

SHINGOBEE TOWNSHIP RESOLUTION NO. 2007-06
CITY OF WALKER RESOLUTION NO. 35-2007

<p>IN THE MATTER OF THE JOINT RESOLUTION OF THE TOWNSHIP OF SHINGOBEE AND THE CITY OF WALKER DESIGNATING CERTAIN AREAS AS IN NEED OF ORDERLY ANNEXATION PURSUANT TO MINNESOTA STATUTES, §414.0325</p>	<p>JOINT RESOLUTION FOR ORDERLY ANNEXATION</p>
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WHEREAS, the Township of Shingobee (the Township) and the City of Walker (the City) desire to enter into an agreement for the orderly annexation of certain property, legally described herein on Exhibit "A" attached hereto, pursuant to Minnesota Statutes, § 414.0325; and

WHEREAS, the State of Minnesota (the State) currently owns approximately 173.37 acres of land located in the Township in the County of Cass (the County), presently utilized by the State as a nursing home campus known as Ah Gwah Ching (AGC) as shown on map attached hereto as Exhibit "A"; and

WHEREAS, the State currently owns approximately 7.23 acres of tax forfeited land located adjacent to AGC in the Township and the County as shown on map attached hereto as Exhibit "A"; and

WHEREAS, the City currently owns approximately 147.37 acres of land located adjacent to AGC in the Township and the County, presently utilized by the City as a waste water treatment facility as shown on map attached hereto as Exhibit "A"; and

WHEREAS, the State and City properties identified in Exhibit "A" do not currently abut the City; and

WHEREAS, the State plans to discontinue its use of AGC, convey in fee a portion to the County, and assign custodial control of a portion to the Minnesota Department of Natural Resources (DNR); and

WHEREAS, the reuse of AGC includes plans for an integrated health care campus, county seat courthouse campus, DNR aquatic management area, and possible residential and/or commercial development; and

WHEREAS, the State and City seek to annex these properties for the purposes of facilitating the purchase and development thereof by the County with the City extending and providing municipal services to the property identified in Exhibit "A" following annexation thereof; and

WHEREAS, the Township and the City agree that the properties legally described herein meet the definition of "as in need of orderly annexation" as contained in Minnesota Statutes §414.0325, Subd. 3(b) in that the property identified in Exhibit "A" is urban or suburban in character or about to become so and that orderly annexation would be in the best interests of the subject area; and

WHEREAS, the Township and City, following due notice thereof in accordance with Minnesota Statutes, conducted a joint informational meeting concerning this proposed orderly annexation agreement on November 15, 2007; and

WHEREAS, the parties hereto desire to set forth the terms and conditions of such orderly annexation by means of this Joint Resolution for Orderly Annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Supervisors of Shingobee Township, Cass County, Minnesota, and the City Council of the City of Walker, Cass County, Minnesota, as follows:

1. Designation of Annexation Area. The Township and City hereby designate the area legally described in Exhibit "A", attached hereto and incorporated herein by reference, as property which is properly subject to orderly annexation pursuant to Minnesota Statutes, Section 414.0325. For ease of reference, the area legally described in Exhibit "A" is generally that area of Shingobee Township currently owned by the State of Minnesota referred to as the "Ah Gwah Ching Area Site".

2. Map of Area. A boundary map and description showing the area legally described in Exhibit "A" is attached hereto and incorporated herein by reference. In the event there are errors, omissions, or any other problems with the legal description or mapping provided in Exhibit "A", in the judgment of the Department of Administration, the parties agree to make such corrections and file any additional documentation, including any new exhibits making the corrections requested or required by the Department of Administration as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution.

3. Acreage. The area legally described in Exhibit "A" and properly subject to orderly annexation is comprised of approximately 173.37 acres presently owned by and utilized by the State as a nursing home campus known as Ah Gwah Ching, approximately 7.23 acres of tax forfeited land located adjacent to AGC, and approximately 147.37 acres of land presently owned by and utilized by the City as a waste water treatment facility for a total of approximately 327.97 acres.

4. Population. The population of the area legally described in Exhibit "A" and designated as properly subject to orderly annexation pursuant to Minnesota Statutes, Section 414.0325 is zero.

5 No State Hearing Required. Pursuant to Minnesota Statutes Section 414.0325, the Township and City agree that no alteration of the stated boundaries as described in the Joint Resolution is appropriate, that no consideration by the Department of Administration is necessary and that all terms and conditions for annexation are provided for in this Joint Resolution. Upon receipt of this Joint Resolution, the Department of Administration may review and comment thereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the area legally described in Exhibit "A" in accordance with the terms and conditions contained herein.

6. Limitation of City Annexation. The Township and City agree that from the date of the execution of this Joint Resolution until December 31, 2017, the City will not solicit, initiate or approve any annexation of township lands, except for lands described in this Joint Resolution. This provision specifically excludes annexation of additional Township lands by any section of Minn. Stat. 414 as it now exists or as amended, except that it shall not apply to annexation by order of the Minnesota Pollution Control Agency pursuant to Minn. Stat. 1115.49, and Minn. Stat. 414.0335. Otherwise, until December 31, 2017, any further annexation can only be accomplished by amendment to this Joint Resolution or a separate joint resolution.

The moratorium on annexation until December 31, 2017 shall not apply to an annexation initiated by an unsolicited receipt of a petition by property owners seeking annexation pursuant to and in compliance with Minn. Stat. 414.033, subdivision 2(3) for any property located within the Township if said purpose is for the delivery of needed City sanitary sewer and water services to the parcel, and the initiation of connection of said services shall be accomplished within two years of the date of annexation and constructed and connected within five years of the date of annexation.

7. County Purchase – Effect of Joint Resolution. In the event that the County does not purchase that portion of the AGC area site legally described in Exhibit "A" from the State of Minnesota, this Joint Resolution shall be deemed null and void without prejudice on either party thereto. The parties shall cooperate in adopting and executing any documents necessary to terminate and rescind the Agreement and shall provide notice to the Office of Administration and the County of termination of the Joint Resolution for Orderly Annexation. In the event that the property has already been annexed by order of the Department of Administration, the City shall immediately initiate and proceed to completion with detachment of the property from the City to the Township pursuant to Minnesota Statutes §414.06, at its own cost and expense and at no cost to the Township.

8. Tax Reimbursement. The area legally described in Exhibit "A" and properly subject to orderly annexation is not currently subject to taxation. Therefore, there is no issue of proportional tax distribution to the Township and City.

9. Streets & Roads. The orderly annexation of the area legally described in Exhibit "A" will result in that road identified as Shingobee Township Road #73 (also known as 73rd Street NW or Ah Gwah Ching Road) to be located partially in the Township and partially in the City. From the date of execution of this agreement, the Township will be responsible for repair and maintenance of the portion of said road located in the Township and the City will be responsible for the repair and maintenance of the portion of said road within the City unless and until Township and City representatives meet to develop another agreement for equitable division of the costs and responsibilities for the repair and maintenance of said road.

10. Filing. Upon adoption and execution of this Joint Resolution for Orderly Annexation, the City shall file the same with the Department of Administration Municipal Boundary Adjustments Office and pay the required filing fee.

11. Term of Joint Resolution. Except as provided in paragraph 7 above, this Joint Resolution shall be in full force and effect from the date of its execution. The provisions of this Joint Resolution may be terminated earlier or extended by mutual, written joint resolution of the Township and the City.

12. Modification/Amendment. This Joint Resolution shall not be modified, amended, or altered except upon the mutual, written joint resolution of the Township and the City.

13. Governing Law. This Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.

14. Severability. In the event that any provision of this Joint Resolution is declared null and void or unenforceable by a court of law, the validity of the remaining terms and provisions shall not be affected and the Joint Resolution shall be construed and enforced as if the Joint Resolution did not contain the particular term or provision held to be invalid. The Township and City agree to implement the procedures under the "Resolution of Disputes" provision of this Joint Resolution to correct any such provision that was stricken.

15. Headings and Captions. Headings and Captions are for convenience only and are not intended to alter any of the provisions of this Joint Resolution for Orderly Annexation.

16. Entire Agreement. The terms, covenants, conditions and provisions of this Joint Resolution, including the present and all future attachments and exhibits, shall constitute the entire agreement between the parties hereto, superseding all

prior agreements and negotiations. This Joint Resolution shall be binding upon and inure to the benefit of the respective successors and assigns of the Township and City.

17. Resolution of Disputes. If there is a disagreement as to the interpretation or implementation of the Joint Resolution, the Township and City shall implement the below outlined dispute resolution procedures in the following sequence:

a. *Negotiation*. Representatives of the Township and the City will meet at least once at a mutually convenient time and place to attempt to resolve the dispute through negotiation.

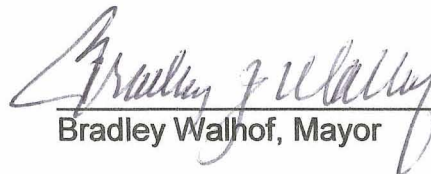
b. *Mediation*. If negotiation is not successful, parties shall participate in at least one mediation session with a mutually agreed upon mediator to resolve the dispute.

c. *Binding Arbitration/Adjudication*. If mediation is not successful, the parties may agree to submit their respective grievances to binding arbitration or may seek relief through initiation of an action in a court of competent jurisdiction, which may include, but not be limited to specific performance to compel the performance as outlined in this Joint Resolution. In addition to the remedies afforded to the parties through law and equity, the Court shall have the authority to award reasonable attorney fees, costs and expenses to a party found to be in violation of the terms of this agreement.

d. *Wrongful Annexation*. In the event that the City annexes any other Township land in violation of this Joint Resolution, the Township can immediately proceed to District Court for an order requiring the City to immediately take all necessary action to detach the property from the City back to the Township and to pay any and all costs incurred by the Township, including, but not limited to, attorneys professional and witness fees. In addition, the City shall reimburse the Township for the amount of all taxes collected by the City during the period that property was improperly annexed.

CITY OF WALKER, CASS COUNTY, MINNESOTA

ADOPTED by the City Council of the City of Walker this 5th day of November, 2007.


Bradley Walhof, Mayor 11/16/07

ATTEST:

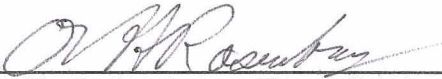

Terri Bjorklund, City Administrator 11/16/07

REC'D BY
MMB


DEC 07 2007

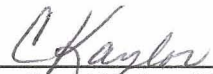
TOWNSHIP OF SHINGOBEE, CASS COUNTY, MINNESOTA


ADOPTED by the Shingobee Township Board of Supervisors this 18th day
of October, 2007.


Orville Rosenberry, Town Chairman


Brad Fagerman, Town Supervisor


Ron Geiser, Town Supervisor


Claudine Kaylor, Town Supervisor


Tim Orton, Town Supervisor

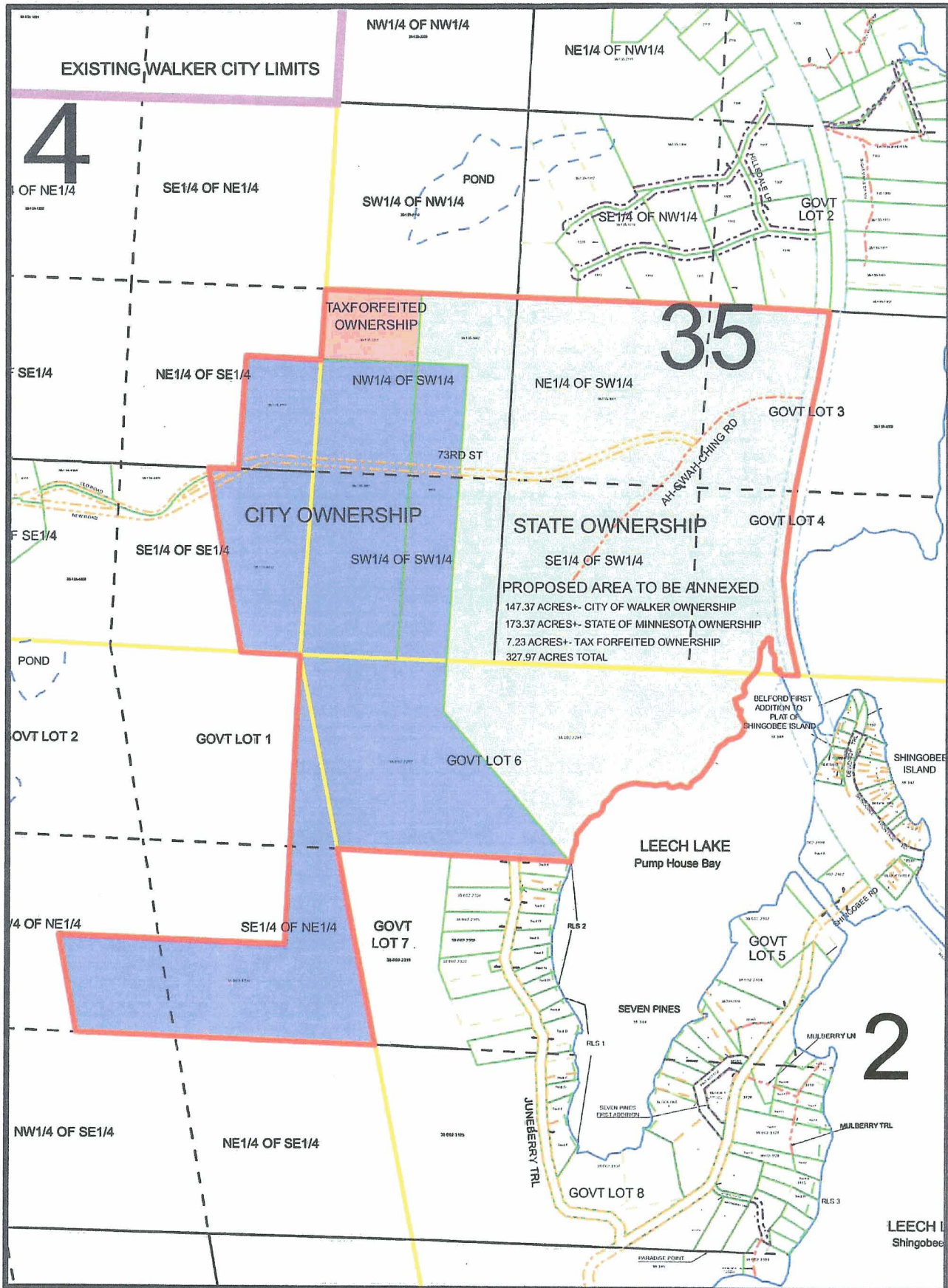
ATTEST:


Ann Swanson, Clerk/Treasurer

EXHIBIT A

REC'D BY
MAM

DEC 07 2007



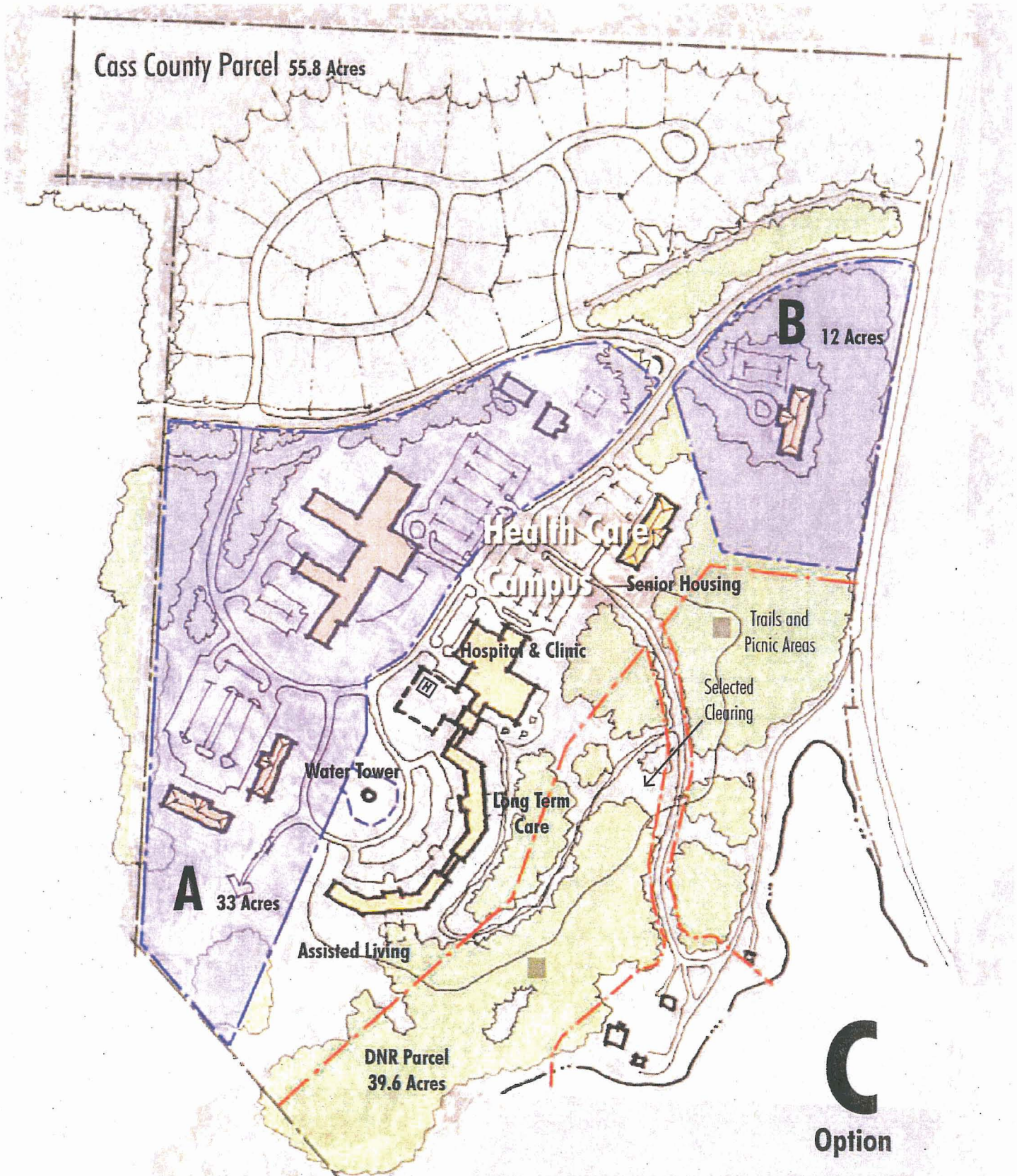
Cass County Health Care Campus Master Plan Study

RECD BY
MAB

DEC 07 2007

February 19, 2007

2007.005



- Health Care Campus 31 Acres
- Parcel A, Vacant Land 33 Acres (Potential County Offices)
- Parcel B, Vacant Land 12 Acres

Health Care Campus

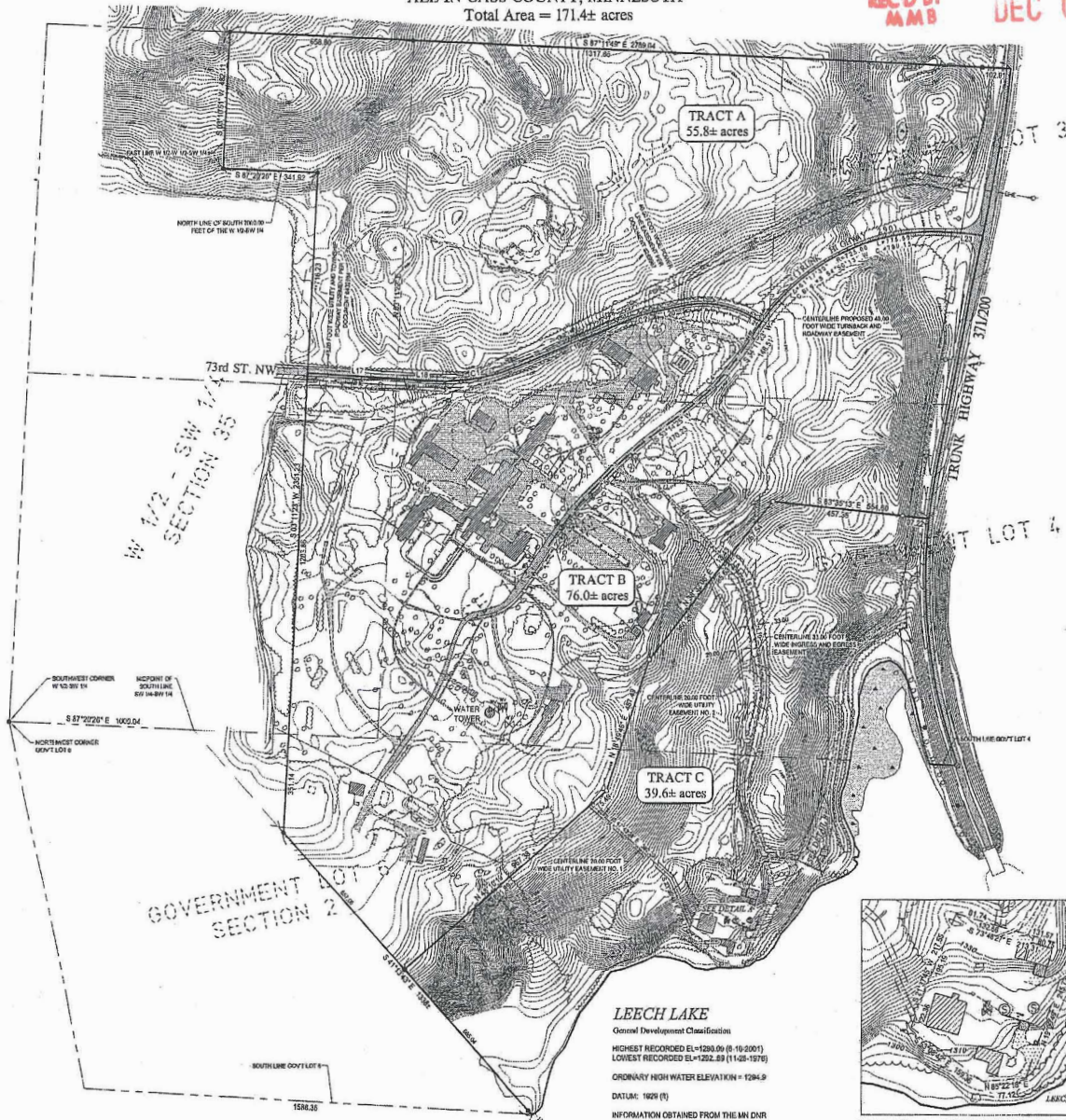
	Initial	Long Term
Hospital	60,000 SF (15 Beds)	40,000 SF (25 Beds)
Clinic	6,000 SF	20,000 SF
Long Term Care	33,000 SF (48 Beds)	39,000 SF (60 Beds)
Assisted Living	28,000 SF (25 Beds)	32,000 SF (30 Beds)
Senior Housing	29,000 SF (26 Beds)	34,000 SF (30 Beds)

ALTA/ACSM LAND TITLE SURVEY

PART OF SECTION 35, TOWNSHIP 142 NORTH, RANGE 31 WEST AND
PART OF SECTION 2, TOWNSHIP 141 NORTH, RANGE 31 WEST,
ALL IN CASS COUNTY, MINNESOTA
Total Area = 171.4± acres

REC'D BY
MAMB

DEC 07 2007



LEECH LAKE

General Development Classification

HIGHEST RECORDED EL.=1200.09 (8-10-2001)
LOWEST RECORDED EL.=1202.89 (11-08-1976)

ORDINARY HIGH WATER ELEVATION = 1204.9

DATUM: 1929 (1)

INFORMATION OBTAINED FROM THE MN DMR

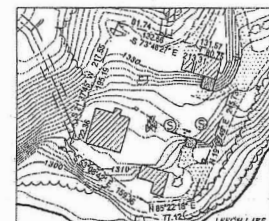
LEGEND

- DENOTES EXISTING SIGN(S)
- DENOTES EXISTING FLAGPOLE
- DENOTES EXISTING FENCE LINE
- DENOTES EXISTING RETAINING WALL
- DENOTES EXISTING CULVERT LOCATION
- DENOTES EDGE OF EXISTING RETAINING WALL
- DENOTES EDGE OF EXISTING GRAVEL AND/OR PARKING
- DENOTES EXISTING INTERMEDIATE CONTOURS
- DENOTES EXISTING INDEX CONTOURS
- DENOTES EXISTING INDEX CONTOURS (DEPRESSION)
- DENOTES EXISTING INDEX CONTOURS (DEPRESSION)
- DENOTES EXISTING SINGLE TREE
- DENOTES EXISTING WET LAND(S)
- DENOTES EXISTING UTILITY POLE
- DENOTES EXISTING OVERHEAD ELECTRIC CABLE
- DENOTES EXISTING PHONE PEDISTAL & PHONE BOX
- DENOTES EXISTING WELL
- DENOTES EXISTING WATER VALVE
- DENOTES EXISTING FIRE HYDRANT
- DENOTES EXISTING WATER MAIN
- DENOTES EXISTING SANITARY SEWER MANHOLE
- DENOTES EXISTING 80°/10° VENT. CLEAROUT, AND 80°/10° TANK LID
- DENOTES MONUMENT FOUND
- DENOTES IRON MONUMENT SET MARKED BY LICENSE NO. 21367
- DENOTES PK NAIL FOUND

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE SOUTH LINE OF SECTION 15 TO HAVE AN ASSUMED BEARING OF S 77°22'24" E.

CURVE TABLE					
CURVE	DELTA	LENGTH	RADIUS	CHORD BEV	CHORD
C1	100°00'00"	244.50	100.00	100.00	100.00
C2	100°00'00"	244.50	100.00	100.00	100.00
C3	100°00'00"	244.50	100.00	100.00	100.00
C4	100°00'00"	244.50	100.00	100.00	100.00
C5	100°00'00"	244.50	100.00	100.00	100.00

LINE TABLE					
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	200.00	S 77°22'24" E	L5	64.68	S 61°31'41" E
L2	244.50	S 77°22'24" E	L6	100.00	S 61°31'41" E
L3	100.00	S 77°22'24" E	L7	100.00	S 61°31'41" E
L4	100.00	S 77°22'24" E	L8	100.00	S 61°31'41" E
L5	100.00	S 77°22'24" E	L9	100.00	S 61°31'41" E
L6	100.00	S 77°22'24" E	L10	100.00	S 61°31'41" E
L7	100.00	S 77°22'24" E	L11	100.00	S 61°31'41" E
L8	100.00	S 77°22'24" E	L12	100.00	S 61°31'41" E
L9	100.00	S 77°22'24" E	L13	100.00	S 61°31'41" E
L10	100.00	S 77°22'24" E	L14	100.00	S 61°31'41" E
L11	100.00	S 77°22'24" E	L15	100.00	S 61°31'41" E
L12	100.00	S 77°22'24" E	L16	100.00	S 61°31'41" E



DETAIL A - UTILITY EASEMENT
SCALE: 1"=100'



DETAIL B - RECREATIONAL EASEMENT
SCALE: 1"=100'



Certificate of Survey ALTA/ACSM LAND TITLE SURVEY		DATE: 12/07/06		REVISIONS		I HEREBY CERTIFY THAT THIS SURVEY, PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.	
PROJ. NO.	COMPUTER	DATE	DATE	DESCRIPTION	BY		
21367	0602079.dwg	12/07/06					
DRAWN BY:	BOOK: 200 P. 8	SCALE: 1"=200'					
DATE: 06/20/09	FILE NO.						
DATE: 06/20/09	FILE NO.						

Landecker & Associates, Inc.
Engineering - Surveying - Planning
St. Paul, MN 55115
Phone: 215-841-4396 Fax: 215-841-4377

PART OF SECTION 35, TOWNSHIP 142 NORTH, RANGE 31 WEST AND
PART OF SECTION 2, TOWNSHIP 141 NORTH, RANGE 31 WEST,
ALL IN CASS COUNTY, MINNESOTA

Southwest corner of the Southwest Quarter, Section 35, Township 142 North, Range 31 West, said County; thence South 87 degrees 20 minutes 26 seconds East, assumed bearing along the south line District 1900.04, 40 feet; thence South 3 degrees 11 minutes 23 seconds West 351.14 feet; thence South 41 degrees 13 minutes 43 seconds East 651.06 feet; thence North 48 degrees 10 minutes 19 seconds East 891.89 feet to the point of beginning of the centerline to be herein described; thence South 47 degrees 41 minutes 38 seconds East 392.29 feet; thence South 23 degrees 39 minutes 48 seconds East 208.77 feet and said centerline there terminating.

[illegible]

Certificate of Survey		FIELD NAME	COUNTY	DATE	REVISIONS	BY	DATE	DESCRIPTION	REVISIONS
1	Q	TWP	RED RIVER	12/1/66					
2	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
3	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
4	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
5	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
6	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
7	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
8	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
9	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
10	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
11	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
12	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
13	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
14	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
15	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
16	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
17	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
18	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
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21	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
22	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
23	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
24	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
25	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
26	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
27	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
28	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
29	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
30	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
31	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
32	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
33	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
34	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
35	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
36	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
37	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
38	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
39	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
40	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
41	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
42	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
43	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
44	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
45	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
46	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
47	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
48	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
49	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
50	Q	STATE OF MINNESOTA	RED RIVER	12/1/66					
51									

DEC 0 1967

State of Minnesota currently owned land approximately 173.37 acres of land known as Ah Gwah Ching (AGC).

TRACT A

Those parts of the West Half of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter and Government Lot 3, all in Section 35, Township 142 North, Range 31 West, Cass County, Minnesota, described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence South 87 degrees 20 minutes 26 seconds East, assumed bearing along the south line thereof 1000.04 feet; thence North 3 degrees 11 minutes 23 seconds East 2000.09 feet to the north line of the South 2000.00 feet of said Southwest Quarter; thence North 87 degrees 20 minutes 26 seconds West 341.92 feet to the east line of the West Half of the West Half of the Southwest Quarter of said Section 35; thence North 3 degrees 10 minutes 51 seconds East along said east line 482.11 feet to the north line of said Southwest Quarter, the point of beginning of the tract to be herein described; thence South 3 degrees 10 minutes 51 seconds West along said east line 482.11 feet; thence South 87 degrees 20 minutes 26 seconds East 341.92 feet; thence South 3 degrees 11 minutes 23 seconds West 716.23 feet; thence South 86 degrees 09 minutes 37 seconds East 358.73 feet; thence South 87 degrees 02 minutes 46 seconds East 103.58 feet; thence easterly 284.55 feet along a tangential curve concave to the north, having a radius of 636.62 feet and a central angle of 25 degrees 36 minutes 34 seconds; thence North 67 degrees 20 minutes 39 seconds East, tangent to said curve 447.81 feet; thence northeasterly 90.38 feet along a tangential curve concave to the southeast, having a radius of 477.46 feet and a central angle of 10 degrees 50 minutes 45 seconds; thence North 78 degrees 11 minutes 24 seconds East, tangent to last said curve 105.01 feet; thence easterly 254.79 feet along a tangential curve concave to the south, having a radius of 358.10 feet and a central angle of 40 degrees 46 minutes 01 second; thence South 61 degrees 02 minutes 35 seconds East, tangent to last said curve 43.75 feet; thence North 34 degrees 11 minutes 23 seconds East 4.44 feet; thence northeasterly 775.59 feet along a tangential curve concave to the southeast, having a radius of 725.00 feet and a central angle of 61 degrees 17 minutes 39 seconds; thence South 84 degrees 30 minutes 58 seconds East, tangent to said curve 109.10 feet, more or less, to the centerline of T.H. No. 371/200; thence northerly along said centerline to the north line of said Government Lot 3; thence North 87 degrees 11 minutes 49 seconds West along said north line and the north line of said Southwest Quarter 2789.04 feet, more or less, to the point of beginning.

Subject to easements, restrictions, and reservations of record.

Subject to right-of-way of T.H. No. 371/200.

Subject to right-of-way of 73rd Street NW (Ah-Gwah-Ching Road).

TRACT B

Those parts of Government Lot 6, Section 2, Township 141 North, Range 31 West, and of the Southwest Quarter and Government Lots 3 and 4, all in Section 35, Township 142 North, Range 31 West, Cass County, Minnesota, described as follows: Commencing at the southwest corner of said Southwest Quarter; thence South 87 degrees 20 minutes 26 seconds East, assumed bearing along the south line thereof 1000.04 feet; thence South 3 degrees 11 minutes 23 seconds West 351.14 feet; thence South 41 degrees 13 minutes 43 seconds East 657.06 feet; thence North 48 degrees 10 minutes 19 seconds East 967.38 feet; thence North 18 degrees 49 minutes 46 seconds East 487.49 feet; thence North 38 degrees 32 minutes 08 seconds East 713.43 feet to the point of beginning of the trace to be herein described; thence South 38 degrees 32 minutes 08 seconds West 713.43 feet; thence South 18 degrees 49 minutes 46 seconds West 487.49 feet; thence South 48 degrees 10 minutes 19 seconds West 967.38 feet; thence North 41 degrees 13 minutes 43 seconds West 657.06 feet; thence North 3 degrees 11 minutes 23 seconds East 1635.00 feet; thence South 86 degrees 09 minutes 37 seconds East 358.73 feet; thence South 87 degrees 02 minutes 46 seconds East 103.58 feet; thence easterly 284.55 feet along a tangential curve concave to the north, having a radius of 636.62 feet and a central angle of 25 degrees 36 minutes 34 seconds; thence North 67 degrees 20 minutes 39 seconds East, tangent to said curve 447.81 feet; thence northeasterly 90.38 feet along a tangential curve concave to the southeast, having a radius of 477.46 feet and a central angle of 10 degrees 50 minutes 45 seconds; thence North 78 degrees 11 minutes 24 seconds East, tangent to last said curve 105.01 feet; thence easterly 254.79 feet along a tangential curve concave to the south, having a radius of 358.10 feet and a central angle of 40 degrees 46 minutes 01 second; thence South 61 degrees 02 minutes 35 seconds East, tangent to last said curve 43.75 feet; thence North 34 degrees 11 minutes 23 seconds East 4.44 feet; thence northeasterly 775.59 feet along a tangential curve concave to the southeast, having a radius of 725.00 feet and a central angle of 61 degrees 17 minutes 39 seconds; thence South 84 degrees 30 minutes 58 seconds East, tangent to said curve 109.10 feet, more or less, to the centerline of T.H. No. 371/200; thence southerly along said centerline to the intersection with a line bearing South 83 degrees 35 minutes 13 seconds East from the point of beginning; thence North 83 degrees 35 minutes 13 seconds West 554.60 feet, more or less, to the point of beginning.

Subject to and together with easements, restrictions, and reservations of record.

Subject to right-of-way of T.H. No. 371/200.

Subject to right-of-way of 73rd Street NW (Ah-Gwah-Ching Road).

Together with (see Utility Easements 1 and 2).

Together with (see Ingress, Egress and Recreational Easement).

RECD BY
MAB

DEC 07 2007

TRACT C

Those parts of Government Lot 6, Section 2, Township 141 North, Range 31 West, and of the Southeast Quarter of the Southwest Quarter and Government Lot 4, all in Section 35, Township 142 North, Range 31 West, Cass County, Minnesota, described as follows: Commencing at the southwest corner of said Southwest Quarter; thence South 87 degrees 20 minutes 26 seconds East, assumed bearing along the south line thereof 1000.04 feet; thence South 3 degrees 11 minutes 23 seconds West 351.14 feet; thence South 41 degrees 13 minutes 43 seconds East 657.06 feet to the point of beginning of the tract to be herein described; thence North 48 degrees 10 minutes 19 seconds East 967.38 feet; thence North 18 degrees 49 minutes 46 seconds East 487.49 feet; thence North 38 degrees 32 minutes 08 seconds East 713.43 feet; thence South 83 degrees 35 minutes 13 seconds East 554.60 feet, more or less, to the centerline of T.H. No. 371/200; thence southeasterly along said centerline to the south line of said Government Lot 4; thence westerly along last said south line to the shoreline of Leech Lake; thence northwesterly, southwesterly, southerly and southwesterly along said shoreline to the intersection with a line bearing South 41 degrees 13 minutes 43 seconds East from the point of beginning; thence North 41 degrees 13 minutes 43 seconds West 681 feet, more or less, to the point of beginning.

Subject to and together with easements, restrictions, and reservations of record.

Subject to right-of-way of T.H. No. 371/200.

Subject to (see Utility Easements 1 and 2).

Subject to (see Ingress, Egress and Recreational Easement).
UTILITY EASEMENT NO. 1

RECD BY
MAB

DEC 07 2007

Joint Resolution Annexation Agreement

Exhibit A

State Deeded County Administered Land Legal Description

That part of the W1/2 of the NW1/4 of the SW1/4 lying North of the South 2000 feet of the W1/2 of the W1/2 of the SW1/4, of Section Thirty Five (35) of Township one hundred forty-two (142), (Shingobee Township), Range thirty-one (31) West containing approximately 7.23 acres.

Cass County tax parcel number 38-135-3201

City of Walker Sewer Pond

The South 2000 feet of the West Half of the West Half of the Southwest Quarter (W $\frac{1}{2}$ of W $\frac{1}{2}$ of SW $\frac{1}{4}$) of Section Thirty-five (35), Township One hundred forty-two (142), Range Thirty-one (31), Cass County, Minnesota. 30.3 acres more or less.

AND

All that part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Thirty-four (34), Township One hundred forty-two (142), Range Thirty-one (31), Cass County, Minnesota, less that part sold and described as follows: Commencing at the southwest corner; thence easterly on the south line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$ 900 feet; thence northwesterly to a point on the north line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$, 600 feet easterly of the Northwest corner of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$; thence westerly along said north line 600 feet to said Northwest corner; thence southerly along the west line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$ to the Southwest corner to the place of beginning and there terminating. 17.0 acres more or less.

AND

That part of Government Lot 6, Section 2, Township 141 North, Range 31 West, Cass County, Minnesota, lying westerly of the following described line: Commencing at the Northwest corner of said Government Lot 6; thence South 87 degrees 20 minutes 26 seconds East, assumed bearing along the north line thereof 1000.04 feet to the point of beginning of the line to be herein described; thence South 3 degrees 11 minutes 22 seconds West 351.14 feet; thence South 41 degrees 13 minutes 44 seconds East 1318.68 feet to a point on the south line of said Government Lot 6, distant 1588.35 feet easterly of the Southwest corner of said Government Lot 6 and said line there terminating.

AND

All that part of W $\frac{1}{2}$ of SW $\frac{1}{4}$, Section 35-142-31 described as follows: Beginning at a point on the southline of said SW $\frac{1}{4}$; N 89 deg. 41 min. 20 sec. East 659.00 ft. from the Southwest corner of said SW $\frac{1}{4}$; thence N 89 deg. 41 min. 20 sec. E, along said southline, 341.00 ft.; thence N 00 deg. 00 min. E. 2000.00 ft.; thence S 89 deg. 41 min. 20 sec. W 343.98 ft.; thence S 00 deg. 05 min. 07 sec. E 1999.99 ft. to the point of beg. and there terminating. Containing 15.72 acres

AND

All that part of Govt Lot 1, together with that part of the S $\frac{1}{2}$ of NE $\frac{1}{4}$, Sec. 3-141-31, desc. as follows: Beginning at the Northeast corner of said Govt Lot 1; thence south 14 deg. 27 min. 47 sec. East, along the East line of said Govt Lot 1 and said S $\frac{1}{2}$ of NE $\frac{1}{4}$, 2690.39 ft. to the Southeast corner of said S $\frac{1}{2}$ of NE $\frac{1}{4}$; thence south 87 deg. 30 min. 44 sec. west along the south line of said S $\frac{1}{2}$ of NE $\frac{1}{4}$, 2030.00 ft.; thence North 14 deg. 27 min. 47 sec. West 674.95 ft.; thence North 87 deg. 30 min. 44 sec. East 1526.16 ft.; thence north 00 deg. 00 min. East 1973.44 ft. to the point of beginning and there terminating. Containing 42.17 acs.

AND

That pt of NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, Township 142 North, Range 31 West, Cass County, Minnesota, lyg S. of a line drawn parallel to and distant 2000' N'y of the S. line of said Section 34 lyg E. of a line drawn parallel to and distant 500' W'y of the E. line of said Sec. 34.