

ORDINANCE NO. 3642

REC'D BY
MMB

MAY 03 2005

**AN ORDINANCE OF THE CITY OF WINONA ANNEXING LAND
LOCATED IN THE TOWN OF WILSON, WINONA COUNTY, MINNESOTA
TO THE CITY OF WINONA, WINONA COUNTY, MINNESOTA, PURSUANT
TO MINN. STAT. § 414.033, SUBD. 2(3), PERMITTING ANNEXATION BY
ORDINANCE**

THE CITY OF WINONA DOES HEREBY ORDAIN:

Section 1. That the unincorporated land legally described in Exhibit A, which is attached hereto and incorporated herein by reference, located in the Town of Wilson, Winona County, Minnesota, is land that is contiguous to and abuts the municipal corporate limits of the City of Winona, Winona County, Minnesota; is land that is 60 acres or less in size; is land that is not presently served by public sewer facilities, and for which public sewer facilities are not otherwise available than through the City of Winona; and is land that is existing or proposed for immediate urban or suburban development needing municipal services.

Section 2. That the property-owner has requested that the existing golf course development on the land receive municipal services and intends to immediately develop the land for additional urban or suburban use and has submitted a petition to the City Council of the City of Winona for annexation of said land and extension of municipal services.

Section 3. That the City of Winona held a public hearing pursuant to Minn. Stat. § 414.033, subd. 2b, on March 21, 2005, following thirty (30) days written notice by certified mail to the Town of Wilson and to all landowners within and contiguous to the area, legally described in Exhibit A, to be annexed.

Section 4. That the corporate limits of the City of Winona are hereby extended to include the land legally described in Exhibit A, and shown on the map attached hereto and incorporated herein by reference as Exhibit B, containing 59 acres, and the same is hereby annexed to be included within the City of Winona, Winona County, Minnesota.

Section 5. That the population of the area legally described in Exhibit A, and hereby annexed, is zero.

Section 6. That with respect to the property taxes payable on the area legally described in Exhibit A, hereby annexed, the City of Winona shall make a cash payment to the Town of Wilson for the period and in accordance with the following schedule:

- a. In the first year following the year the City of Winona could first levy on the annexed area, an amount equal to ninety (90) percent of the property taxes distributed to the Town of Wilson in regard to the annexed area in

the last year the property taxes from the annexed were payable to the Town;

- b. In the second year, an amount equal to seventy (70) percent;
- c. In the third year, an amount equal to fifty (50) percent;
- d. In the fourth year, an amount equal to thirty (30) percent; and
- e. In the fifth and final year, an amount equal to ten (10) percent.

Section 7. That the City Manager of the City of Winona is hereby authorized and directed to file a copy of this Ordinance with the Minnesota Department of Administration Municipal Boundary Adjustments Office, the Minnesota Secretary of State, the Winona County Auditor, and the Wilson Township Clerk.

Section 8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Minnesota Department of Administration.

Passed and adopted this 4th day of April, 2005.

CITY OF WINONA

By: 
Jerry Miller Mayor

ATTEST:

By: 
Monica Hennessy Mohan
City Clerk

EXHIBIT A
Legal Description

The Subject Area to be annexed in the attached Ordinance is legally described as attached:

All of the following described real estate lying west of the Pleasant Valley Creek:

Parcel 1: TRACT 1

All that part of the South half (S½) of the Southeast Quarter of Section One (1), in Township One Hundred Six (106), North of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota, which lies East of CSAH No. 17, also known as the Pleasant Valley Road, and west of the Pleasant Valley Creek, and north of a line 1,000 feet south and parallel to the north line of the Southeast Quarter of said Section One.

Parcel 2:

All of the following parcel lying west of the Pleasant Valley Creek:

Commencing at the center of Section 1, Twp. 106 N, Rg. 7, West of the Fifth Principal Meridian; thence east along the south line of the north one-half (N½) of said Section 1 at a bearing of North 88° 06' East a distance of 100 feet for the point of beginning; thence North 7° 32' West 88.25 feet; thence North 31° 19' West 80.02 feet; thence North 47° 44' 38" West 125.74 feet; thence North 86° 26' West 265.0 feet; thence North 28° 26' West 445.8 feet; thence North 0° 03' East 260.0 feet; thence North 24° 57' West 269.8 feet; thence North 9° 27' West 273.0 feet; thence North 11° 33' East, 274.8 feet; thence South 79° 56' East 122.0 feet; thence South 44° 56' East 405.2 feet; thence South 70° 56' East 360.2 feet; thence North 81° 04' East 195.0 feet; thence North 32° 04' East 229.2 feet; thence North 56° 34' East 616.2 feet; thence South 33° 30' East 105.85 feet; thence South 0° 47' East 140 feet; thence South 8° 13' West 100 feet; thence South 40° 13' West 210.0 feet; thence South 24° 13' West 400.2 feet; thence South 9° 21' West 480.0 feet; thence South 31° 19' 40" West 125.37 feet; thence South 9° 21' West 388.76 feet to the south line of the North One-Half (N½) of said Section 1; thence west along the south line of the North One-Half (N½) of said Section 1 at a bearing of South 88° 06' West, a distance of 389.76 feet to the point of beginning.

Parcel 3:

All that part of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) and of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section One (1), in Township One Hundred Six (106), North of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota, which lies East of CSAH No. 17, also known as the Pleasant Valley Road, and which lies West of the following described line:

Commencing at the center of said Section 1; thence East along the north line of the South one-half (S½) of said Section 1, at a bearing of South 88° 06' West, a distance of 120 feet to the point of beginning of the line; thence southwest to a point on the north

line of the Southwest Quarter of the Southeast Quarter of said Section One (1), 35 feet east of where said line intersects the west line of the Pleasant Valley Road, and there terminating.

Excepting therefrom:

Beginning at the center of said Section 1; thence East along the north line of the South one-half ($S\frac{1}{2}$) of said Section 1, at a bearing of South $88^{\circ} 06'$ West, a distance of 100 feet; thence South $16^{\circ} 40'$ West 248.22 feet; thence South $16^{\circ} 57'$ West, 245.05 feet; thence South $64^{\circ} 14'$ West 313.5 feet to a point in the centerline of CSAH No. 17; thence North $25^{\circ} 20'$ West and along the centerline of CSAH No. 17 12.95 feet; thence northwesterly along the centerline of CSAH No. 17 and along a curve to the right having a central angle of $1^{\circ} 35'$ and a radius of 17,188.69 feet for a distance of 475 feet; thence North $23^{\circ} 45'$ West and along the centerline of CSAH No. 17 a distance of 151.4 feet to the north line of the Southwest one-quarter of said Section 1; thence east along the north line of the Southwest one-quarter of said Section 1, a distance of 587.4 feet to the center of said Section 1 and the point of beginning containing 5.37 acres more or less exclusive of highway right of way all situated in Winona county, Minnesota;

And excepting therefrom:

That part of the Northeast Quarter ($NE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) and of the Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section One (1), Township One Hundred Six (106), North of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota, more particularly bounded and described as follows, to-wit:

Commencing at a point on the south line of the Northeast Quarter ($NE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of said Section One (1), 35 feet east of where said line intersects the west line of the Pleasant Valley Road, thence N. $19^{\circ} 30'$ W., 494.4 feet to a point on the east line of said Pleasant Valley Road for the place of beginning; thence N. $71^{\circ} 13'$ E., 173 feet; thence N. $18^{\circ} 48'$ W., $116\frac{1}{2}$ feet; thence S. $72^{\circ} 57'$ W., 19.4 feet; thence N. $32^{\circ} 37'$ W. 157.6 feet; thence S. $69^{\circ} 49'$ W., to the east line of the Pleasant Valley Road; thence southerly along the east line of said road to the place of beginning.

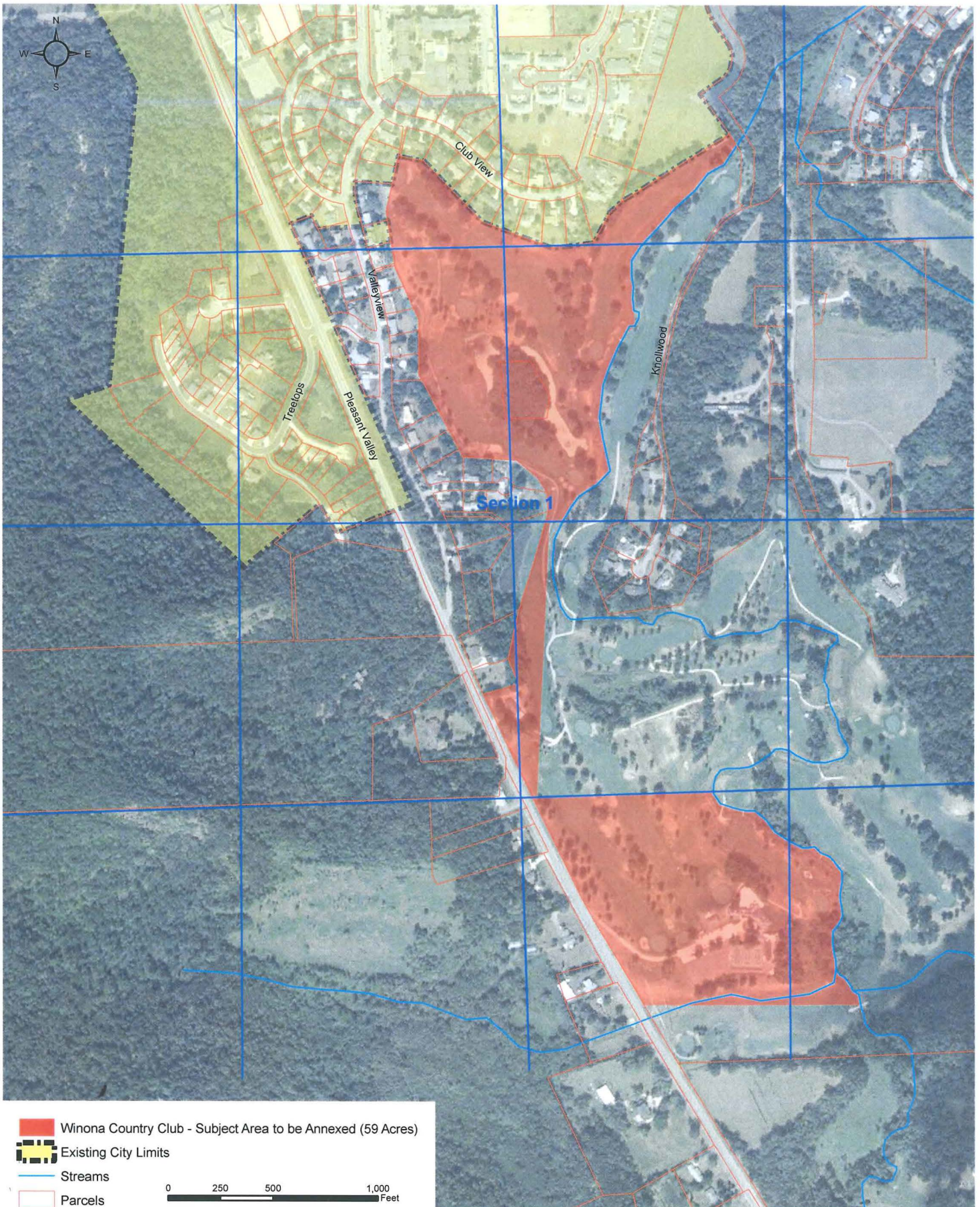
EXHIBIT B**Boundary Map**

The municipal boundary map referenced in the attached Ordinance, showing the current City of Winona and its relation to the Subject Area to be annexed, legally described in Exhibit A, is attached hereto.

EXHIBIT B

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Winona Country Club