

DEPARTMENT OF ADMINISTRATION
STATE OF MINNESOTA
BEFORE THE ACTING DIRECTOR OF
STRATEGIC AND LONG RANGE PLANNING

<p>-----</p> <p>IN THE MATTER OF THE PETITION FOR) THE ANNEXATION OF CERTAIN LAND TO) THE CITY OF GOODVIEW PURSUANT TO) MINNESOTA STATUTES 414)</p> <p>-----</p>	<p>))))</p>	<p style="text-align: center;"><u>NOTICE OF</u> <u>HEARING CANCELLATION</u> AND <u>ORDER TO DISMISS</u></p>
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WHEREAS, a petition requesting the annexation of certain property from the Town of Rollingstone to the City of Goodview was filed with the Office of Strategic and Long-Range Planning (hereinafter referred to as “Minnesota Planning”) pursuant to Minnesota Statutes 414.031, Subd. 1(a)(3) on March 24, 2003; and

WHEREAS, on May 9, 2003, the Acting Director of Strategic and Long Range Planning, directed the matter to mediation; and

WHEREAS, pursuant to statutory requirements a hearing was convened on the petition on May 20, 2003, after due and appropriate legal notice, and was continued to an indefinite date to allow the parties time to complete the mediation process; and

WHEREAS, the parties elected to choose their own mediator and on June 16, 2003, the parties notified this office that Terrence Merritt had been selected as mediator; and

WHEREAS, the parties scheduled mediation and reached a tentative agreement on contested issues and drafted an Orderly Annexation Agreement; and

WHEREAS, on August 15, 2003, the Executive Director of Municipal Boundary Adjustments (hereinafter “MBA”) at the Department of Administration received an Orderly

Annexation Agreement between the City of Goodview and the Town of Rollingstone representing settlement of the underlying dispute; and

WHEREAS, the Orderly Annexation Agreement designates certain land for orderly annexation and requests the immediate annexation of said land; and

WHEREAS, the City of Goodview requests that its petition for annexation pursuant to Minnesota Statutes 414.031, Subd. 1(a)(3) be withdrawn and that the MBA Docket A-6848 Goodview be closed. The City also requested that the filing fee from MBA Docket A-6848 Goodview be transferred to the orderly annexation agreement files (MBA Dockets OA-953 and OA-953-1); and that the continued hearing be canceled pursuant to the terms of the Orderly Annexation Agreement as executed between the parties; and

WHEREAS, on September 12, 2003, the Acting Director of Strategic and Long Range Planning granted the City's request to withdraw the petition; canceled the continued hearing; and closed MBA Docket A-6848 Goodview; and

WHEREAS, on September 12, 2003 the Acting Director denied the request to transfer the filing fee;

WHEREAS, having received a filing fee for the orderly annexation files:

IT IS HEREBY ORDERED: That the petition for annexation of certain property to the City of Goodview described as:

That part of the East Half of the Northeast Quarter of Section 11, Township 107, Range 8, Winona County, Minnesota, lying southwesterly of the northeasterly line of the Canadian Pacific Railroad, and lying northeasterly of the southwesterly line of State Highway Right of Way Plat No. 85-3, according to the recorded plat thereof, said Winona County.

Also, all that part of said East Half of the Northeast Quarter, lying northerly of the following described Line 1, and lying westerly of the following described Line 2 and its extensions:

Line 1 is described as commencing at the southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 11; thence northerly along the east line of said East Half of the Northeast Quarter, 412.50 feet to the

northeasterly corner of the property described in Book 106 of Deeds, Page 211, on file in the Office of the County Recorder in and for said Winona County; thence westerly along the northerly line of said property described in Book 106, Page 211, a distance of 429 feet to the northwesterly corner of said property described in Book 106, Page 211, also being a point of the center line of Wenonah Road; thence southwestward along a line drawn at right angles to said center line, 33.00 feet to the southerly line of said Wenonah Road; thence westerly along the southerly line of said Wenonah Road to the northeasterly line of said Canadian Pacific Railroad; thence in a generally northwesterly direction along said northeasterly line of the Canadian Pacific Railroad to the west line of said East Half of the Northeast Quarter, and said herein described Line 1 there terminating.

Line 2 is described as commencing at the southeast corner of the Northeast Quarter of said Section 11; thence North along the east line of said Section 11, a distance of 1738.8 feet; thence on a line deflecting 101 degrees 36 minutes 30 seconds left, a distance of 49.27 feet to the point of beginning of said Line 2; thence on a line deflecting 101 degrees 31 minutes 30 seconds right a distance of 90 feet; thence on a line deflecting 90 degrees left a distance of 120 feet; thence on a line deflecting 90 degrees right a distance of 720 feet; thence on a line deflecting 90 degrees left a distance of 120 feet; thence on line deflecting 90 degrees right a distance of 117 feet, more or less, to the north line of said East Half of the Northeast Quarter, and said herein described Line 2 there terminating.

Excepting therefrom all that part of said Northeast Quarter of the Northeast Quarter of Section 11, lying within the boundaries of the following described property:

Beginning at a point on the south line of the Southeast Quarter of the Southeast Quarter of Section 2, Township 107 North of Range 8 West; said point being 78 feet east of the southwest corner of said Southeast Quarter of the Southeast Quarter; thence West along the section line 259 feet to the division line between the property of O.M. Lord and the property of the estate of Otto Groost, deceased; thence southeasterly along said division line, 142 feet to a point; thence North 54 degrees 30 minutes East, 272 feet more or less to the point of beginning.

Also excepting therefrom all that part of said Northeast Quarter of the Northeast Quarter described as follows:

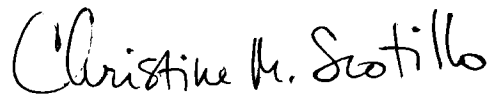
Beginning at a point South 35 degrees 15 minutes East 10.75 chains from the N.W. corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. No. 11, T.107N. R.8West. Thence North 84 degrees West, 1.30 chains, thence South 78 degrees 15 minutes West, 1.25 chains, thence South 39 degrees 15 minutes West, 1.56 chains, thence South 53 degrees 45 minutes West 1.55 chains, thence South 76 degrees 00 minutes West, 1.43 chains to the northerly boundary line of the Right of Way of the Canadian Pacific Railroad (former Chicago, Milwaukee and St. Paul Railway Co.), thence South 34 degrees 00 minutes East 2.56 chains along said North right of way line to the center of public road, thence South 54 degrees 45 minutes East 0.73 chains, thence

North 57 degrees 00 minutes East 4.59 chains, thence North 6½ degrees East 2.57 chains to the place of beginning containing 1.40 acres.

is withdrawn, the continued hearing in this matter is canceled, and MBA Docket A-6848 Goodview is closed without prejudice.

Dated this 12th day of September, 2003.

For the Acting Director of Strategic &
Long Range Planning
658 Cedar Street - Room 300
St. Paul, Minnesota 55155

A handwritten signature in black ink that reads "Christine M. Scotillo". The signature is written in a cursive style with a large initial 'C'.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments