

In the Matter of the Petition of
Rivers Development & Construction,
Inc. to Annex Certain Real Estate
Located in Wilson Township to the
City of Winona.

TO THE MINNESOTA MUNICIPAL BOARD:

Your petitioner respectfully represents and shows to the Board:

1. That Rivers Development & Construction, Inc. is
a Minnesota corporation.
2. That your petitioner is the sole owner of the following
described real estate situate in Wilson Township, Winona County,
Minnesota, to-wit:

The Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4)
of Section 2; the South Half of the Northeast Quarter (S 1/2 of
NE 1/4) of Section 2; the North Half of the Southeast Quarter (N 1/2
of SE 1/4) of Section 2; the Southwest Quarter of the Southeast
Quarter (SW 1/4 of SE 1/4) of Section 2; the East Half of the South-
west Quarter (E 1/2 of SW 1/4) of Section 2; the Northwest Quarter
of the Southwest Quarter (NW 1/4 of SW 1/4) of Section 2; the South
Half of the Southeast Quarter of the Northwest Quarter (S 1/2 of
SE 1/4 of NW 1/4) of Section 2; and the West Half of the Northeast
Quarter (W 1/2 of NE 1/4) of Section 11, all in Township 106 North
of Range 7, West of the Fifth Principal Meridian, Winona County,
Minnesota, excepting therefrom the following four parcels:

PARCEL 1

Beginning at a point 12 rods east of the northwest corner of the
Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4) of
said Section 2; thence west 12 rods to the northwest corner of
the Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4)
of said Section 2; thence south along the quarter line 18 rods;
thence east 4 rods; thence northeasterly to the place of beginning.

PARCEL 2

Commencing at the Northwest corner of the NE 1/4 of Section 2, Tp.
106, Rg. 7; thence east along the north line of said Section 2, a
distance of 198 feet to the point of beginning of the parcel to be

described; thence at a deflection angle to the right of $107^{\circ}16'$ a distance of 331.80 feet to the northerly right-of-way line of East Burns Valley Road; thence at a deflection angle to the right of $97^{\circ}13'$ and northwesterly along the northerly right-of-way line of East Burns Valley Road a distance of 38.40 feet; thence at a deflection angle to the right of $89^{\circ}26'$ a distance of 329.20 feet to the point of beginning containing 0.14 acres more or less.

PARCEL 3

That part of the NW 1/4 of the NE 1/4 of Section 2, Tp. 106, Rg. 7, Winona County, Minnesota, described as follows: Commencing at the Northwest corner of said NW 1/4 of the NE 1/4 of Section 2; thence Southerly along the West line of said NW 1/4 of the NE 1/4 a distance of 309.00 feet to a point in the center of County Highway No. 105; thence Southeasterly deflecting to the left of $65^{\circ}01'$ and along the center line of said County Highway No. 105, a distance of 209.30 feet; thence Southeasterly deflecting to the left $6^{\circ}28'$ and along said centerline, a distance of 65.00 feet to the point of beginning of the land to be described; thence Southwesterly deflecting to the right $76^{\circ}31'$, a distance of 248.03 feet; thence Southeasterly deflecting to the left $90^{\circ}00'$, a distance of 41.82 feet; thence Northeasterly deflecting to the left $90^{\circ}00'$, a distance of 238.00 feet to a point also on the centerline of said County State Aid Highway No. 105; thence Northwesterly deflecting to the left $76^{\circ}31'$ and along said centerline, a distance of 43.00 feet to the point of beginning, subject to the right-of-way of said County State Aid Highway No. 105.

PARCEL 4

Beginning at the Northeast corner of the NW 1/4 of the NE 1/4 of said Section 2; thence Westerly along the North line of said Section 2, a distance of 208.50 feet to the center of County Highway No. 105 (East Burns Valley Road); thence Southwesterly at a deflection angle to the left of $51^{\circ}33'$ and along the center of said County Highway No. 105, a distance of 217.30 feet; thence Southwesterly at a deflection angle to the right of $18^{\circ}35'$ and along the center of said County Highway No. 105, a distance of 300.20 feet; thence Southwesterly at a deflection angle to the right of $10^{\circ}51'$ and along the center of said County Highway No. 105, a distance of 186.20 feet; thence Southerly at a deflection angle to the left of $67^{\circ}16'$ a distance of 438.20 feet to an iron pipe monument; thence Easterly at a deflection angle to the left of $90^{\circ}33'$, a distance of 36.00 feet to an iron pipe monument; thence Southeasterly at a deflection angle to the right $86^{\circ}19'22''$, a distance of 60.09 feet to an iron pipe monument; thence Easterly at a deflection angle to the left of $80^{\circ}34'18''$ a distance of 377.11 feet to an iron pipe monument;

thence Southerly at a deflection angle to the right of $85^{\circ}16'56''$ a distance of 595.14 feet to an iron pipe monument; thence Southeasterly at a deflection angle to the left of $16^{\circ}51'36''$, a distance of 111.24 feet to an iron pipe monument; thence Southeasterly at a deflection angle to the left of $8^{\circ}31'21''$, a distance of 269.67 feet to an iron pipe monument; thence Southeasterly at a deflection angle to the left of $7^{\circ}01'53''$, a distance of 513.84 feet to an iron pipe monument; thence Southeasterly at a deflection angle to the left of $17^{\circ}48'$, a distance of 273.01 feet to an iron pipe monument; thence Southwesterly at a deflection angle to the right of $112^{\circ}52'17''$, a distance of 430.82 feet to an iron pipe monument; thence Southwesterly at a deflection angle to the left of $3^{\circ}43'47''$, a distance of 301.83 feet to an iron pipe monument; thence Southwesterly at a deflection angle to the left of $34^{\circ}55'40''$, a distance of 264.30 feet to an iron pipe monument; thence Southerly at a deflection angle to the left of $22^{\circ}30'$, a distance of 311.80 feet; thence Southerly at a deflection angle to the left of $2^{\circ}17'$, a distance of 301.55 feet; thence Southerly at a deflection angle to the left of $12^{\circ}40'$, a distance of 406.60 feet; thence Southerly at a deflection angle to the left of $5^{\circ}03'$, a distance of 381.00 feet; thence Southerly at a deflection angle to the left of $0^{\circ}35'$, a distance of 587.00 feet; thence Southerly at a deflection angle to the right of $3^{\circ}05'$, a distance of 146.55 feet; thence Southeasterly at a deflection angle to the left of $62^{\circ}59'$ a distance of 207.34 feet to the Southeast corner of the SW 1/4 of the SE 1/4 of said Section 2; thence Easterly along the South line of Section 2 to the Southeast corner of said Section 2; thence Northerly along the East line of the SE 1/4 of said Section 2 to the Northeast corner thereof; thence Northerly along the East line of the SE 1/4 of the NE 1/4 of said Section 2 to the Northeast corner thereof; thence Westerly along the North line of said SE 1/4 of the NE 1/4 to the Northwest corner thereof; thence Northerly along the East line of the NW 1/4 of said NE 1/4 of Section 2, to the point of beginning.

3. That the boundaries of the property are included in the following metes and bounds description:

Commencing at the northwest corner of the Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4) of Section Two (2), Township One Hundred Six (106) North, of Range Seven (7), West of the Fifth Principal Meridian; thence southerly along the west line of said NW 1/4 of NE 1/4, a distance of 309 feet to a point in the center of County Highway No. 105; thence southeasterly deflecting to the left $65^{\circ}01'$ and along the center line of said County Highway No. 105 a distance of 209.30 feet; thence southeasterly deflecting to the left $6^{\circ}28'$ and along said center line a distance of 65.00 feet; thence southwesterly deflecting to the

right $76^{\circ}31'$ a distance of 248.03 feet; thence southeasterly deflecting to the left 90° a distance of 41.82 feet; thence northeasterly deflecting to the left 90° a distance of 205.00 feet more or less to a point on the south line of said County Highway No. 105 for the point of beginning of the land to be described; thence continuing along the northeasterly extension of the last described line to the north line of County Highway No. 105; thence northwesterly along the north line of County Highway No. 105 to its intersection with the west line of the NW $1/4$ of the NE $1/4$ of said Section 2; thence returning along the last described line 104.40 feet; thence northeasterly 331.80 feet to the north line of said NW $1/4$ of the NE $1/4$; thence east on the north line of said NW $1/4$ of the NE $1/4$ to a point in the center line of County Highway No. 105, 208.50 feet westerly of the northeast corner thereof; thence southwesterly at a deflection angle to the left of $51^{\circ}33'$ and along the center of said County Highway No. 105, a distance of 217.30 feet; thence southwesterly at a deflection angle to the right of $18^{\circ}35'$ and along the center of said County Highway No. 105, a distance of 300.20 feet; thence southwesterly at a deflection angle to the right of $10^{\circ}51'$ and along the center of said County Highway No. 105, a distance of 186.20 feet; thence southerly at a deflection angle to the left of $67^{\circ}16'$ a distance of 438.20 feet to an iron pipe monument; thence easterly at a deflection angle to the left of $90^{\circ}33'$, a distance of 36.00 feet to an iron pipe monument; thence southeasterly at a deflection angle to the right $86^{\circ}19'22''$, a distance of 60.09 feet to an iron pipe monument; thence Easterly at a deflection angle to the left of $80^{\circ}34'18''$ a distance of 377.11 feet to an iron pipe monument; thence southerly at a deflection angle to the right of $85^{\circ}16'56''$ a distance of 595.14 feet to an iron pipe monument; thence southeasterly at a deflection angle to the left of $16^{\circ}51'36''$, a distance of 111.24 feet to an iron pipe monument; thence southeasterly at a deflection angle to the left of $8^{\circ}31'21''$, a distance of 269.67 feet to an iron pipe monument; thence southeasterly at a deflection angle to the left of $7^{\circ}01'53''$, a distance of 513.84 feet to an iron pipe monument; thence southeasterly at a deflection angle to the left of $17^{\circ}48'$, a distance of 273.01 feet to an iron pipe monument; thence southwesterly at a deflection angle to the right of $112^{\circ}52'17''$, a distance of 430.82 feet to an iron pipe monument; thence southwesterly at a deflection angle to the left of $3^{\circ}43'47''$, a distance of 301.83 feet to an iron pipe monument; thence southwesterly at a deflection angle to the left of $34^{\circ}55'40''$, a distance of 264.30 feet to an iron pipe monument; thence southerly at a deflection angle to the left of $22^{\circ}30'$, a distance of 311.80 feet; thence southerly at a deflection angle to the left of $2^{\circ}17'$ a distance of 301.55 feet; thence southerly at a deflection angle to the left of $12^{\circ}40'$, a distance of 406.60 feet; thence southerly at a deflection angle to the left of $5^{\circ}03'$, a distance of 381.00 feet; thence southerly at a deflection angle to the left of $0^{\circ}35'$, a distance of 587.00 feet; thence southerly at a deflection angle

to the right of $3^{\circ}05'$, a distance of 146.55 feet; thence southeasterly at a deflection angle to the left of $62^{\circ}59'$ a distance of 207.34 feet to the southeast corner of the SW 1/4 of the SE 1/4 of said Section 2; thence southerly and along the east line of the West One-Half of the Northeast Quarter (W 1/2 of NE 1/4) of Section Eleven (11), Township One Hundred Six (106) North, of Range Seven (7) West to the east-west quarter line of said section; thence west on the east-west quarter line of said section to the west line of the NE 1/4 of said Section 11; thence north on the west line of said NE 1/4 of said Section 11 to the northwest corner of the NE 1/4 of said Section 11; thence west along the north line of said Section 11 and the south line of said Section 2 to the southwest corner of the SE 1/4 of the SW 1/4 of Section 2; thence north on the west line of said SE 1/4 of SW 1/4 to the northwest corner thereof; thence west on the south line of the NW 1/4 of the SW 1/4 of said Section 2 to the southwest corner thereof; thence north on the west line of the NW 1/4 of the SW 1/4 of said Section 2 to the northwest corner thereof; thence east on the north line of said NW 1/4 of the SW 1/4 to the northeast corner thereof; thence north on the west line of the SE 1/4 of the NW 1/4 of said Section 2 to the east-west center line of the SE 1/4 of the NW 1/4 of said Section 2; thence east on said east-west center line to the east line of the SE 1/4 of the NW 1/4; thence north on the east line of the SE 1/4 of the NW 1/4 and the east line of the NE 1/4 of the NW 1/4 to its intersection with the center line of County State Aid Highway No. 105; thence southeasterly deflecting to the left $65^{\circ}01'$ and along the center line of said County Highway No. 105 a distance of 209.30 feet; thence southeasterly deflecting to the left $6^{\circ}28'$ and along said center line a distance of 65.00 feet; thence southwesterly deflecting to the right $76^{\circ}31'$ a distance of 248.03 feet; thence southeasterly deflecting to the left 90° a distance of 41.82 feet; thence deflecting to the left 90° , 205.00 feet more or less to the point of beginning.

4. It is the intention that that portion of County Highway No. 105 running through the property sought to be annexed shall be included in the annexation.

5. That the property above described abuts the city limits of the City of Winona and the property above described contains approximately 331 acres.

6. That your petitioner seeks by this Petition the order of the Minnesota Municipal Board to annex the above described

real estate to the City of Winona pursuant to Minnesota Statutes 414.031.

7. That the real estate above described is about to become urban or suburban in character and the annexation of the real estate above described would be in the best interest of the property proposed for annexation.

8. That the remainder of Wilson Township can continue to carry out the functions of government without undue hardship.

9. That the parties entitled to notice of a hearing on this Petition are as follows:

City of Winona	c/o James G. Pomeroy City Clerk City Hall Fourth & Lafayette Streets Winona, MN 55987
Wilson Township	c/o Laurene Babler Township Clerk Route 2, Box 277 Winona, MN 55987
Winona County Planning Commission	c/o Norman Indall 509 Glenview Court Winona, MN 55987
Winona County Board	c/o Catherine Sherwood Winona County Auditor Winona County Courthouse Winona, MN 55987
City of Winona Planning Commission	c/o Mark Moeller, Secretary City Building Fourth & Lafayette Streets Winona, MN 55987

WHEREFORE, your petitioner prays the order of the Minnesota

Municipal Board annexing the real estate above described to the City of Winona.

Dated this 31st day of July, 1985.

RIVERS DEVELOPMENT &
CONSTRUCTION, INC.

By *Michael J. Rivers*
Michael J. Rivers
President

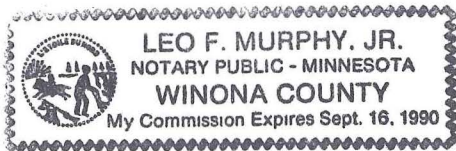
STATE OF MINNESOTA)
) ss.
COUNTY OF WINONA)

Michael J. Rivers, being first duly sworn on oath deposes and says that he is the President of Rivers Development & Construction, Inc., a Minnesota corporation, named in the foregoing Petition, that he has read the foregoing Petition and knows the contents thereof and that the same is true of his own knowledge.

Michael J. Rivers
Michael J. Rivers

Subscribed and sworn to before me
this 31st day of July, 1985.

Leo F. Murphy Jr.
Notary Public
Winona County, Minnesota
My Commission Expires:



STATE OF MINNESOTA)
) ss
COUNTY OF WINONA)

AFFIDAVIT OF SERVICE

Leo F. Murphy, Jr., being duly sworn, on oath says that he served a true and correct copy of the attached Petition on Laurene Babler, the Clerk of the Town Board of Wilson, by handing to and leaving with Laurene Babler a true and correct copy thereof at 4:45 o'clock P.M. on August 2, 1985.

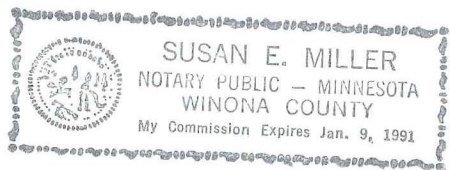
Leo F. Murphy, Jr.

Leo F. Murphy, Jr.

Subscribed and sworn to before me
this 2nd day of August, 1985.

Susan E. Miller

Notary Public
Winona County, Minnesota
My Commission Expires:



RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF WINONA, MINNESOTA

WHEREAS, Rivers Development & Construction, Inc., a Minnesota corporation, has prepared and signed a petition to the Minnesota Municipal Board for the annexation of certain real estate described as follows to the City of Winona:

The Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4) of Section 2; the South Half of the Northeast Quarter (S 1/2 of NE 1/4) of Section 2; the North Half of the Southeast Quarter (N 1/2 of SE 1/4) of Section 2; the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) of Section 2; the East Half of the Southwest Quarter (E 1/2 of SW 1/4) of Section 2; the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4) of Section 2; the South Half of the Southeast Quarter of the Northwest Quarter (S 1/2 of SE 1/4 of NW 1/4) of Section 2; and the West Half of the Northeast Quarter (W 1/2 of NE 1/4) of Section 11, all in Township 106 North of Range 7, West of the Fifth Principal Meridian, Winona County, Minnesota, excepting therefrom the following four parcels:

PARCEL 1

Beginning at a point 12 rods east of the northwest corner of the Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4) of said Section 2; thence west 12 rods to the northwest corner of the Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4) of said Section 2; thence south along the quarter line 18 rods; thence east 4 rods; thence northeasterly to the place of beginning.

PARCEL 2

Commencing at the Northwest corner of the NE 1/4 of Section 2, Tp. 106, Rg. 7; thence east along the north line of said Section 2, a distance of 198 feet to the point of beginning of the parcel to be described; thence at a deflection angle to the right of 107°16' a distance of 331.80 feet to the northerly right-of-way line of East Burns Valley Road; thence at a deflection angle to the right of 97°13' and northwesterly along the northerly right-of-way line of East Burns Valley Road a distance of 38.40 feet; thence at a deflection angle to the right of 89°26' a distance of 329.20 feet to the point of beginning containing 0.14 acres more or less.

PARCEL 3

That part of the NW 1/4 of the NE 1/4 of Section 2, Tp. 106, Rg. 7,

Winona County, Minnesota, described as follows: Commencing at the Northwest corner of said NW 1/4 of the NE 1/4 of Section 2; thence Southerly along the West line of said NW 1/4 of the NE 1/4 a distance of 309.00 feet to a point in the center of County Highway No. 105; thence Southeasterly deflecting to the left of 65°01' and along the center line of said County Highway No. 105, a distance of 209.30 feet; thence Southeasterly deflecting to the left 6°28' and along said centerline, a distance of 65.00 feet to the point of beginning of the land to be described; thence Southwesterly deflecting to the right 76°31', a distance of 248.03 feet; thence Southeasterly deflecting to the left 90°00', a distance of 41.82 feet; thence Northeasterly deflecting to the left 90°00', a distance of 238.00 feet to a point also on the centerline of said County State Aid Highway No. 105; thence Northwesterly deflecting to the left 76°31' and along said centerline, a distance of 43.00 feet to the point of beginning, subject to the right-of-way of said County State Aid Highway No. 105.

PARCEL 4

Beginning at the Northeast corner of the NW 1/4 of the NE 1/4 of said Section 2; thence Westerly along the North line of said Section 2, a distance of 208.50 feet to the center of County Highway No. 105 (East Burns Valley Road); thence Southwesterly at a deflection angle to the left of 51°33' and along the center of said County Highway No. 105, a distance of 217.30 feet; thence Southwesterly at a deflection angle to the right of 18°35' and along the center of said County Highway No. 105, a distance of 300.20 feet; thence Southwesterly at a deflection angle to the right of 10°51' and along the center of said County Highway No. 105, a distance of 186.20 feet; thence Southerly at a deflection angle to the left of 67°16' a distance of 438.20 feet to an iron pipe monument; thence Easterly at a deflection angle to the left of 90°33', a distance of 36.00 feet to an iron pipe monument; thence Southeasterly at a deflection angle to the right 86°19'22", a distance of 60.09 feet to an iron pipe monument; thence Easterly at a deflection angle to the left of 80°34'18" a distance of 377.11 feet to an iron pipe monument; thence Southerly at a deflection angle to the right of 85°16'56" a distance of 595.14 feet to an iron pipe monument; thence Southeasterly at a deflection angle to the left of 16°51'36", a distance of 111.24 feet to an iron pipe monument; thence Southeasterly at a deflection angle to the left of 8°31'21", a distance of 269.67 feet to an iron pipe monument; thence Southeasterly at a deflection angle to the left of 7°01'53", a distance of 513.84 feet to an iron pipe monument; thence Southeasterly at a deflection angle to the left of 17°48', a distance of 273.01 feet to an iron pipe monument; thence Southwesterly at a deflection angle to the right of 112°52'17", a distance of 430.82 feet to an iron pipe monument; thence Southwesterly at a deflec-

tion angle to the left of 3°43'47", a distance of 301.83 feet to an iron pipe monument; thence Southwesterly at a deflection angle to the left of 34°55'40", a distance of 264.30 feet to an iron pipe monument; thence Southerly at a deflection angle to the left of 22°30', a distance of 311.80 feet; thence Southerly at a deflection angle to the left of 2°17', a distance of 301.55 feet; thence Southerly at a deflection angle to the left of 12°40', a distance of 406.60 feet; thence Southerly at a deflection angle to the left of 5°03', a distance of 381.00 feet; thence Southerly at a deflection angle to the left of 0°35', a distance of 587.00 feet; thence Southerly at a deflection angle to the right of 3°05', a distance of 146.55 feet; thence Southeasterly at a deflection angle to the left of 62°59' a distance of 207.34 feet to the Southeast corner of the SW 1/4 of the SE 1/4 of said Section 2; thence Easterly along the South line of Section 2 to the Southeast corner of said Section 2; thence Northerly along the East line of the SE 1/4 of said Section 2 to the Northeast corner thereof; thence Northerly along the East line of the SE 1/4 of the NE 1/4 of said Section 2 to the Northeast corner thereof; thence Westerly along the North line of said SE 1/4 of the NE 1/4 to the Northwest corner thereof; thence Northerly along the East line of the NW 1/4 of said NE 1/4 of Section 2, to the point of beginning.

and

WHEREAS, said property above described abuts the city limits of the City of Winona, and

WHEREAS, the real estate sought to be annexed to the City of Winona in said petition is about to become urban or suburban in character and the annexation of the real estate above described to the City of Winona would be in the best interests of the property proposed for annexation, and

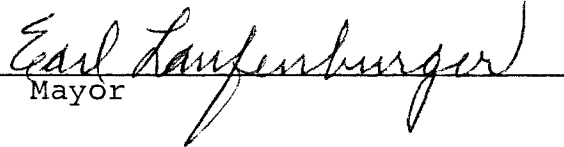
WHEREAS, the remainder of Wilson Township can continue to carry out the functions of government without undue hardship if said real estate is annexed, and

WHEREAS, Rivers Development & Construction, Inc. has

requested the City of Winona to annex said property.

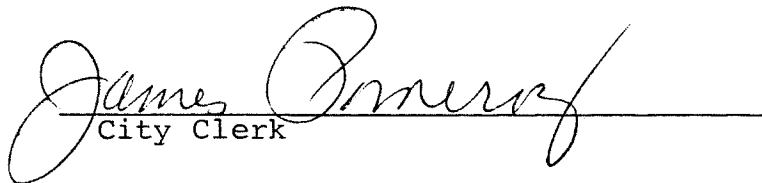
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Winona does hereby request the Minnesota Municipal Board to consider annexation of the property above described to the City of Winona. This resolution shall be adopted subject to recommendations of the City's Final Annexation Feasibility Report.

Passed at Winona, Minnesota, this 5th day of August, 1985.



Mayor

Attested by:



City Clerk