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**ORDINANCE NO. 702
(Annexation)**

CITY OF WACONIA

CARVER COUNTY, MINNESOTA

MARCH 13, 2017

**AN ORDINANCE ANNEXING CERTAIN LAND INTO THE
CORPORATE LIMITS OF THE CITY OF WACONIA,
CARVER COUNTY, MINNESOTA,
PURSUANT TO MINNESOTA STATUTES SECTION 414.033.**

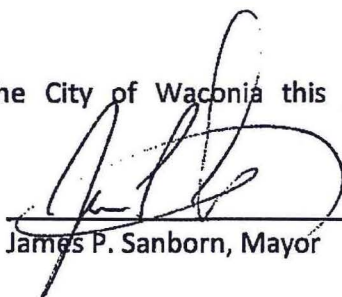
THE CITY COUNCIL OF THE CITY OF WACONIA MAKES THE FOLLOWING FINDINGS:

- A. The City of Waconia is the sole owner in fee simple of certain land as legally described on **Exhibit A** and as depicted as the "Area To Be Annexed" on **Exhibit B** attached to this Ordinance and made a part hereof (the "Land").
- B. The Land is presently located within the Township of Waconia, Carver County.
- C. The City of Waconia desires to annex said Land pursuant to Minnesota Statutes Section 414.033, Subd. 2(1), permitting annexation by ordinance.
- D. The City of Waconia is not required to hold a public hearing or give written notice to the Township of Waconia or landowners within and contiguous to the area to be annexed pursuant to Minnesota Statutes Section 414.033, Subd. 2(b) because the Land is owned by the City of Waconia.
- E. The Land: i) Abuts the present corporate limits of the City of Waconia; ii) Is not included with any other municipality; iii) Is vacant and will remain vacant for the near future; iv) Is urban or suburban in character; v) Has not already been designated for orderly annexation pursuant to Minnesota Statutes Section 414.0325; and vi) Is an appropriate area to be subject to municipal government.
- F. Annexation of the Land will be in the best interest of the City of Waconia.
- G. The Land is vacant and will not affect the population of the City at this time.
- H. That pursuant to Minnesota Statutes Section 414.036 there are no special assessments or debt assessed by the Township of Waconia to the land to be annexed.

NOW, THEREFORE, the City Council of the City of Waconia, Carver County, Minnesota, ordains:

1. The above stated findings are incorporated in and made a part of this Ordinance.
2. The corporate limits of the City of Waconia are hereby **declared** extended to encompass and include all that certain land as described on **Exhibit A** and as depicted as the "Area To Be Annexed" on **Exhibit B** attached hereto.
3. No cash reimbursement is payable to Waconia Township pursuant to Minnesota Statutes Section 414.036 for the Land annexed because the Land is tax exempt.
4. Pursuant to Minnesota Statutes Section 414.033, Subd. 7, the City Clerk is hereby authorized and directed to file copies of this Ordinance with the State of Minnesota Chief Administrative Law Judge, Waconia Township, the Carver County Auditor (Taxpayer Services Department), and the Minnesota Secretary of State.
5. This Ordinance is final and in full force and effect on the date this Ordinance is approved by the Chief Administrative Law Judge.

Passed and adopted by the City Council of the City of Waconia this 13th day of March, 2017.


James P. Sanborn, Mayor

ATTEST: Susan MH Arntz
Susan MH Arntz, City Administrator/City Clerk

M/ <u>Erickson</u>	Ayers	<u>Aye</u>
	Bloudek	<u>Aye</u>
S/ <u>Carrier</u>	Carrier	<u>Aye</u>
	Erickson	<u>Aye</u>
	Sanborn	<u>Aye</u>

EXHIBIT A
Land To Be Annexed

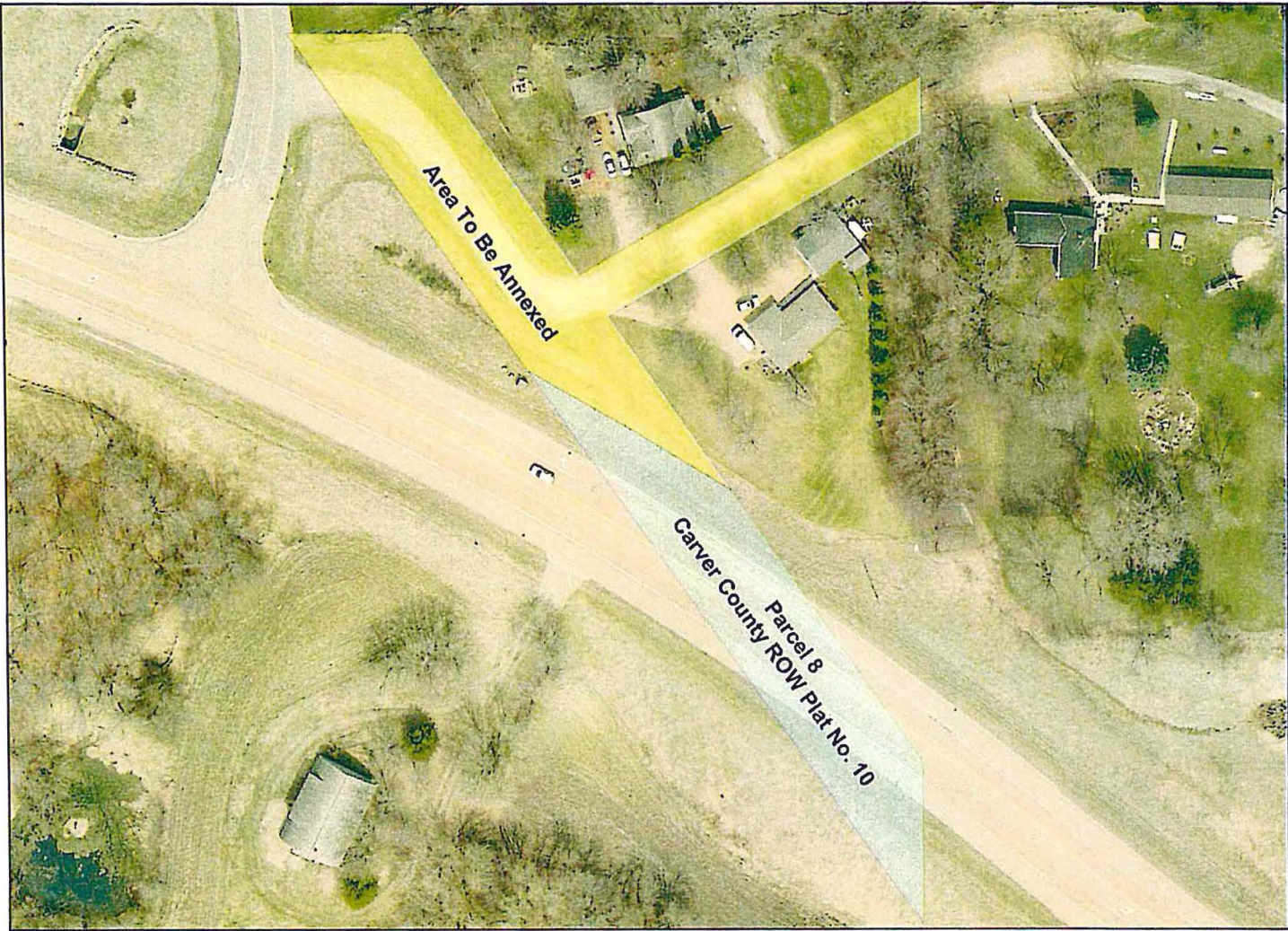
Commencing at the southeast corner of Section 24, Township 116, Range 25; thence North along the east line of said Section 24, a distance of 733.5 feet to the point of beginning for a parcel of land to be described herein; thence deflecting left 35 degrees 34 minutes and running northwesterly a distance of 718.07 feet to a point on the north line of the Southeast Quarter of the Southeast Quarter of said Section 24; thence deflecting right 125 degrees 08 minutes and running east along the north line of said Southeast Quarter of the Southeast Quarter, a distance of 80.7 feet to a point; thence deflecting right 54 degrees 52 minutes and running southeasterly a distance of 579.3 feet to a point on the east line of said Section 24; thence deflecting right 35 degrees 34 minutes and running south along the east line of said Section 24, a distance of 113.47 feet to the place of beginning. Subject to all easements of record.

and also

Commencing at the southeast corner of Section 24, Township 116, Range 25; thence north along the east line of said Section 24, a distance of 1254.4 feet to the point of beginning for a parcel of land to be described herein; thence deflecting left 120 degrees 03 minutes and running southwesterly a distance of 238.47 feet to a point; thence deflecting right 84 degrees 29 minutes and running northwesterly a distance of 33.12 feet to a point; thence deflecting right 95 degrees 31 minutes and running northeasterly a distance of 260.74 feet to a point on the east line of said Section 24; thence deflecting right 120 degrees 03 minutes along the east line of said Section 24, a distance of 38.12 feet to the place of beginning. Subject to all easements of record.

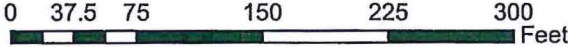
Except that part of above described parcels lying within Parcel 8, CARVER COUNTY RIGHT OF WAY PLAT NO. 10, according to the plat of record, Carver County, Minnesota.


Old County Hwy No. 10 Corridor Annexation



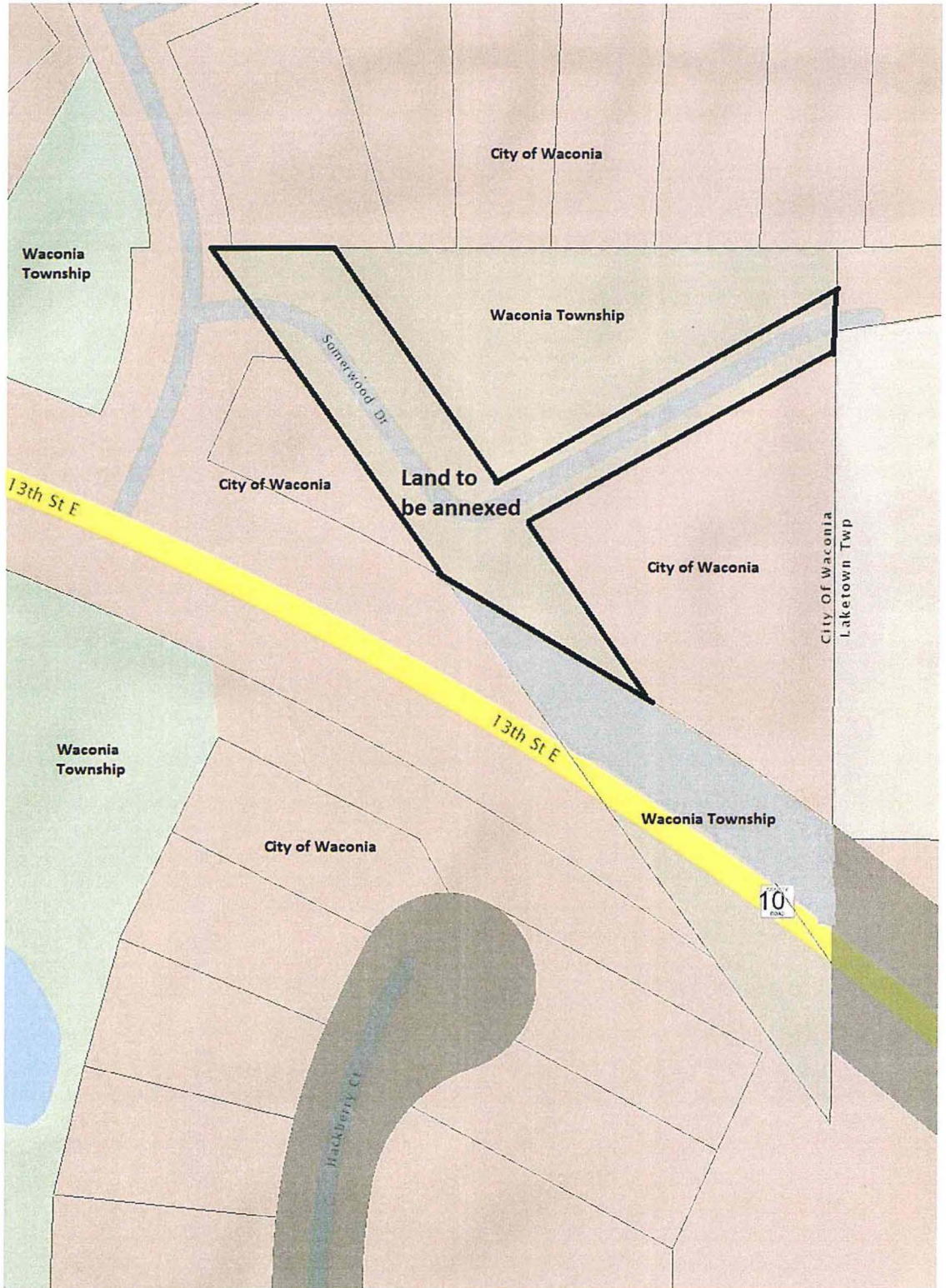
This map was created using a compilation of information and data from various City, County, State, and Federal offices. It is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

1 inch = 100 feet



 Public Works Division
11360 Hwy 212, Suite 1
Cologne, MN 55322
(952) 466-5200
Created: 2/19/2015

Detailed Map of Land to be Annexed



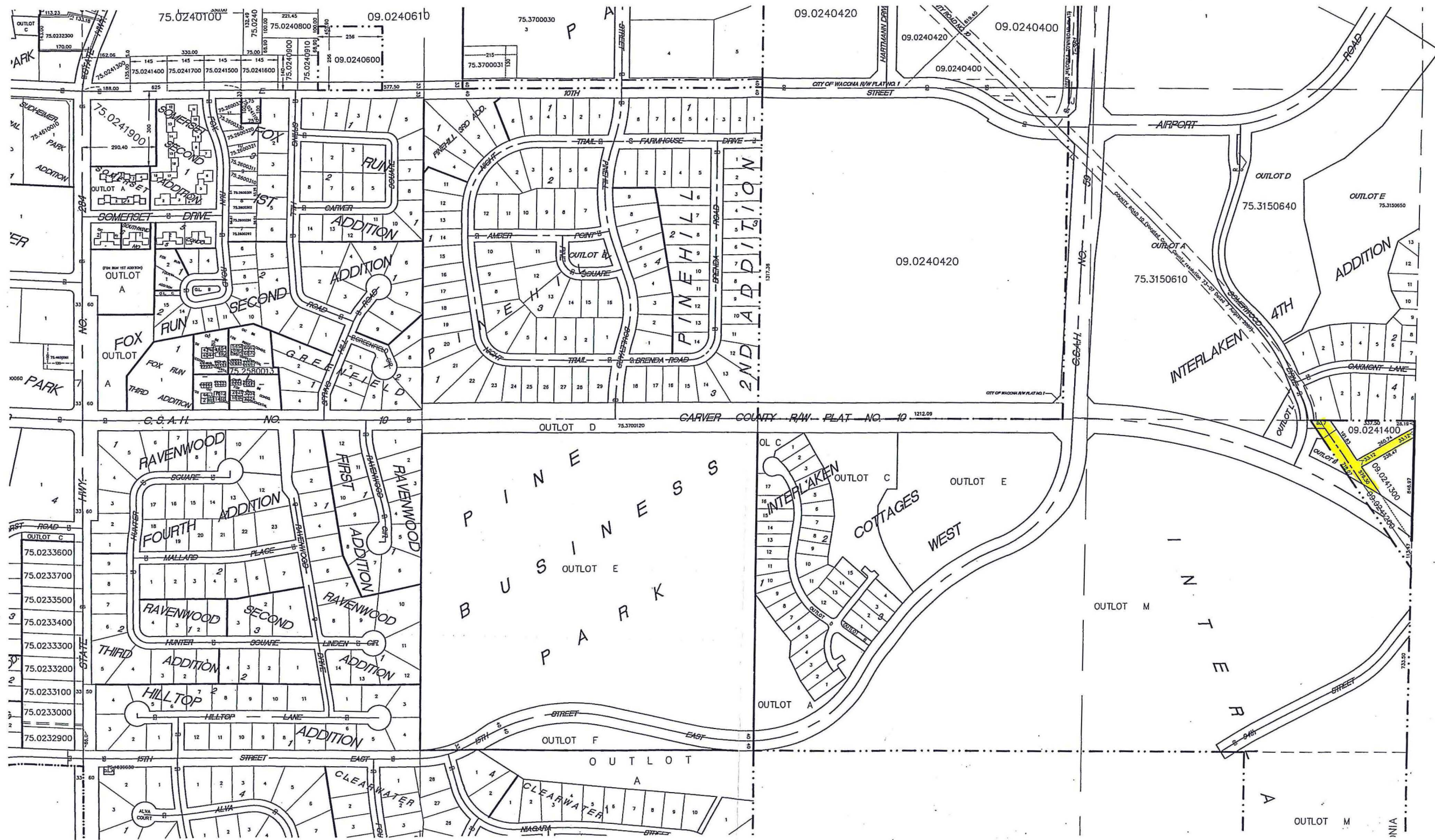
Map of Land to be Annexed

General Map of City



THIS IS NOT A LEGALLY RECORDED PLAT.
 THIS MAP IS A COMPILATION OF RECORDS
 AS THEY APPEAR IN THE CARVER COUNTY
 OFFICES AND OTHER SOURCES. THIS MAP
 IS ONLY TO BE USED FOR REFERENCE
 PURPOSES. THE COUNTY AND ITS AGENTS
 ARE NOT RESPONSIBLE FOR ANY
 INACCURACIES CONTAINED THEREIN.

S 1/2 SEC. 24, T.116, R.25



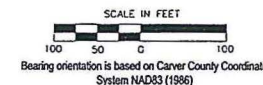
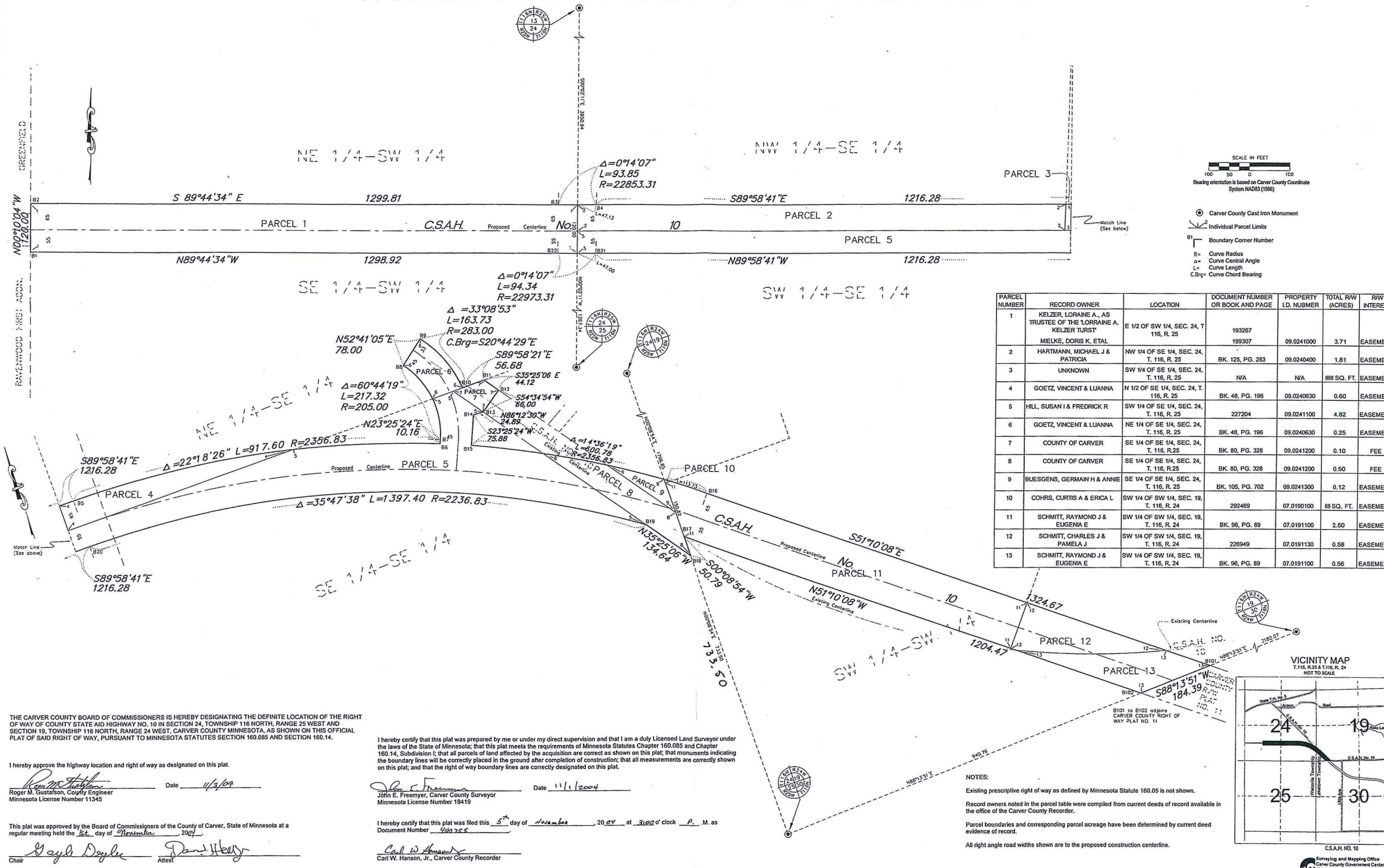
< 1/2 Sec. 24-116-25

11

S 1/2 Sec. 24-116-25

11

CARVER COUNTY RIGHT OF WAY PLAT NO. 10



- ⊙ Carver County Cast Iron Monument
- Individual Parcel Limits
- ⊠ Boundary Corner Number
- R= Curve Radius
- Δ= Curve Central Angle
- L= Curve Length
- C.Brg= Curve Chord Bearing

PARCEL NUMBER	RECORD OWNER	LOCATION	DOCUMENT NUMBER OR BOOK AND PAGE	PROPERTY I.D. NUMBER	TOTAL RW (ACRES)	R/W INTEREST
1	KELZER, LORAIN E., AS TRUSTEE OF THE LORRAINE A. KELZER TRUST	E 1/2 OF SW 1/4, SEC. 24, T. 116, R. 25	193267 199307	09.0241000	3.71	EASEMENT
2	HARTMANN, MICHAEL J & PATRICIA	NW 1/4 OF SE 1/4, SEC. 24, T. 116, R. 25	BK. 125, PG. 283	09.0240400	1.81	EASEMENT
3	UNKNOWN	SW 1/4 OF SE 1/4, SEC. 24, T. 116, R. 25	N/A	N/A	888 SQ. FT.	EASEMENT
4	GOETZ, VINCENT & LUANNA	N 1/2 OF SE 1/4, SEC. 24, T. 116, R. 25	BK. 48, PG. 196	09.0240630	0.60	EASEMENT
5	HILL, SUSAN I & FREDRICK R	SW 1/4 OF SE 1/4, SEC. 24, T. 116, R. 25	227204	09.0241100	4.82	EASEMENT
6	GOETZ, VINCENT & LUANNA	NE 1/4 OF SE 1/4, SEC. 24, T. 116, R. 25	BK. 48, PG. 196	09.0240630	0.25	EASEMENT
7	COUNTY OF CARVER	SE 1/4 OF SE 1/4, SEC. 24, T. 116, R. 25	BK. 80, PG. 328	09.0241200	0.10	FEE
8	COUNTY OF CARVER	SE 1/4 OF SE 1/4, SEC. 24, T. 116, R. 25	BK. 80, PG. 328	09.0241200	0.50	FEE
9	BUESGENS, GERMAIN H & ANNIE	SE 1/4 OF SE 1/4, SEC. 24, T. 116, R. 25	BK. 105, PG. 702	09.0241300	0.12	EASEMENT
10	COHRS, CURTIS A & ERICA L	SW 1/4 OF SW 1/4, SEC. 19, T. 116, R. 24	292469	07.0190100	66 SQ. FT.	EASEMENT
11	SCHMITT, RAYMOND J & EUGENIA E	SW 1/4 OF SW 1/4, SEC. 19, T. 116, R. 24	BK. 96, PG. 89	07.0191100	2.50	EASEMENT
12	SCHMITT, CHARLES J & PAMELA J	SW 1/4 OF SW 1/4, SEC. 19, T. 116, R. 24	228949	07.0191130	0.58	EASEMENT
13	SCHMITT, RAYMOND J & EUGENIA E	SW 1/4 OF SW 1/4, SEC. 19, T. 116, R. 24	BK. 96, PG. 89	07.0191100	0.56	EASEMENT

THE CARVER COUNTY BOARD OF COMMISSIONERS IS HEREBY DESIGNATING THE DEFINITE LOCATION OF THE RIGHT OF WAY OF COUNTY STATE AID HIGHWAY NO. 10 IN SECTION 24, TOWNSHIP 116 NORTH, RANGE 25 WEST AND SECTION 19, TOWNSHIP 116 NORTH, RANGE 24 WEST, CARVER COUNTY MINNESOTA, AS SHOWN ON THIS OFFICIAL PLAT OF SAID RIGHT OF WAY, PURSUANT TO MINNESOTA STATUTES SECTION 160.085 AND SECTION 160.14.

I hereby approve the highway location and right of way as designated on this plat.
 Roger M. Gustafson, County Engineer
 Minnesota License Number 11345
 Date 11/3/04

I hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota; that this plat meets the requirements of Minnesota Statutes Chapter 160.085 and Chapter 160.14, Subdivision 1; that all parcels of land affected by the acquisition are correct as shown on this plat; that monuments indicating the boundary lines will be correctly placed in the ground after completion of construction; that all measurements are correctly shown on this plat; and that the right of way boundary lines are correctly designated on this plat.
 John E. Freemyer, Carver County Surveyor
 Minnesota License Number 18419
 Date 11/1/2004

This plat was approved by the Board of Commissioners of the County of Carver, State of Minnesota at a regular meeting held the 1st day of November, 2004.
 Chair: Gayle Doyle
 Attest: Dan Henry

I hereby certify that this plat was filed this 5th day of November, 2004 at 3:00 o'clock P. M. as Document Number 400755.
 Carl W. Hanson, Jr., Carver County Recorder

NOTES:
 Existing prescriptive right of way as defined by Minnesota Statute 160.05 is not shown.
 Record owners noted in the parcel table were compiled from current deeds of record available in the office of the Carver County Recorder.
 Parcel boundaries and corresponding parcel acreage have been determined by current deed evidence of record.
 All right angle road widths shown are to the proposed construction centerline.

