

JOINT RESOLUTION

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY OF
WINNEBAGO AND THE TOWN OF VERONA**

REC'D BY
AMS OCT 20 2008

WHEREAS, the City of Winnebago and the Town of Verona designate for orderly annexation, the following described lands located within the Town of Verona, County of Faribault, Minnesota:

See the attached Exhibit A.

and,

WHEREAS, the City of Winnebago (the "City") and the Town of Verona (the "Town") are in agreement as to the orderly annexation of the unincorporated land described; that both believe it will be to their mutual benefit and to that of their respective residents; and

WHEREAS, Minnesota Statutes § 414.0325 provides a procedure whereby the City of Winnebago and the Town of Verona may agree on a process of orderly annexation of a designated area; and

WHEREAS, all property owners of the property designated for annexation have petitioned to be annexed, and have waived the electric utility service cost notice of Minnesota Statutes, §414.033, subd. 13.

WHEREAS, the City of Winnebago and the Town of Verona have agreed to all the terms and conditions for the annexation of the above-described lands within this document and the signatories hereto agree that no consideration by the Office of Administrative Hearings - Municipal Boundary Adjustments is necessary; that the Office may order the immediate annexation in accordance with the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Winnebago and the Town Board of the Town of Verona as follows:

1. **(Property.)** That the following described lands in the Town of Verona are subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate those areas for orderly annexation, to wit:

See the attached Exhibit A.

* * * * *

It is therefore agreed that the following property be immediately annexed to the City of Winnebago to wit:

See the attached Exhibit A.

* * * * *

2. That the designated area consists of approximately 109 acres, the population in the subject area is 2, and the land type is agricultural/residential.

3. That the Township of Verona does, upon passage of this resolution, and the City of Winnebago does upon adoption by the City Council, upon acceptance by the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confer jurisdiction upon the Office of Administrative Hearings - Municipal Boundary Adjustments so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. That the above-described property is urban or suburban or about to become so, and since the City of Winnebago is capable of providing the services required by the area within a reasonable time, the annexation would be in the best interest of the area.

5. It is agreed by the City, the Town and Petitioners that the Office may order the annexation to be effective immediately in accordance with the terms of this resolution.

6. **Municipal Reimbursement.** Minnesota Statutes §414.036.

a. Reimbursement to Towns for lost taxes on annexed property.

In the first year following the year in which the City of Winnebago could first levy on the annexed area, an amount equal to 90% of the City's share of levied property taxes; and

In the second year, an amount equal to 70%;

In the third year, an amount equal to 50%;

In the fourth year, an amount equal to 30%;

In the fifth year, an amount equal to 10%.

7. **(Review and Comment).** The City of Winnebago and the Town of Verona agree that upon receipt of this resolution, passed and adopted by each party, the Office of Administrative Hearings/ Municipal Boundary Adjustments, or its successor, may review and comment, but shall, as soon as possible, order the annexation in accordance with the terms of this resolution.

OCT 20 2008

Adopted by affirmative vote of all the members of the Verona Town Board of
Supervisors this 15 day of October, 2009.

TOWN OF Verona

By: Neal Morris
Chairperson
Board of Supervisors

By: Nina Ratten
Township Clerk

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Adopted by affirmative vote of the City Council of Winnebago, this 14 day of
October, 2008.

CITY OF Winnebago

By: Randy Nowak
Mayor

ATTEST:

By: Jennifer Seelye
City Administrator

Approved this 14 day of October, 2008.

PETITIONER'S CONSENT

We, the undersigned owners of the property subject to this Resolution, hereby consent to the annexation of our property to the City of Winnebago as outlined in this Joint Resolution.

Scott Robertson
Scott Robertson

Ethel Mae Robertson
Ethel Mae Robertson

OCT 20 2008

Tract 1 - The South Half of the South Half of the Southeast Quarter of the Northwest Quarter; all that part of the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter that lies North and West of the Railroad right-of-way except a tract in the Southeast Quarter beginning at the Northeast corner of the Southeast Quarter being 2142.7 feet West of the East quarter corner on the East quarter line of Section Three (3), thence in a Westerly direction along the East quarter line a distance of 100 feet to the Northwest corner of the tract thence in a Southerly direction with an inside angle of 96 degrees 31 minutes a distance of 244.8 feet to the Southwest corner of said tract being on the West right-of-way line of the Railroad right-of-way, thence in a Northeasterly direction along said West right-of-way line with an inside angle of 29 degrees 33 minutes a distance of 201.35 feet to the Southeast corner thence in a Northerly direction with an inside angle of 150 degrees 27 minutes a distance of 81.0 feet to point of beginning, all of said lands being located in Section Three (3), Township One Hundred Three (103) North of Range Twenty-eight (28) West of the Fifth Principal Meridian.

Tract 2 - Also a tract commencing at the Southeast corner of the West Half of the Southwest Quarter of Section Three (3) in Township One Hundred Three (103) North of Range Twenty-eight (28) West of the Fifth Principal Meridian thence North on the East line of the West Half of the Southwest Quarter of said Section Three (3) a distance of 148 rods, thence West to a point which is located 37 chains North and 13 chains and 90 links East of the Southwest corner of the East Half of the Southeast Quarter of Section Four (4) in Township One Hundred Three (103) North of Range Twenty-eight (28) West of the Fifth Principal Meridian, Faribault County, Minnesota, thence South 11 chains and 10 links to a point located 25 chains and 90 links North and 13 chains and 90 links East of the Southwest corner of the East Half of the Southeast Quarter of said Section Four (4) above described, thence Southeasterly to a point which is located 18 chains and 50 links North and 19 chains and 50 links East of the Southwest corner of the East Half of the Southeast Quarter of said Section Four (4) above described, thence Southeasterly to a point which point is located 9 chains and 25 links North and 21 chains and 20 links East of the Southwest corner of the East Half of the Southeast Quarter of said Section Four (4); thence in a Southwesterly direction to a point on the South line of said Section Four (4) which point is 9 chains and 90 links East of the Southwest corner of the East Half of the Southeast Quarter of said Section Four (4), thence East to point of beginning; excepting and reserving therefrom the right of way of the Chicago, Milwaukee and St. Paul Railway Company across the Southeast corner of the West Half of the Southwest Quarter of Section Three (3) in Township One Hundred Three (103) North of Range Twenty-eight (28) West of the Fifth Principal Meridian in the County of Faribault and State of Minnesota; said right-of-way being described as a tract commencing at a point 18 rods North of the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section Three (3) in Township One Hundred Three (103) North of Range Twenty-eight (28) West of the Fifth Principal Meridian in the County of Faribault and State of Minnesota, and running thence South 18 rods to said corner, thence West 12 rods, thence Northeasterly to place of beginning, containing 108 rods of land.

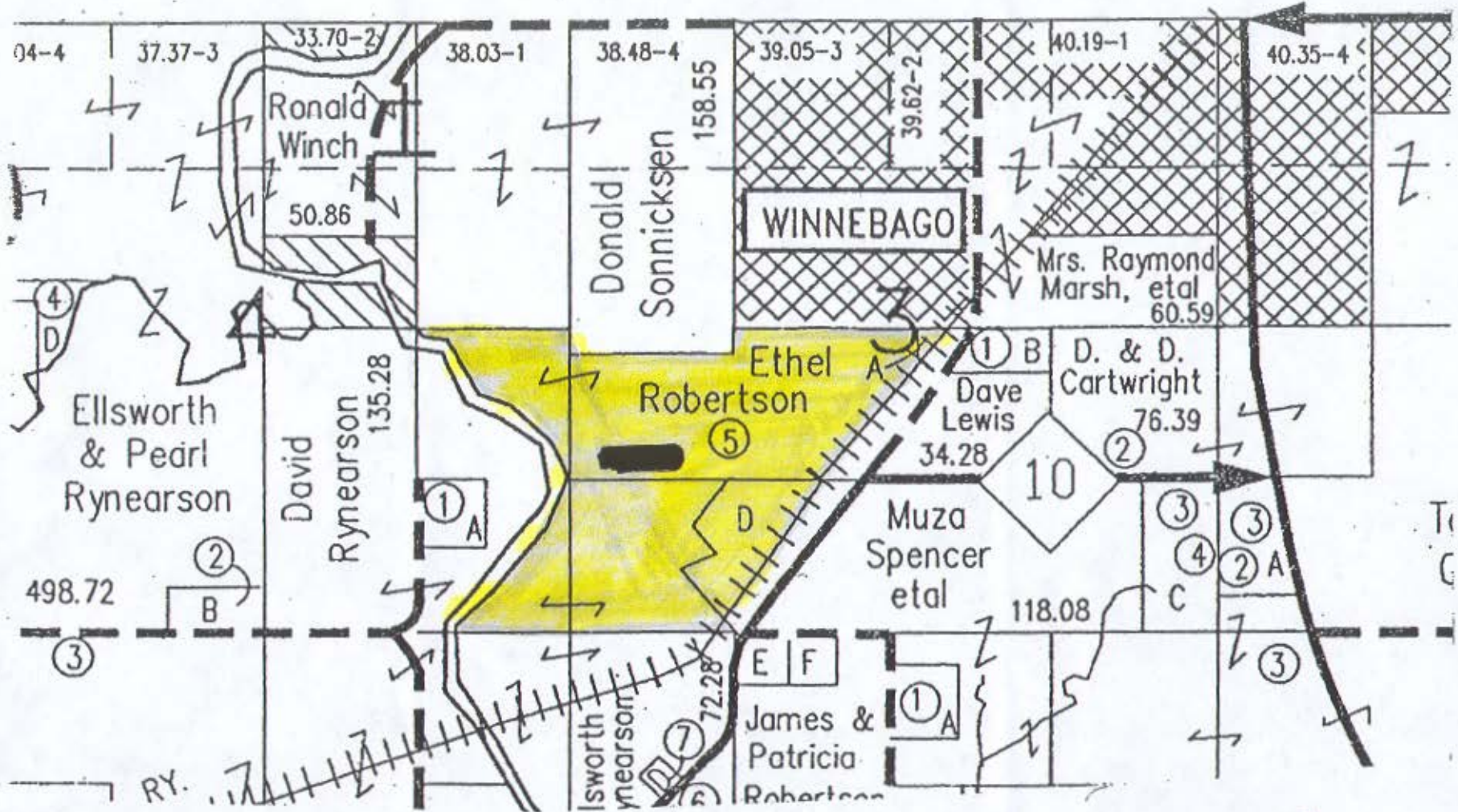
Tract 3 - All that part of the Southeast Quarter of the Southwest Quarter of Section Three (3) in Township One Hundred Three (103) North of Range Twenty-eight (28) West of the Fifth Principal Meridian, lying and being North and West of the Railroad Right of Way of the Chicago, Milwaukee and St. Paul Railway Company as now located and constructed across and over said section.

excepting from Tracts 2 and 3 all that property conveyed by that certain warranty deed dated August 14, 1979 and filed August 16, 1979 from Ethel M. Robertson and Scott J. Robertson to Robert D. Weerts and recorded as Document No. 239142 in the office of the County Recorder, Faribault County, Minnesota.

Subject to an easement to Northern Natural Gas Company.

AND

East half (E $\frac{1}{2}$) of the Southeast quarter (SE $\frac{1}{4}$) East of the river in Section Four (4), Township One-hundred three (103), Range Twenty-eight (28) and West half (W $\frac{1}{2}$) of the Southwest quarter (SW $\frac{1}{4}$) and Northeast quarter (NE $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) Northwest of Railroad in Section Three (3), Township one-hundred three (103), Range Twenty-eight (28), in Faribault County, Minnesota.



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