Minnesota

(the "Property"); and

WHEREAS, on September 4, 2012, the City Council adopted Resolution 2012-152 calling for the immediate annexation of the Property; and

WHEREAS, The Ryland Group, Inc. ("Ryland") has now acquired fee title ownership of the Property and M&I and Ryland desire to amend the Original Petition to remove Outlot K of the Property from the land to be annexed; and

WHEREAS, a copy of M&I and Ryland's written request to amend the Original Petition is attached as Exhibit A; and

WHEREAS, the City Council finds it is appropriate to allow M&I and Ryland to amend the Original Petition under the circumstances and that, as such, the City will only call for the immediate annexation of Outlot I, Interlaken 4th Addition ("Outlot I"), which is depicted with cross-hatching on attached Exhibit B; and

WHEREAS, Outlot I is included within the area encompassed by a Joint Resolution of the City and Laketown Township as to the Orderly Annexation of Property, which was adopted by the City Council of the City on April 17, 2006 as Resolution 2006-90 and the Board of Supervisors of Laketown Township on March 13, 2006 (the "Joint Resolution"); and

WHEREAS, Minn. Statute 414.0325 and the Joint Resolution provide that orderly annexation may proceed within a designated area by submitting a resolution signed by the City requesting immediate processing of the annexation; and

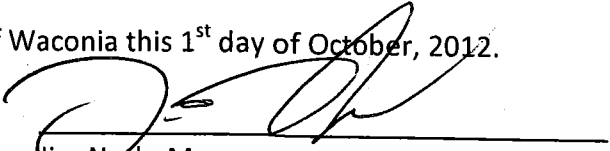
WHEREAS, the Municipal Boundary Adjustment Unit of the Minnesota Office of Administrative Hearings (the "Municipal Boundary Unit") may review and comment, but shall, within 30 days of receipt, order the annexation in accordance with the terms and conditions of the Orderly Annexation Agreement between the City of Waconia and Laketown Township.

NOW, THEREFORE, the City Council of the City of Waconia does hereby resolve as follows:

1. Resolution 2012-152 is hereby amended to call for the immediate annexation of the following property pursuant to the Joint Resolution:

Outlot I, Interlaken 4th Addition, according to the recorded plat thereof, Carver County, Minnesota.
2. The City Administrator shall provide this amended resolution to the Municipal Boundary Unit so as to accomplish the orderly annexation in accordance with the terms of the Joint Resolution.
3. The City Administrator shall also provide a copy of this amended resolution to the Township Clerk for Laketown Township and to Ryland.
4. City Staff is directed to follow the terms of the Joint Resolution.

Adopted by the City Council of the City of Waconia this 1st day of October, 2012.



Jim Nash, Mayor

ATTEST: Susan Arntz
Susan Arntz, City Administrator

M/ <u>Carrier</u>	Bloudek	<u>Aye</u>
	Carrier	<u>Aye</u>
	Millender	<u>Aye</u>
S/ <u>Bloudek</u>	Sanborn	<u>Aye</u>
	Nash	<u>Aye</u>

EXHIBIT A
Letter Requesting Amendment

REC'D BY
MBA

OCT 04 2012

**RYLAND
HOMES**

TWIN CITIES DIVISION

7688 Anagnost Drive
Eden Prairie, MN 55344

952.229.6000 Tel
952.229.6024 Fax

www.ryland.com

September 28, 2012

Mr. John Hilgers
City of Waconia
201 South Vine Street
Waconia, MN 55387

RE: Additional Interlaken Annexation

Dear Mr. Hilgers:

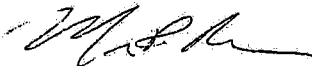
The Ryland Group, Inc. ("Ryland Homes") requests to rescind the annexation of Outlot K Interlaken 4th Addition into the City of Waconia as indicated and requested in a letter dated August 27, 2012; an original of said letter is attached hereto.

Since the August 27, 2012 letter Ryland Homes has taken ownership of both Outlot I and Outlot K. However, we are presently working through minor title constraints on a portion of Outlot K and plan to annex this property into the City of Waconia upon final platting of Outlot K.

We appreciate your assistance and guidance so far with respect to the Interlaken community. Please feel free to contact Michael Ramme at 952.229.6048 or Mark Sonstegard 952.229.6007, both with Ryland Homes, with any questions or if you require any additional information for this request.

Sincerely,

THE RYLAND GROUP, INC.



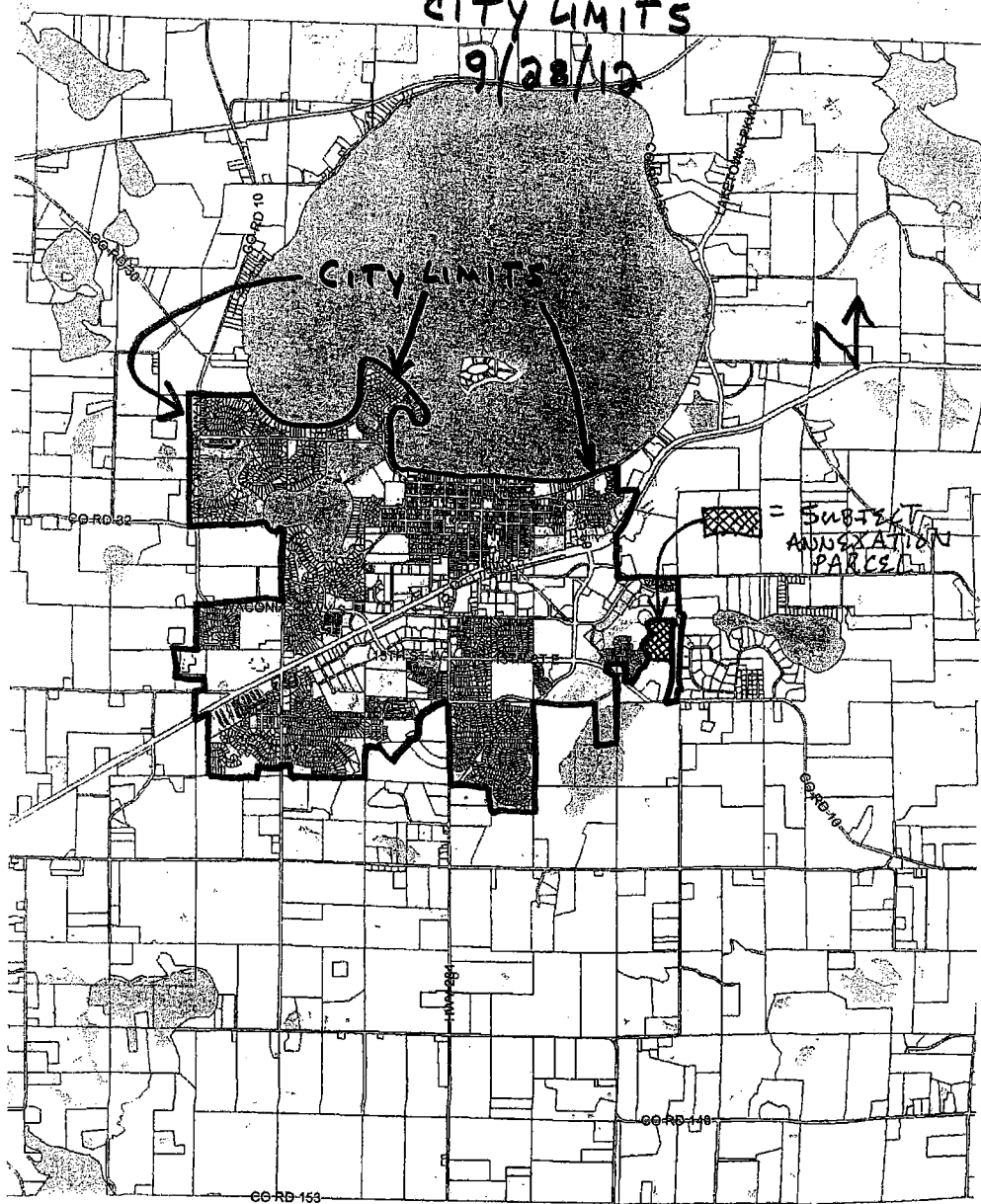
Michael P. Ramme
Land Acquisition Manager

EXHIBIT B
Map

REC'D BY
MBA
OCT 04 2012

CITY OF WALONIA
CITY LIMITS

9/28/12



CITY OF WALONIA CITY LIMITS

9/28/12

