

**CITY OF WACONIA
RESOLUTION NO. 2025-088**

**LAKETOWN TOWNSHIP
RESOLUTION NO. 2025-06**

In the Matter of the Orderly
Annexation of Certain Real
Property to the City of Waconia
from Laketown Township.
[MBAU Docket A-2205(OA)]

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

TO: **Chief Administrative Law Judge
State Office of Administrative Hearings
Municipal Boundary Adjustments Unit
P.O. Box 64620
St. Paul, MN 55164-0620**

WHEREAS, a joint resolution for orderly annexation (Joint Resolution to Designate) was stipulated and agreed to by the City of Waconia (the "City") on December 7, 1976, and Laketown Township (the "Township") on December 20, 1976, pursuant to Minn. Stat. §414.0325 (2014) designating certain real property for annexation; and

WHEREAS, pursuant to said Joint Resolution to Designate, the City and the Township jointly request the annexation of certain real property to the City of Waconia as hereinafter described; and

WHEREAS, the area to be annexed contains approximately 241.00 acres and lies within the area stipulated for orderly annexation and adjoins the present city limits of the City of Waconia; and

WHEREAS, the area to be annexed is about to become urban or suburban in character and the City of Waconia is capable of providing the services required by the area in a reasonable time; and

WHEREAS, it is deemed appropriate and in the best interests of both the City, the Township, and the area to be annexed that such property be annexed to the City;

NOW, THEREFORE, pursuant to Minnesota Statutes §414.0325, be it **JOINTLY RESOLVED** and agreed by the City Council of the City of Waconia and the Board of Supervisors of the Township of Laketown, Carver County, Minnesota, as follows:

1. The City and the Township jointly request the Office of Administrative Hearings, Municipal Boundary Adjustment Unit (the "**Municipal Boundary Adjustment**")

Unit"), to issue an order annexing the following described property, which was previously designated for orderly annexation into the City:

The property to be annexed is legally described on attached **Exhibit A** and depicted with cross-hatching on the map attached as **Exhibit B**.

2. This Joint Resolution confers jurisdiction on the chief administrative law judge over the provisions of this Joint Resolution.
3. This Joint Resolution provides for the conditions of annexation. No alterations of the stated boundaries are appropriate, and no consideration by the chief administrative law judge is necessary. The chief administrative law judge may review and comment, but shall, within 30 days, order the annexation in accordance with the terms of this resolution.
4. There will be no change in the electric service or cost resulting from the annexation.
5. That for purposes of real estate taxation, if the annexation becomes effective on or before August 1 of a levy year, the City may levy on the annexed area beginning with the same levy year. If the annexation becomes effective after August 1 of a levy year, Laketown Township may continue to levy on the annexed area for that levy year, and the City of Waconia may not levy on the annexation area until the following levy year.
6. The City and the Township agree that the City and the Township shall share the cost of applying dust control treatment as follows:

6.1 The area of the treatment shall be on 102nd Street from the intersection with Little Avenue to the Township's western boundary (the "**Treatment Area**"), which is approximately 1,970 lineal feet of roadway. The amount of the City's contribution under this agreement shall be calculated according to the cost of applying treatment to 1,970 lineal feet of roadway.

6.2 The cost of the dust coating described in paragraph 6.1 shall be divided equally between the City and the Township, with the City reimbursing 50% of the cost of the treatment to the Township upon the Township's presentation to the City of a paid invoice from the Township's contractor for the cost of the treatment. If the Township performs the treatment with its own staff and equipment, the City will reimburse the Township for 50% of the cost of the material used and fuel allocable to the Treatment Area. The City shall reimburse the Township for any undisputed costs within 30 days following the first City Council meeting after the City receives the Township's request for reimbursement.

6.3 Dust treatment under this Agreement shall be applied not more than biannually. The Township may at any time reduce the frequency of

applications in its own discretion. This agreement does not, and is not intended to, confer any benefit to any third party. No third party, including any resident or owner of property within the Township or the area to be annexed, may assert any right to require either the City or the Township to apply dust control treatments pursuant to this Agreement.


6.4 The term of the cost sharing for dust treatment shall begin on the date the City issues the first permit for work to be performed for development in the area to be annexed. The term shall terminate on the date when the last residential lot in the area to be annexed is released from the development agreement or five years from the date of this joint resolution, whichever is earlier. Notwithstanding the foregoing, the Parties may agree to terminate this arrangement for dust coating at any time without invalidating any other provision of this joint resolution. If at any time jurisdiction and maintenance of 102nd Street, or the area presently occupied by 102nd Street, is taken over by Carver County or the State of Minnesota, the dust coating provisions of this agreement shall cease to have effect.


6.5 Any dispute under this agreement shall, prior to any litigation, be submitted to mediation by the State of Minnesota's Office of Administrative Hearings, or another mutually agreeable third-party neutral. Any dispute regarding the dust treatment provisions of this joint resolution shall not affect the other provisions of this joint resolution.

7. There are no special assessments assigned by the Township to the property and no debt incurred by the Township prior to the annexation and attributable to the property needs to be reimbursed.
8. Tax Reimbursement. Pursuant to Minnesota Statutes §414.036, the City and the Township acknowledge that the reimbursement for taxable property has been satisfied. The Developer and Township have agreed that a single payment will be made to the Township for the taxable property annexed by this Joint Resolution. The payment has already been made and a copy of the Township's receipt acknowledging payment is attached as **Exhibit C** (the "Receipt").
9. The City and Township agree that in the event there are errors, omissions or any other problems with the legal descriptions provided in **Exhibit A** or mapping provided in **Exhibit B**, in the judgment of the Office of Administrative Hearings/Municipal Boundary Adjustment Unit, the City and Township agree to make such corrections and file any additional documentation, including new exhibits making the corrections requested or required by the Office of Administrative Hearings/Municipal Boundary Adjustment Unit as necessary to make effective the annexation of the Land in accordance with the terms of this Joint Resolution.

10. This Joint Resolution is effective upon approval and adoption by both the City Council of the City of Waconia and the Board of Supervisors of the Township of Laketown.
11. The recitals above are adopted and incorporated herein as joint resolutions.

Passed and adopted by the **Board of Supervisors of the Township of Laketown** this 10th day of March, 2025.

, Chairman

ATTEST: , Clerk



Passed and adopted by the **City Council of the City of Waconia** this 17th day of March, 2025.

Tim Litfin, Mayor

ATTEST: _____
Jackie Schulze, City Clerk

as necessary to make effective the annexation of the Land in accordance with the terms of this Joint Resolution.

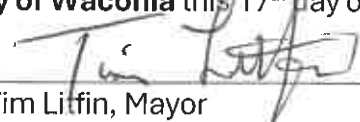
10. This Joint Resolution is effective upon approval and adoption by both the City Council of the City of Waconia and the Board of Supervisors of the Township of Laketown.
11. The recitals above are adopted and incorporated herein as joint resolutions.

Passed and adopted by the **Board of Supervisors of the Township of Laketown** this ____ day of _____, 2025.

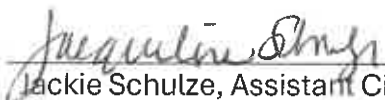
_____, Chairman

ATTEST: _____
_____, Clerk

Passed and adopted by the **City Council of the City of Waconia** this 17th day of March 2025.



Tim Litfin, Mayor

ATTEST: 

Jackie Schulze, Assistant City Administrator

EXHIBIT A

Legal Description of Property to be Annexed

Part of PID 070300100

The West Half of the Southwest Quarter of Section 30, Township 116, Range 24, Carver County, Minnesota, EXCEPT the South 75.00 feet.

AND

PID 070300200

The West Half of the Northwest Quarter (W1/2 NW1/4), Section 30, Township 116, Range 24, EXCEPT the South 260.00 feet of the East 418.84 feet, Carver County, Minnesota.

AND

PID 070300300

The South 260.00 feet of the East 418.84 feet of the West Half of the Northwest Quarter of Section 30, Township 116, Range 24, Carver County, Minnesota

AND

Part of PID 070300610

The West 33.00 feet of the North 522.51 feet of the South 1071.81 feet of the East Half of the Southwest Quarter of Section 30, Township 116, Range 24

AND

Part of PID 070300620

The West 33.00 feet of the East Half of the Southwest Quarter of Section 30, Township 116, Range 24, Carver County, Minnesota, EXCEPT the South 75.00 feet and ALSO EXCEPT the North 522.51 feet of the South 1071.81 feet of the East Half of the Southwest Quarter.

AND

Part of PID 070300400

That part of the Southeast Quarter of the Northwest Quarter of Section 30, Township 116, Range 24, Carver County, Minnesota, lying south of the North 816.00 feet of said Southeast Quarter of the Northwest Quarter and lying westerly of the following described line:

Commencing at the southwest corner of said Southeast Quarter of the Northwest Quarter; thence North 88 degrees 57 minutes 14 seconds East, assumed bearing along the south line of said Southeast Quarter of the Northwest Quarter, a distance of 39.45 feet to the point of beginning of the line to be described; thence North 01 degree 01 minutes 50 second East, a distance of 521.95 feet to the south line of said North 816.00 feet and said line there terminating.

AND

Part of PID 070300500

That part of the Southeast Quarter of the Northwest Quarter of Section 30, Township 116, Range 24, Carver County, Minnesota, lying north of the south line of the North 816.00 feet of said Southeast Quarter of the Northwest Quarter and lying westerly of the following described line:

Commencing at the southwest corner of said Southeast Quarter of the Northwest Quarter; thence North 88 degrees 57 minutes 14 seconds East, assumed bearing along the south

line of said Southeast Quarter of the Northwest Quarter, a distance of 39.45 feet; thence North 01 degree 01 minute 50 seconds East, a distance of 521.95 feet to the south line of said North 816.00 feet of the Southeast Quarter of the Northwest Quarter and to the point of beginning of the line to be described; thence North 00 degrees 16 minutes 53 seconds East, a distance of 816.35 feet to the north line of said Southeast Quarter of the Northwest Quarter and said line there terminating.

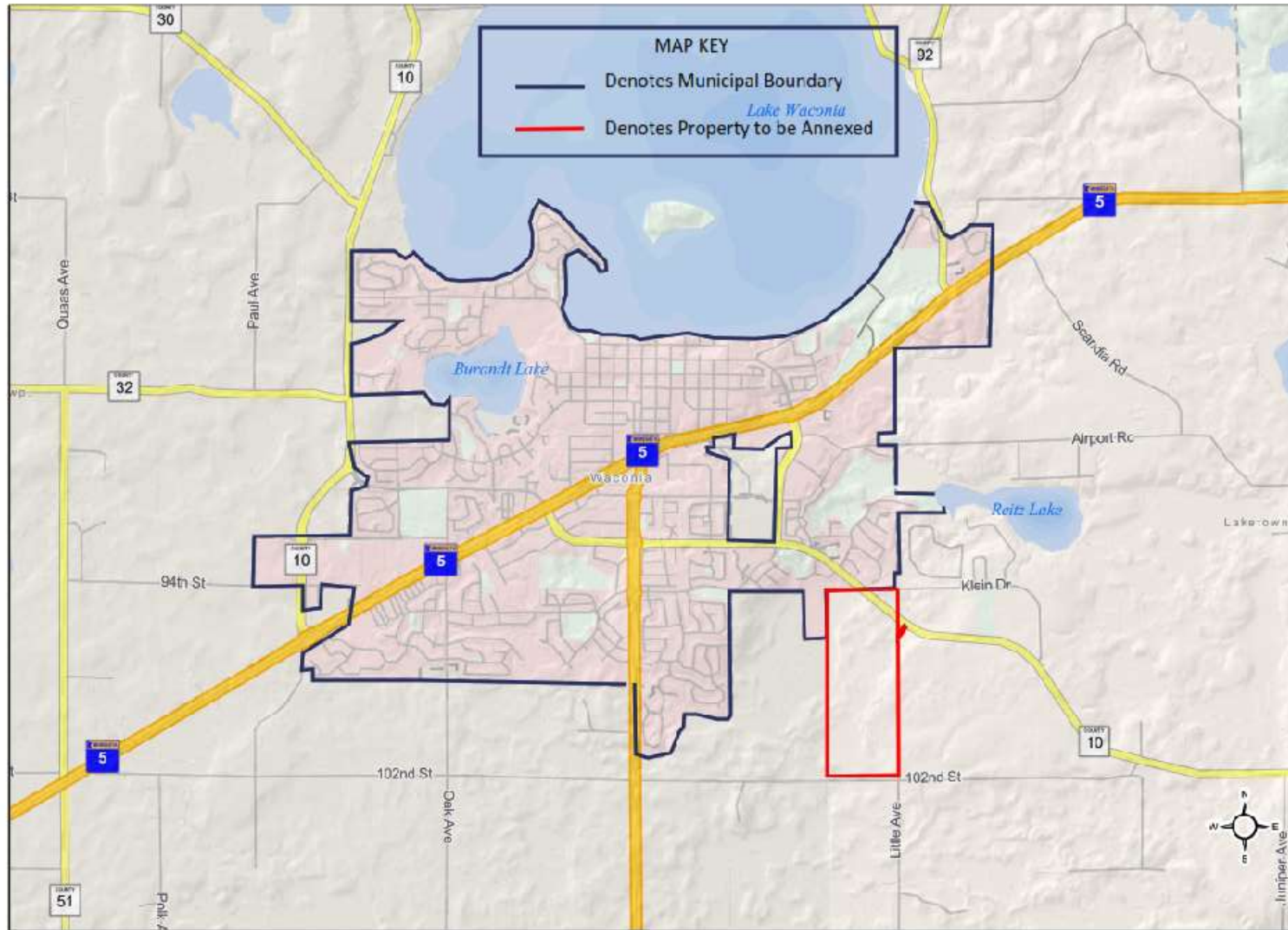
AND

Part of PID 070301510

That part of the Northeast Quarter of the Northwest Quarter of Section 30, Township 116, Range 24, Carver County, Minnesota, described as follows:

Beginning at the southwest corner of said Northeast Quarter of the Northwest Quarter; thence North 88 degrees 35 minutes 33 seconds East, assumed bearing along the south line of said Northeast Quarter of the Northwest Quarter, a distance of 58.92 feet; thence North 00 degrees 29 minutes 25 seconds West, a distance of 247.68 feet to corner B18 per Carver County Right of Way Plat Number 11; thence northeasterly along a non-tangential curve and along the southeasterly right of way line per said Carver County Right of Way Plat Number 11, concave to the southeast, having a central angle of 37 degrees 18 minute 57 seconds, a radius of 217.00 feet for an arc distance of 141.33 feet to corner B17 per said Carver County Right of Way Plat Number 11, the chord of said curve bears North 17 degrees 47 minutes 22 seconds East; thence North 51 degrees 25 minutes 14 seconds West, not tangent to said curve, a distance of 66.04 feet to corner B20 per said Carver County Right of Way Plat Number 11; thence southerly along a non-tangential curve, concave to the southeast having a central angle of 23 degrees 27 minutes 26 seconds, a radius of 283.00 feet for an arc distance of 115.86 feet to the west line of said Northeast Quarter of the Northwest Quarter, the chord of said curve bears South 25 degrees 12 minutes 58 seconds West; thence South 00 degrees 15 minutes 34 seconds East, not tangent to said curve and along said west line, a distance of 318.41 feet to the point of beginning.

EXHIBIT B-1 **MAP OF MUNICIPAL BOUNDARIES AND ANNEXATION AREA**

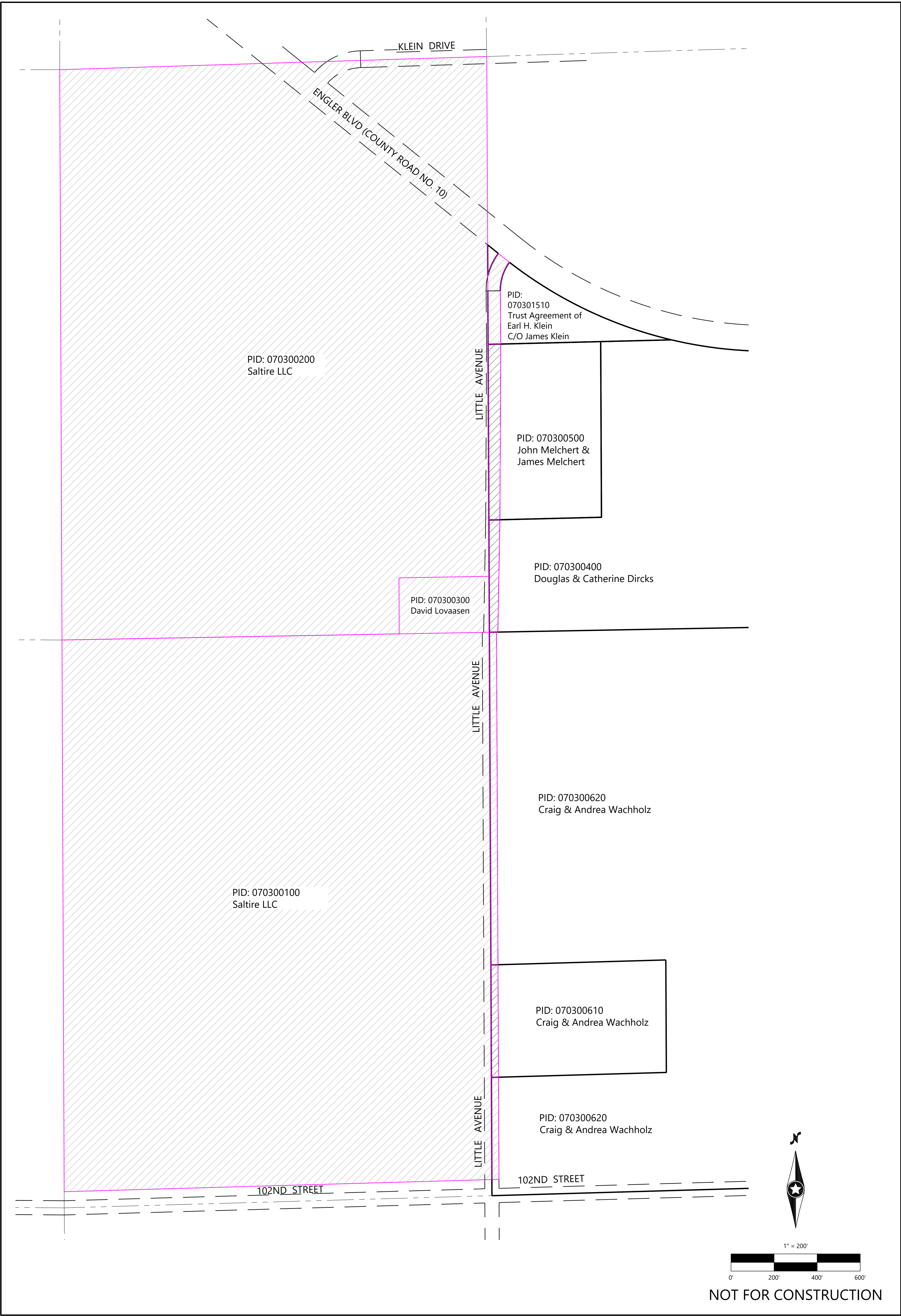


This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 2/10/2025

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N:\0042349\00\DWG\SURVEY\0042349V-ANNEX10.DWG



DESIGNED: _____
CHECKED: _____
DRAWN: _____ SRM
FIELD CREW: _____
FIELD WORK DATE: _____

INITIAL ISSUE: 02/10/2025
REVISIONS: _____

PREPARED FOR:

PULTE HOMES

HOLBROOK
WACONIA, MINNESOTA

Westwood

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TPELS ENGINEERING FIRM REGISTRATION NO. 11756
TPELS SURVEYING FIRM REGISTRATION NO. 10074301

**OVERALL
ANNEXATION
EXHIBIT**

PROJECT NUMBER: 0042349.00

SHEET NUMBER:

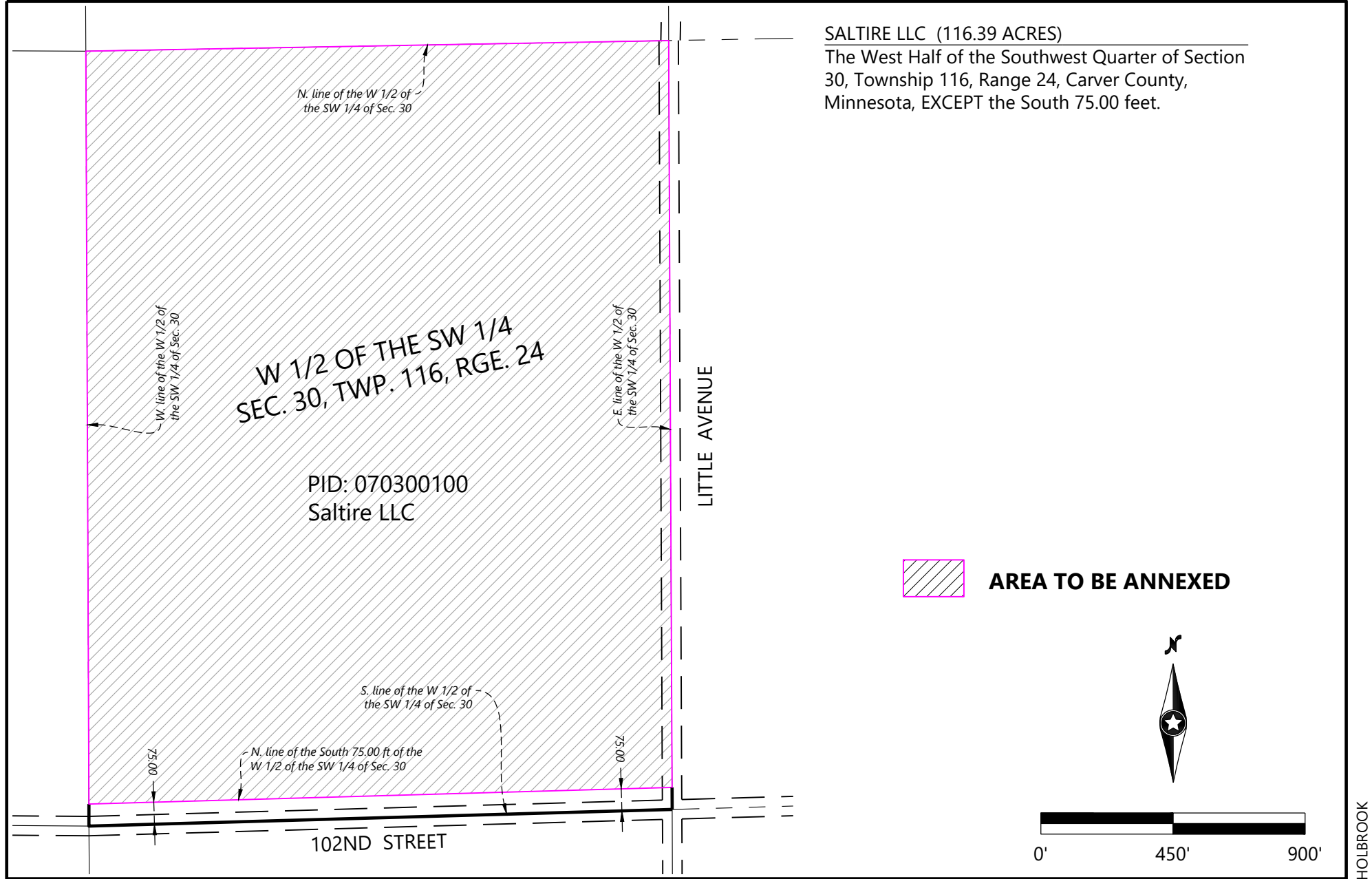
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DATE: 02/10/2025

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DESIGNED: _____
CHECKED: MJW
DRAWN: SRM
FIELD CREW: _____
FIELD WORK DATE: _____

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ANNEXATION EXHIBIT

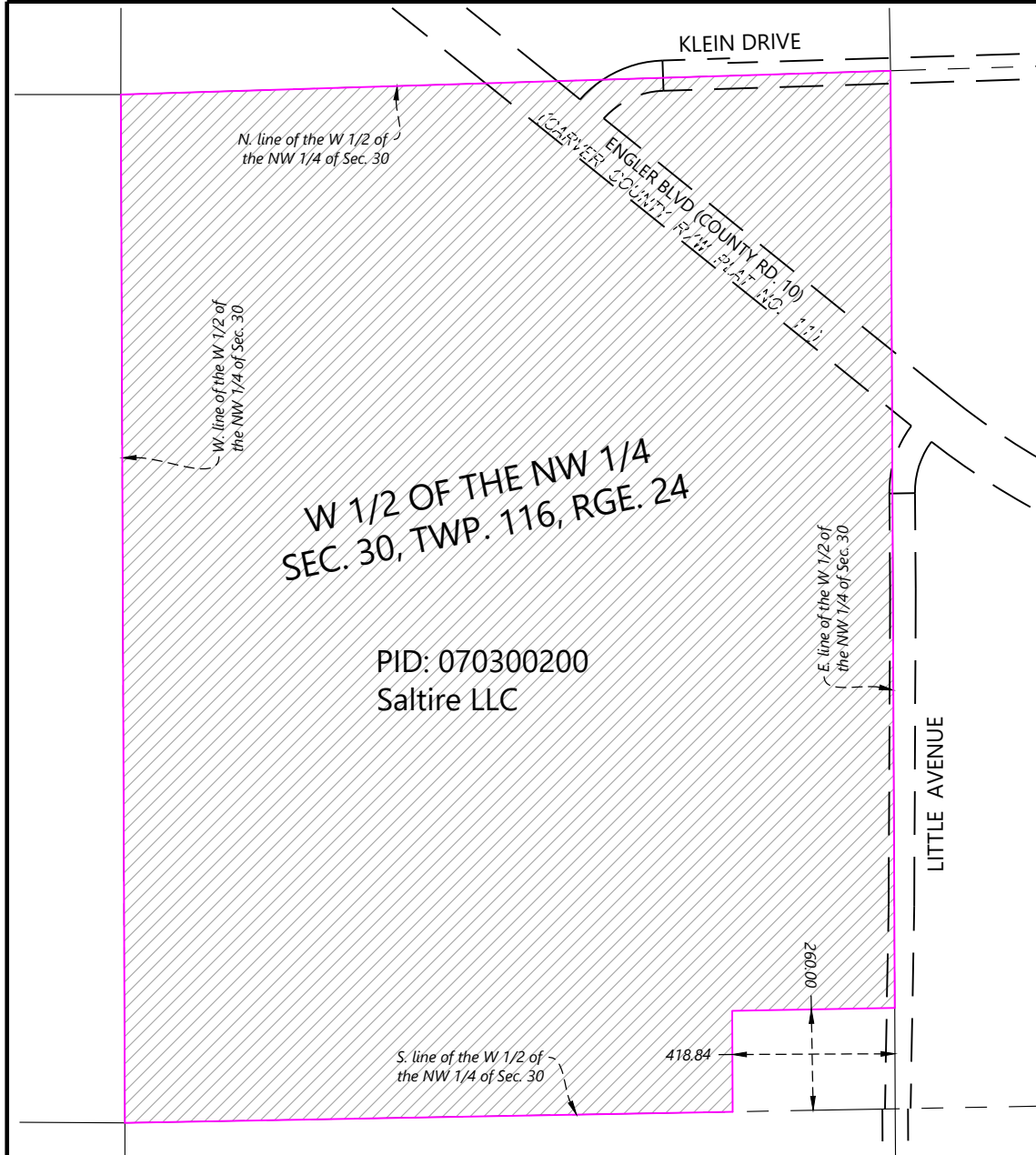
PROJECT NUMBER: 0042349.00

SHEET NUMBER:

1 OF 1

DATE: 01/24/2025

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SALTIRE LLC (118.79ACRES)

The West Half of the Northwest Quarter (W1/2 NW1/4),
Section 30, Township 116, Range 24, EXCEPT the South
260.00 feet of the East 418.84 feet, Carver County,
Minnesota.

DESIGNED: _____
CHECKED: MJW
DRAWN: SRM
FIELD CREW: _____
FIELD WORK DATE: _____

HOLBROOK
WACONIA, MINNESOTA

Westwood

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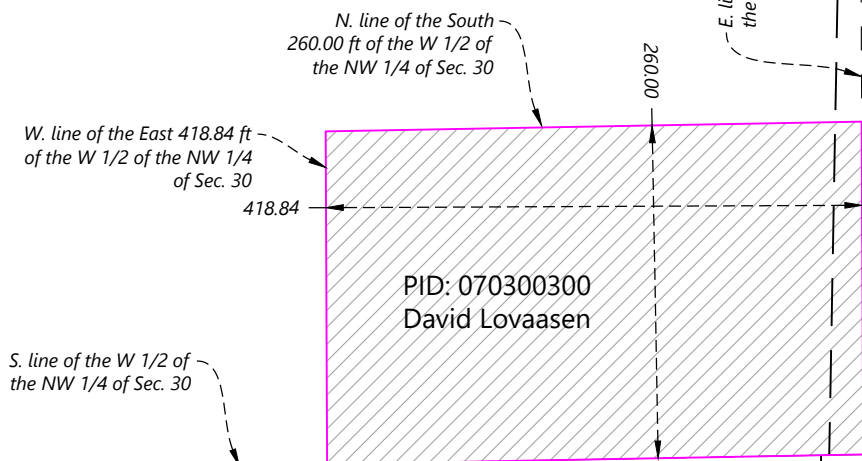
1 OF 1

DATE: 01/24/2025

HOLBROOK

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W 1/2 OF THE NW 1/4
SEC. 30, TWP. 116, RGE. 24



LITTLE AVENUE

DAVID LOVAASEN (2.50 ACRES)

The South 260.00 feet of the East 418.84 feet of the West Half of the Northwest Quarter of Section 30, Township 116, Range 24, Carver County, Minnesota.



AREA TO BE ANNEXED



HOLBROOK

DESIGNED: _____
CHECKED: MJW
DRAWN: SRM
FIELD CREW: _____
FIELD WORK DATE: _____

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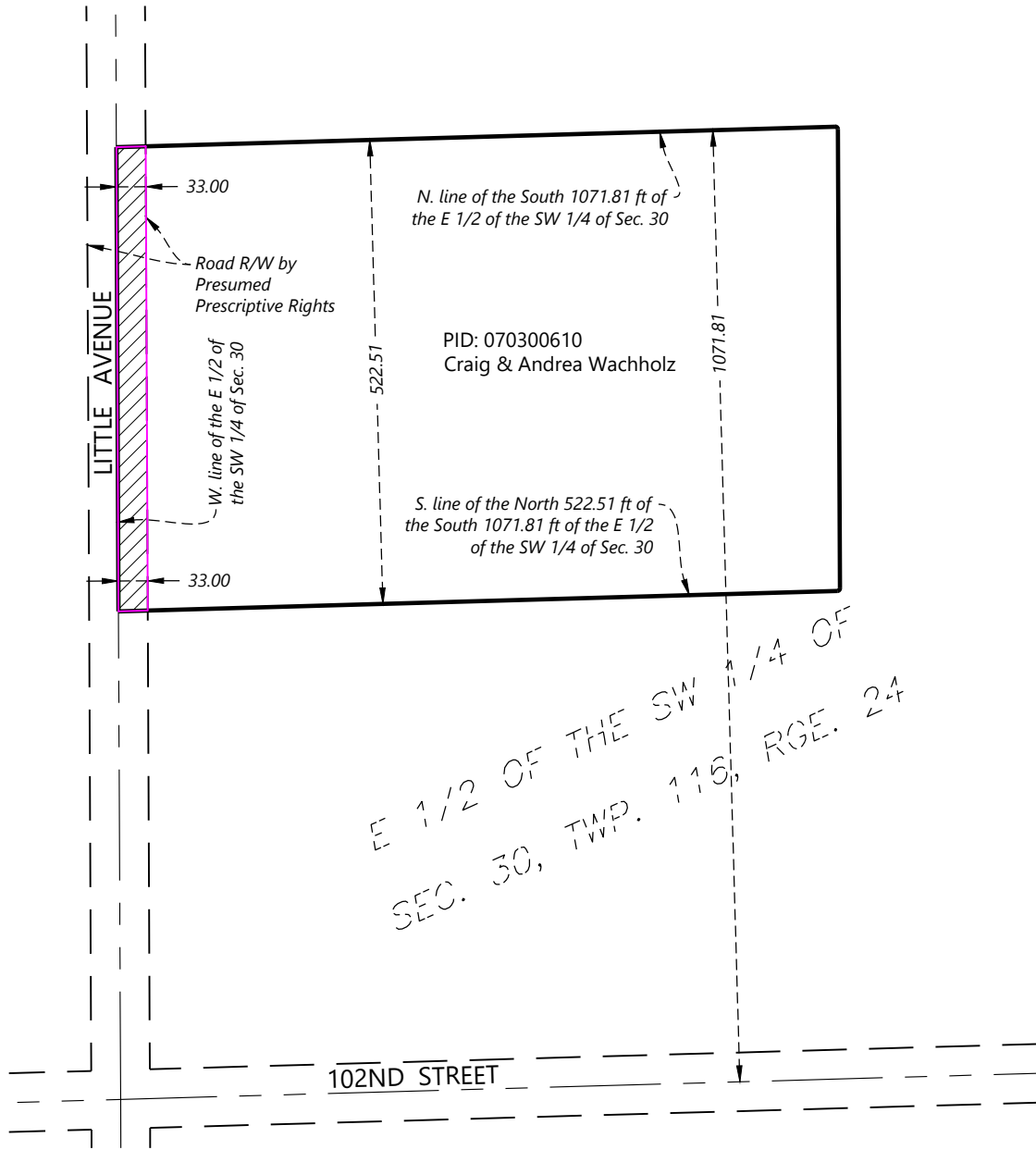
PROJECT NUMBER: 0042349.00

SHEET NUMBER:

1 OF 1

DATE: 01/24/2025

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CRAIG & ANDREA WACHHOLZ (0.40 ACRES)

The West 33.00 feet of the North 522.51 feet of the South 1071.81 feet of the East Half of the Southwest Quarter of Section 30, Township 116, Range 24



AREA TO BE ANNEXED



HOLBROOK

DESIGNED: _____
CHECKED: MJW
DRAWN: SRM
FIELD CREW: _____
FIELD WORK DATE: _____

HOLBROOK
WACONIA, MINNESOTA

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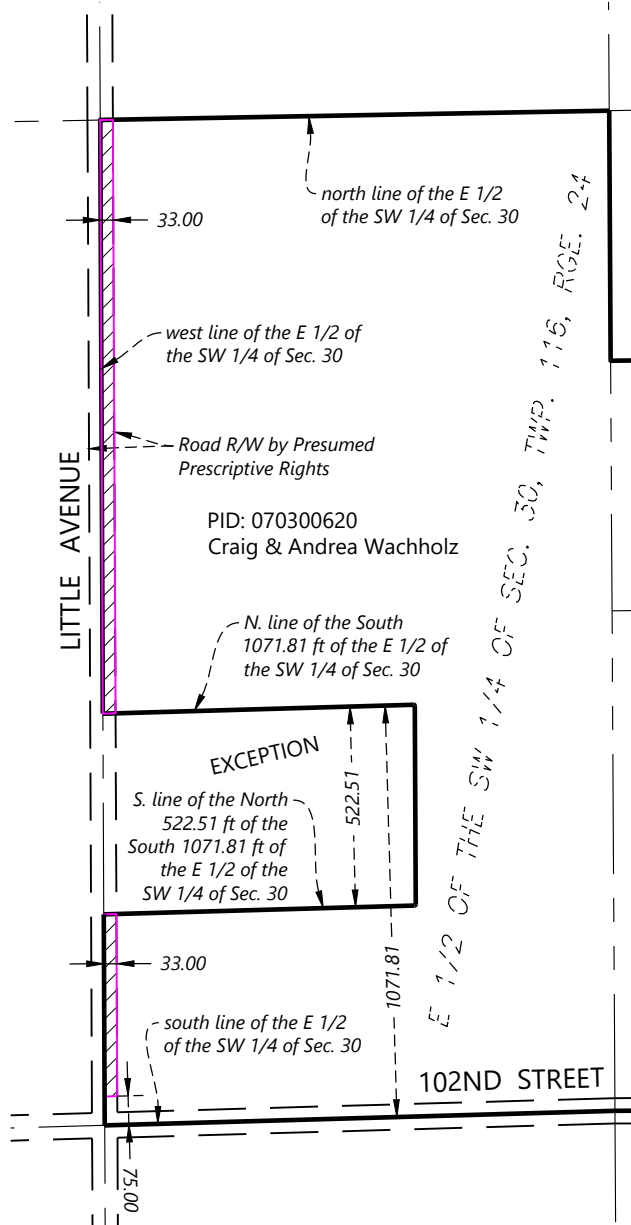
ANNEXATION EXHIBIT

PROJECT NUMBER: 0042349.00

SHEET NUMBER:

1 OF 1

DATE: 11/01/2024

**CRAIG & ANDREA WACHHOLZ (1.53 ACRES)**

The West 33.00 feet of the East Half of the Southwest Quarter of Section 30, Township 116, Range 24, Carver County, Minnesota, EXCEPT the South 75.00 feet and ALSO EXCEPT the North 522.51 feet of the South 1071.81 feet of the East Half of the Southwest Quarter.

**AREA TO BE ANNEXED**

HOLBROOK

DESIGNED: _____
 CHECKED: MJW
 DRAWN: SRM
 FIELD CREW: _____
 FIELD WORK DATE: _____

HOLBROOK
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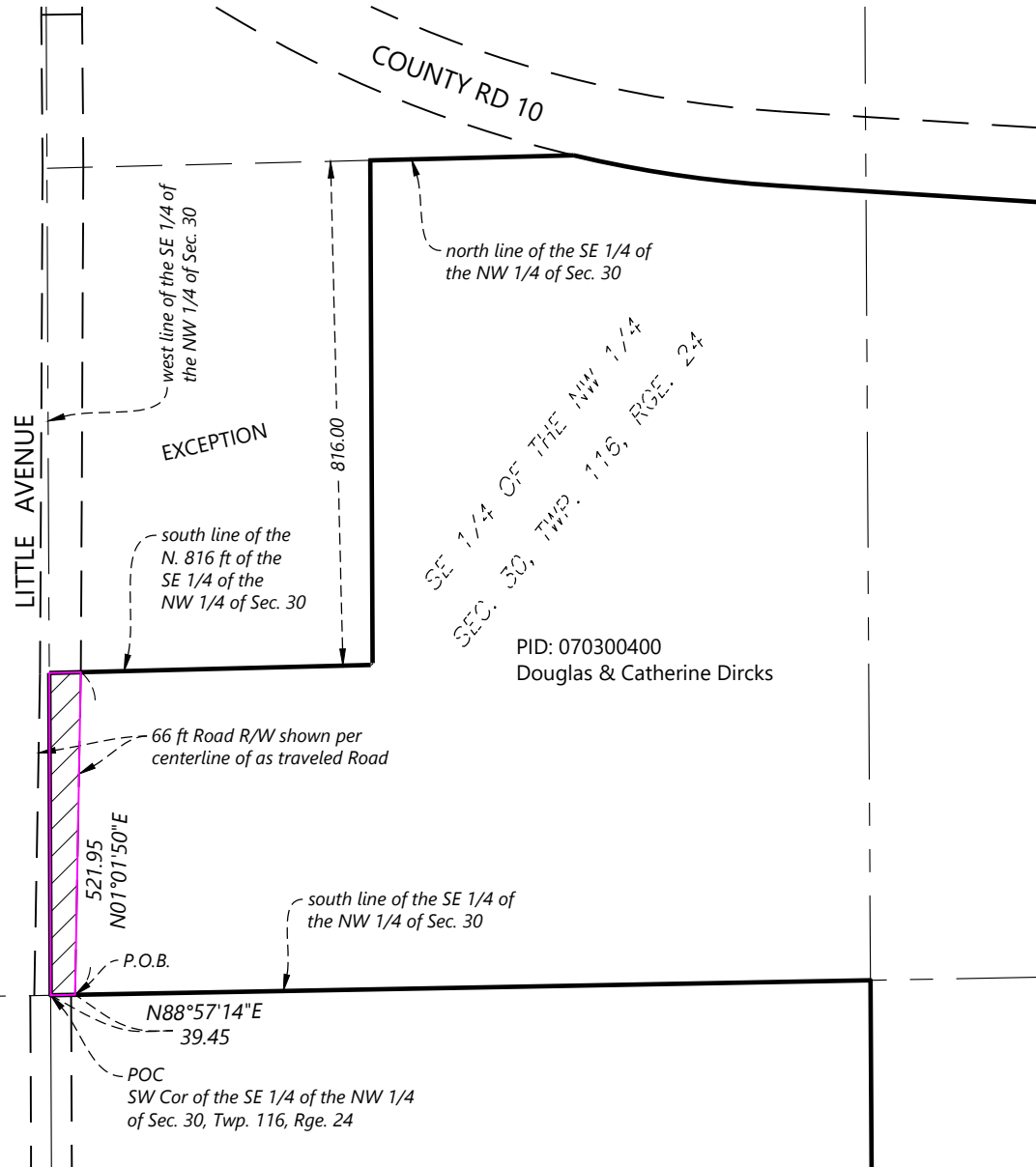
SHEET NUMBER:

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OF

1

DATE: 01/24/2025



DOUGLAS & CATHERINE DIRCKS (0.54 ACRES)
That part of the Southeast Quarter of the Northwest Quarter of Section 30, Township 116, Range 24, Carver County, Minnesota, lying south of the North 816.00 feet of said Southeast Quarter of the Northwest Quarter and lying westerly of the following described line:

Commencing at the southwest corner of said Southeast Quarter of the Northwest Quarter; thence North 88 degrees 57 minutes 14 seconds East, assumed bearing along the south line of said Southeast Quarter of the Northwest Quarter, a distance of 39.45 feet to the point of beginning of the line to be described; thence North 01 degree 01 minutes 50 second East, a distance of 521.95 feet to the south line of said North 816.00 feet and said line there terminating.



AREA TO BE ANNEXED



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HOLBROOK

DESIGNED: _____
CHECKED: MJW
DRAWN: SRM
FIELD CREW: _____
FIELD WORK DATE: _____

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ANNEXATION EXHIBIT

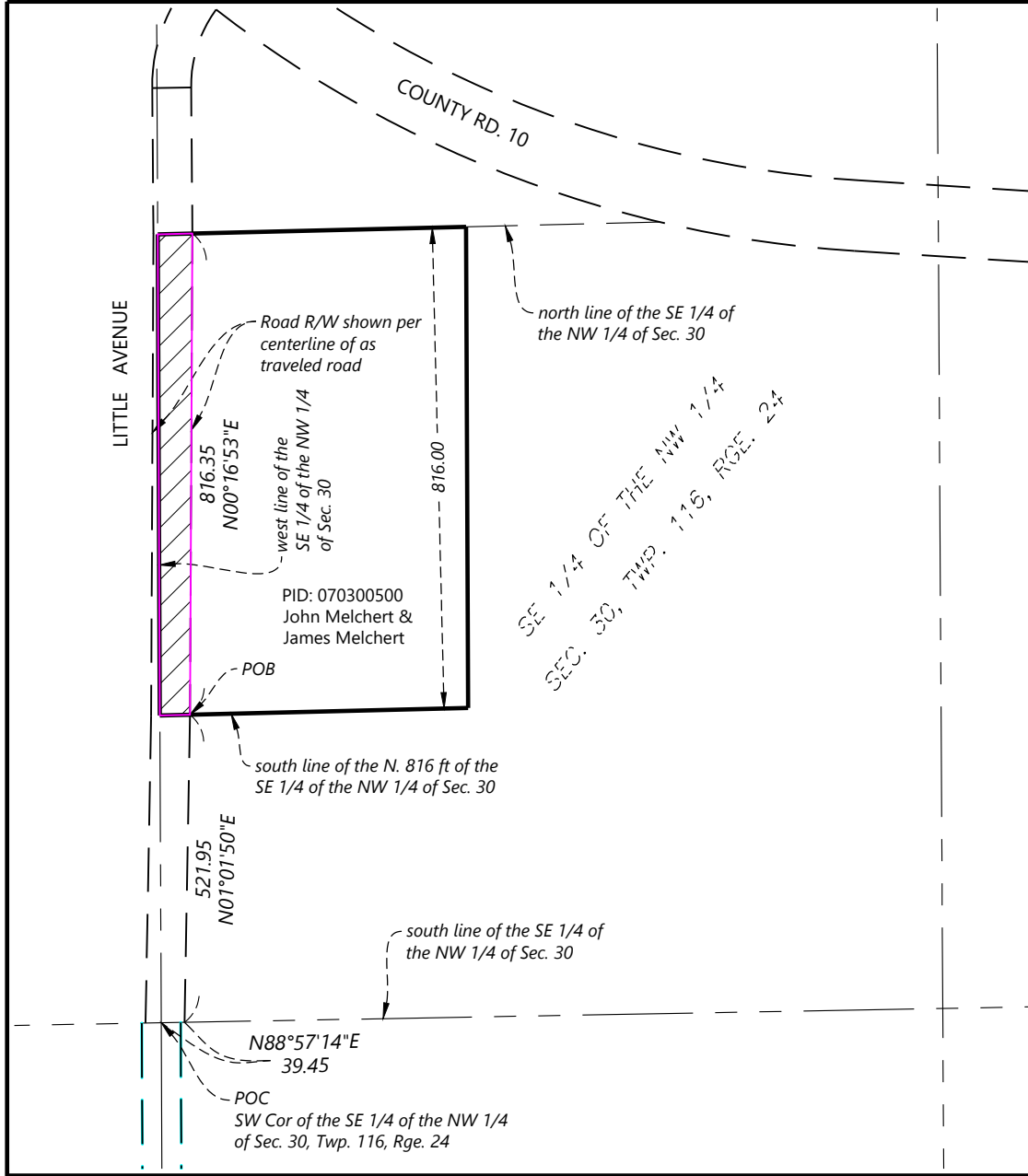
PROJECT NUMBER: 0042349.00

SHEET NUMBER:

1 OF 1

DATE: 11/01/2024

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JOHM MELCHERT & JAMES MELCHERT (1.03 ACRES)
That part of the Southeast Quarter of the Northwest Quarter of Section 30, Township 116, Range 24, Carver County, Minnesota, lying north of the south line of the North 816.00 feet of said Southeast Quarter of the Northwest Quarter and lying westerly of the following described line:

Commencing at the southwest corner of said Southeast Quarter of the Northwest Quarter; thence North 88 degrees 57 minutes 14 seconds East, assumed bearing along the south line of said Southeast Quarter of the Northwest Quarter, a distance of 39.45 feet; thence North 01 degree 01 minute 50 seconds East, a distance of 521.95 feet to the south line of said North 816.00 feet of the Southeast Quarter of the Northwest Quarter and to the point of beginning of the line to be described; thence North 00 degrees 16 minutes 53 seconds East, a distance of 816.35 feet to the north line of said Southeast Quarter of the Northwest Quarter and said line there terminating.



AREA TO BE ANNEXED



HOLBROOK

DESIGNED: _____
CHECKED: MJW
DRAWN: SRM
FIELD CREW: _____
FIELD WORK DATE: _____

HOLBROOK
WACONIA, MINNESOTA

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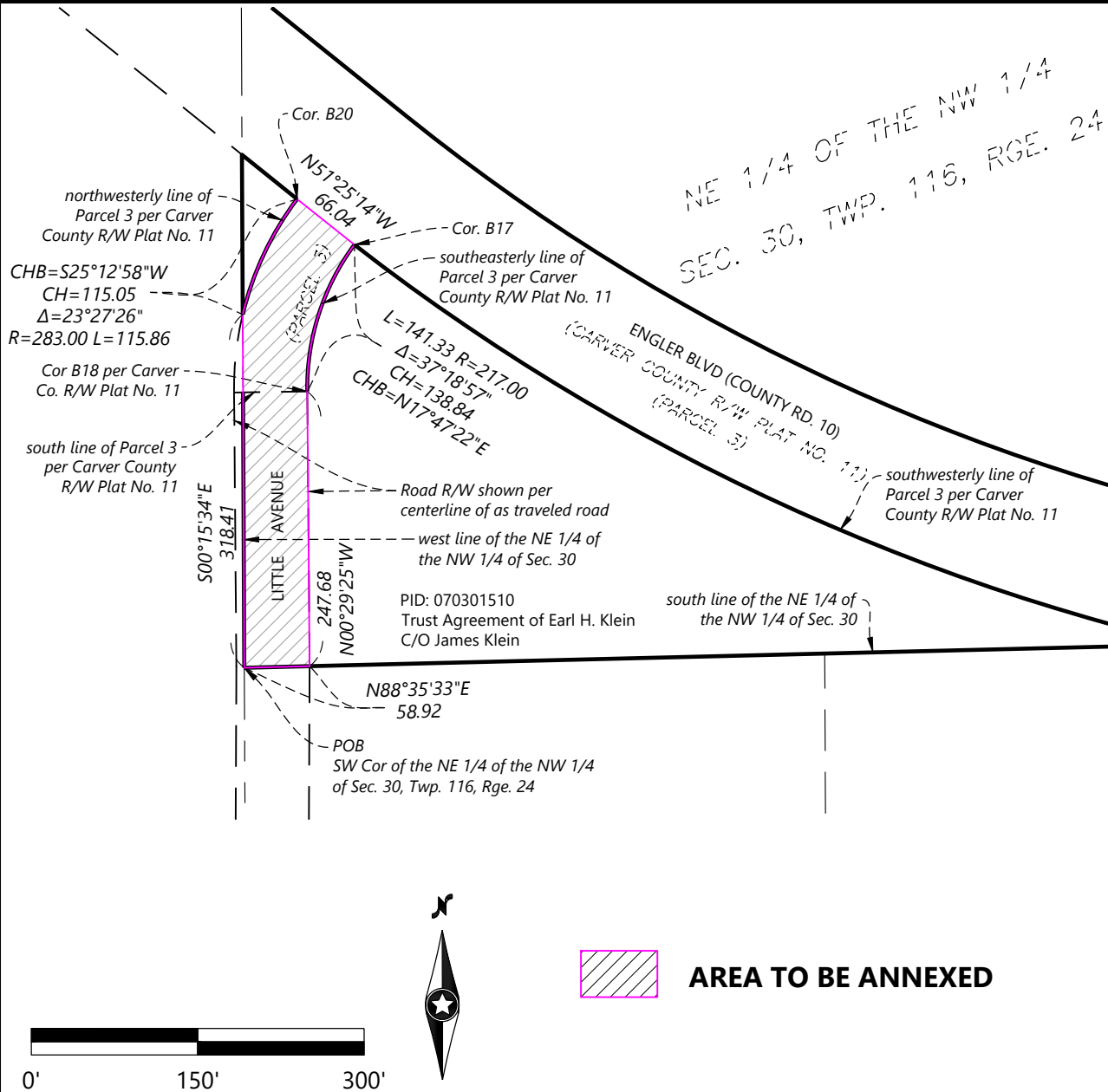
ANNEXATION EXHIBIT

PROJECT NUMBER: 0042349.00

SHEET NUMBER:

1 OF 1

DATE: 11/01/2024



TRUST AGREEMENT OF EARL KLEIN (0.57 ACRES)
That part of the Northeast Quarter of the Northwest Quarter of Section 30, Township 116, Range 24, Carver County, Minnesota, described as follows:

Beginning at the southwest corner of said Northeast Quarter of the Northwest Quarter; thence North 88 degrees 35 minutes 33 seconds East, assumed bearing along the south line of said Northeast Quarter of the Northwest Quarter, a distance of 58.92 feet; thence North 00 degrees 29 minutes 25 seconds West, a distance of 247.68 feet to corner B18 per Carver County Right of Way Plat Number 11; thence northeasterly along a non-tangential curve and along the southeasterly right of way line per said Carver County Right of Way Plat Number 11, concave to the southeast, having a central angle of 37 degrees 18 minute 57 seconds, a radius of 217.00 feet for an arc distance of 141.33 feet to corner B17 per said Carver County Right of Way Plat Number 11, the chord of said curve bears North 17 degrees 47 minutes 22 seconds East; thence North 51 degrees 25 minutes 14 seconds West, not tangent to said curve, a distance of 66.04 feet to corner B20 per said Carver County Right of Way Plat Number 11; thence southerly along a non-tangential curve, concave to the southeast having a central angle of 23 degrees 27 minutes 26 seconds, a radius of 283.00 feet for an arc distance of 115.86 feet to the west line of said Northeast Quarter of the Northwest Quarter, the chord of said curve bears South 25 degrees 12 minutes 58 seconds West; thence South 00 degrees 15 minutes 34 seconds East, not tangent to said curve and along said west line, a distance of 318.41 feet to the point of beginning.

DESIGNED: _____
CHECKED: MJW
DRAWN: SRM
FIELD CREW: _____
FIELD WORK DATE: _____

HOLBROOK
WACONIA, MINNESOTA

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ANNEXATION EXHIBIT

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DATE: 11/01/2024