

STATE OF MINNESOTA

COUNTY OF McLEOD

PETITION FOR ANNEXATION

I.

Alice G. Lueck is the owner of the lands described in Exhibit "A". Said lands are subject to a Purchase Agreement wherein Trailhead Land Development Corporation is the purchaser. Said purchaser joins said owner in this Petition for Annexation. The Petitioners, Alice G. Lueck and Trailhead Land Development Corporation, a corporation organized and existing under the Laws of the State of Minnesota, being the Petitioners hereinbelow request the City of Winsted, Minnesota, to annex the following described lands:

AS PER ATTACHED EXHIBIT "A" WHICH IS INCORPORATED HEREIN BY REFERENCE AS THOUGH FULLY SET FORTH IN FULL.

II.

Petitioners desire to annex the above described lands due to the fact that the current limits of the City of Winsted abut the above described premises. The said lands are unplatted and are approximately 120 acres in size. No petition for annexation of any part of said lands is presently before the commission.

III.

The undersigned Petitioner believes that said lands are now or about to become urban or suburban in character and that the annexation of said lands to the City of Winsted would be in the best interest of the City of Winsted. The reasons for the annexation in the above mentioned matter are as follows: To allow said lands to benefit from utilities and services that the City of Winsted can provide.

IV.

This Petition is brought pursuant to Minnesota Statutes Section 414.033, Subd. 5.

V.

Petitioners Alice G. Lueck and Trailhead Land Development Corporation hereby acknowledge the contents of Minnesota Statutes Section 414.033, Subd. 13, which states as follows:

"Subd. 13. Electric Utility Service Notice. At least sixty (60) days before Petition is filed under Section 414.0325 or this Section, the Petitioner must notify the municipality that Petitioner intends to file a Petition for annexation. At least thirty (30) days before a Petition is filed for annexation, Petitioner must be notified by the municipality that the cost of electric utility service to the Petitioner may change if the land is annexed to the municipality. The notice must include an estimate of the cost impact of any change in electric utility services, including rate changes and assessments, resulting from the annexation."

The Petitioner further waives any 30-day prior notification of the City of Winsted as referred to in Minnesota Statutes Section 414.033, Subd. 13. The Petitioner waives any such prior notification by the City of Winsted that the cost of electric utility service to the Petitioner may change if the land is annexed to the City of Winsted. Petitioner further waives any such prior notification by the City of Winsted including an estimate of the cost impact of any change in electric utility services, including rate changes and assessments as a result of this proposed annexation. The Petitioner waives such reference to Minnesota Statutes Section 414.033, Subd. 13 since they are fully aware of said Statute and the Petitioner is directly involved in the development of the lands to be annexed, including the fact that said lands currently are serviced by McLeod County Cooperative Power and there is a possibility the same may be served by Northern States Power following annexation. The Petitioner acknowledges that the City of Winsted cannot guarantee which electrical utility company will service the lands to be annexed. The Petitioner further certifies that it is aware that the City is not able to estimate the cost impact of any annexation, any change in electrical utility

that the City is not able to estimate the cost impact of any annexation, any change in electrical utility company, any rate changes, or assessments which might result from the annexation and/or use of the premises.

VI.

The fee owner of the subject premises is Alice G. Lueck, a single person. Said fee owner is the seller on a Purchase Agreement to Trailhead Land Development Corporation. Said Purchase Agreement is subject to the real estate herein described being annexed to the City of Winsted.

WHEREFORE, PETITIONER PRAYS :

I.

That said annexation is approved by the authorities prescribed by law.

II.

That the City of Winsted annex said premises by Ordinance as provided by Law.

Dated at Winsted, Minnesota this 10 day of March, 2005.

Alice G. Lueck
Alice G. Lueck

TRAILHEAD LAND DEVELOPMENT CORPORATION
By George N. Nelson, Jr.
George N. Nelson, Jr., Its President

REC'D BY
MMS
2/23/2005

STATE OF MINNESOTA)
) ss.
COUNTY OF McLEOD)

The foregoing instrument was acknowledged before me this 10 day of March, 2005 by Alice G. Lueck, a single person

Susan M. Morrisette
Notary Public



STATE OF MINNESOTA)
) ss.
COUNTY OF Hennepin)

The foregoing instrument was acknowledged before me this 24th day of February, 2005 by George N. Nelson, the President of Trailhead Land Development Corporation., a corporation organized and existing under the laws of the State of Minnesota, on behalf of the corporation.

Rebecca M. Brown
Notary Public



THIS INSTRUMENT WAS DRAFTED BY:
Francis J. Eggert (#26001)
Attorney at Law

The Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) and the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$), all in Section 14, Township 117 North, Range 27 West, and all that part of said Section 14, Township 117 North, Range 27 West, which is described as follows: Commencing at a point on the west line of said Section 14, Township 117 North, Range 27 West 45 rods north of the southwest corner of said Section 14; thence Northerly along the west line thereof a distance of 35 rods to the southwest corner of the North Half of the Southwest Quarter (N $\frac{1}{2}$ of SW $\frac{1}{4}$) of said Section 14; thence Easterly on a line parallel with the south line of said Section 14 a distance of 160 rods to the east line of said Southwest Quarter (SW $\frac{1}{4}$); thence Southerly along said east line a distance of 45 rods; thence Northwesterly, in a straight line, to the place of beginning.

