

CITY OF WACONIA  
RESOLUTION 2015-90

TOWNSHIP OF LAKETOWN RESOLUTION 2015-02

JOINT RESOLUTION STIPULATING TO  
AMENDMENT OF ORDERLY ANNEXATION AGREEMENT NO. 76-47 AND TO  
ORDERLY ANNEXATION OF PROPERTY

**WHEREAS**, the City of Waconia, Minnesota (the “City”), the municipalities of Chaska and Victoria, Minnesota, and the Town of Laketown, Minnesota (the “Township”) have agreed to an orderly annexation agreement (the “Agreement”) pursuant to Minnesota Statutes Chapter 414 regarding the annexation of certain unincorporated territory in the Township; and

**WHEREAS**, the Municipal Board of the State of Minnesota, pursuant to Resolution Number 76-47, previously approved and ordered the implementation of such Agreement; and

**WHEREAS**, the City of Waconia (the “City”) has received a petition from all property owners to annex the real property described on Exhibit A and depicted on Exhibit B (the “Property”); and

**WHEREAS**, the Property lies within the area designated in the Agreement for orderly annexation by the City; and

**WHEREAS**, the City and the Township request annexation of the Property pursuant to the Agreement; and

**WHEREAS**, after the Property is annexed into the City, a small segment of Airport Road lying westerly of the Property and easterly of the current City limits will remain in the Township, as depicted on the diagram attached as Exhibit B (the “Airport Road Segment”); and

**WHEREAS**, the City and the Township desire to reallocate between themselves certain rights and responsibilities regarding the Airport Road Segment; and

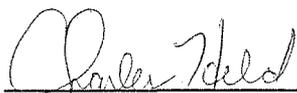
**WHEREAS**, the City and the Township hereby intend to amend the Agreement, as set forth in this resolution, relating to the rights, duties and responsibilities of the Township and the City in regard to the Property;

**NOW, THEREFORE, BE IT RESOLVED:**

1. The above recitals and finding are incorporated into this resolution by reference.
2. The Township and the City jointly request the Office of Administrative Hearings, Municipal Boundary Adjustment Unit (the “Municipal Boundary Adjustment Unit”), to issue an order annexing the Property, which was previously designated for orderly

- annexation, into the City. The land annexed shall include the portions of the streets and roads included within the legal description of the Property.
3. The Township and the City agree no alteration of the stated boundaries of the Property is appropriate. As such, the chief administrative law judge may review and comment, but shall, within 30 days, order annexation of the Property into the City. The date such annexation order issues is referred to below as the "Date of Annexation".
  4. Section 33 of the Agreement is deleted in its entirety in regard to the Property. The mill levy of the City for the Property shall be the City's full rate.
  5. Pursuant to Minnesota Statutes §414.036, the City and the Township agree the Township will waive the tax reimbursement payment regarding the Property whereas the Property will be used for a tax-exempt use after annexation occurs.
  6. The Township acknowledges there are no special assessments assigned by the Township to any portion of the Property and no portion of debt incurred by the Township prior to the annexation and attributable to the Property needs to be reimbursed.
  7. The Township and the City agree that, commencing on the Date of Annexation and continuing thereafter, the City shall maintain, repair, reconstruct and improve the Airport Road Segment as the City deems appropriate, in its sole judgment. The Township and the City further agree that, commencing on the Date of Annexation, the Township shall be relieved of any further obligation to maintain, repair, reconstruct or improve the Airport Road Segment.
  8. The appropriate officers of the City and Township are authorized to carry the terms of this joint resolution into effect.

APPROVED BY THE TOWNSHIP OF LAKETOWN THIS 9<sup>th</sup> DAY OF March, 2015.

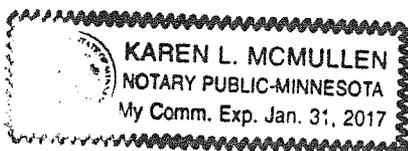


Chairman

ATTEST:



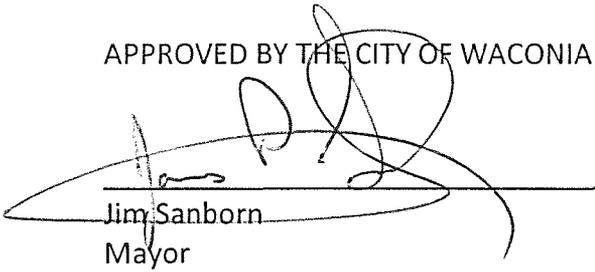
Clerk (Deputy Clerk / Treasurer)



REC'D BY  
MBA

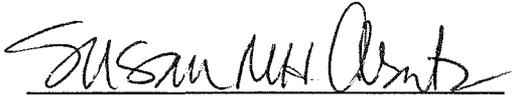
APR 02 2015

APPROVED BY THE CITY OF WACONIA THIS 16<sup>th</sup> DAY OF March, 2015.



Jim Sanborn  
Mayor

ATTEST:



Susan MH Arntz  
City Administrator/City Clerk

## EXHIBIT A

## Legal Description of Property

That part of the West Half of the Southwest Quarter of Section 18, Township 116, Range 24, Carver County, Minnesota, that lies east of the easterly right of way line of Minnesota State Highway No. 5 and southerly of a line described as follows:

Commencing at the southeast corner of said West Half of the Southwest Quarter; thence North along the east line of said West Half of the Southwest Quarter, a distance of 500.00 feet to the point of beginning of the line to be described; thence westerly deflecting 81 degrees 30 minutes 00 seconds to the left to said easterly right of way line and said line there terminating.

AND

That part of the Northwest Quarter of the Northwest Quarter of Section 19, Township 116, Range 24, Carver County, Minnesota described as follows:

Commencing at the southwest corner of said Northwest Quarter of the Northwest Quarter; thence on an assumed bearing of North 00 degrees 05 minutes 03 seconds West, along the west line of said Northwest Quarter of the Northwest Quarter, a distance of 345.00 feet; thence North 85 degrees 46 minutes 57 seconds East, a distance of 149.48 feet; thence North 04 degrees 25 minutes 55 seconds East, a distance of 312.45 feet; thence North 83 degrees 01 minute 21 seconds East a distance of 295.78 feet to the point of beginning; thence South 14 degrees 57 minutes 59 seconds East, a distance of 721.54 feet to a point on the south line of said Northwest Quarter of the Northwest Quarter distant 652.67 feet east from the southwest corner of said Northwest Quarter of the Northwest Quarter; thence North 89 degrees 26 minutes 24 seconds East, along the south line of said Northwest Quarter of the Northwest Quarter, a distance of 809.15 feet to a point distant 460.00 feet west from the southeast corner of said Northwest Quarter of the Northwest Quarter; thence North 00 degrees 22 minutes 48 seconds West parallel with the east line of said Northwest Quarter of the Northwest Quarter, a distance of 385.06 feet; thence North 89 degrees 26 minutes 24 seconds East, parallel with the south line of said Northwest Quarter of the Northwest Quarter, a distance of 460.00 feet to the east line of said Northwest Quarter of the Northwest Quarter; thence North 00 degrees 22 minutes 48 seconds West, along said east line a distance of 931.70 feet to the northeast corner of said Northwest Quarter of the Northwest Quarter; thence South 89 degrees 32 minutes 18 seconds West, along the north line of said Northwest Quarter of the Northwest Quarter to the northwest corner of said Northwest Quarter of the Northwest Quarter; thence South 00 degrees 05 minutes 03 seconds East 237.77 feet, along the west line of said Northwest Quarter of the Northwest Quarter; thence South 40 degrees 05 minutes 03 seconds east a distance of 89.07 feet; thence north 89 degrees 54 minutes 57 seconds east a distance of 112.75 feet; thence south 00 degrees 05 minutes 03 seconds east 200.00 feet; thence north 89 degrees 54 minutes 57 seconds east to a line north 14

degrees 57 minutes 59 seconds west from the point of beginning; thence south 14 degrees 57 minutes 59 seconds east to the to the point of beginning.

Excepting therefrom:

That part of the West Half of the Southwest Quarter of Section 18, Township 116, Range 24, Carver County, Minnesota, that lies east of the easterly right of way line of Minnesota State Highway No. 5 as described in Book L of Miscellaneous Page 560, north of the northerly line of CARVER COUNTY RIGHT OF WAY PLAT NO. 9 and southerly of a line described as follows:

Commencing at the southeast corner of said West Half of the Southwest Quarter; thence North along the east line of said West Half of the Southwest Quarter, a distance of 500.00 feet to the point of beginning of the line to be described; thence westerly, deflecting 81 degrees 30 minutes 00 seconds to the left to said easterly right of way line and said line there terminating.

AND also excepting therefrom:

That part of the Southwest Quarter of the Southwest Quarter of Section 18 and that part of the Northwest Quarter of the northwest Quarter of Section 19 all in Township 116, Range 24, Carver County, described as follows:

Beginning at boundary corner B19, CARVER COUNTY RIGHT OF WAY PLAT NO. 9; thence North 50 degrees 01 minute 35 seconds East along the southeasterly line of said CARVER COUNTY RIGHT OF WAY PLAT NO. 9, a distance of 772.45 feet; thence South 05 degrees 28 minutes 25 seconds West, 45.60 feet; thence South 18 degrees 10 minutes 07 seconds West, 286.56 feet; thence South 11 degrees 38 minutes 21 seconds West, 42.73 feet; thence South 14 degrees 21 minutes 38 seconds West, 59.26 feet; thence South 50 degrees 59 minutes 29 seconds West, 76.27 feet; thence South 73 degrees 57 minutes 29 seconds West, 51.80 feet; thence South 62 degrees 52 minutes 17 seconds West, 73.70 feet; thence South 42 degrees 41 minutes 50 seconds West, 60.07 feet; thence South 33 degrees 42 minutes 07 seconds East, 46.46 feet; thence South 07 degrees 13 minutes 39 seconds East, 45.35 feet; thence South 25 degrees 22 minutes 37 seconds West, 57.35 feet; thence South 46 degrees 23 minutes 33 seconds West 63.28 feet; thence North 72 degrees 14 minutes 51 seconds West, 47.61 feet; thence North 51 degrees 34 minutes 03 seconds West, 54.24 feet; thence North 65 degrees 46 minutes 38 seconds West, 59.05 feet; thence North 65 degrees 08 minutes 56 seconds West, 49.32 feet; thence North 56 degrees 34 minutes 16 seconds West, 68.80 feet; thence North 12 degrees 32 minutes 04 seconds East, 30.20 feet; thence North 17 degrees 40 minutes 52 seconds West to said southeasterly line of CARVER COUNTY RIGHT OF WAY PLAT NO. 9; thence northeasterly, along said southeasterly line, to the point of beginning.

AND also excepting:

Parcel 6, CARVER COUNTY RIGHT OF WAY PLAT NO. 9.

Diagram of Property Annexed

