

**JOINT RESOLUTION OF THE CITY OF GOODVIEW
AND THE TOWNSHIP OF ROLLINGSTONE AS TO THE
ORDERLY ANNEXATION OF PROPERTY**

WHEREAS, the Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments has jurisdiction over certain annexation and orderly annexation issues; and

WHEREAS, the City of Goodview, Winona County, State of Minnesota ("Goodview") and the Township of Rollingstone, Winona County, State of Minnesota ("Township") desire to enter into an agreement allowing for the orderly annexation of certain property, pursuant to Minnesota Statute 414.0325; and

WHEREAS, Goodview and Township are in agreement as to the orderly annexation of certain lands described herein for the purpose of orderly, planned growth; and

WHEREAS, Goodview makes potable water and wastewater treatment services available to its residents and Goodview is able and willing to provide the necessary governmental services to that portion of the Township to be annexed; and

WHEREAS, Goodview seeks to avoid future environmental problems by developing comprehensive land use planning and controls for that area of the Township to be annexed, so that a long-term environmentally sound solution can be implemented for providing municipal sanitary sewer services and other needed services to that area of the Township to be annexed in a cost effective manner; and

WHEREAS, the area to be annexed is now or is about to become urban or suburban in character; and

WHEREAS, it is in the best interest of Goodview, Township, and their respective residents to agree to an orderly annexation in furtherance of orderly growth and for the protection of the public health, safety, and welfare; 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 ("Joint Resolution");

NOW, THEREFORE, BE IT RESOLVED by Goodview and Township as follows:

1. That upon approval by the respective governing bodies of Goodview and Township, this joint resolution and agreement shall confer jurisdiction upon the Office of Administrative Hearings/Municipal Boundary Adjustments so as to accomplish the orderly annexation of the lands

described in the attached Exhibit "A" in accordance with the terms of this joint resolution and agreement.

2. The following described lands will hereinafter be described as the annexation area and said property is properly subject to orderly annexation pursuant to Minnesota Statute Section 414.0325. The parties hereto do hereby designate this area as in need of orderly annexation as provided by statute; this area consists of approximately .66 ± acres and is legally described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

3. Goodview and Township mutually state that no alteration by the Office of Administrative Hearings/Municipal Boundary Adjustments to the area boundaries as described in Exhibit "A" (the "orderly annexation area") is appropriate or permitted.
4. The parties acknowledge that Goodview is capable of providing municipal services, such as sanitary sewer and water to said orderly annexation area.
5. For all property annexed to Goodview pursuant to this resolution, the property tax rate for said property will be as determined by Goodview's tax rate beginning with taxes payable in 2010, and taxes collected from the orderly annexation area for the year 2010 and all future years shall be paid to Goodview. All taxes collected from the orderly annexation area for the year 2009 and all prior years shall be paid to Township.
6. The Township and Goodview agree that all debt of Township, whether bonded indebtedness, certificates of indebtedness or contractual debt shall remain with the remainder of Township, and that Goodview assumes no liabilities whatsoever of Township. Township, its successors and assigns, agree to hold Goodview harmless from any claims any third parties may have against Goodview relating to said debt.
7. Township, its successors and assigns also agree to indemnify Goodview for any claims which may be made against Goodview which arise as a result of Township action or inaction within the orderly annexation area prior to the finalization of the annexation of the orderly annexation area.
8. Each party shall be responsible for the expenses and costs they have incurred for preparation and submission of this Joint Resolution.
9. The parties agree that Goodview shall pay the Township \$400.00 on or before December 31, 2010, and \$400.00 on or before December 31,

2011, for reimbursement as provided in Minnesota Statute Section 414.036.

10. Having designated the area described in Exhibit "A" as in need of orderly annexation, and having provided for all of the conditions of its annexation within this document, the parties to this agreement agree that no consideration by the Office of Administrative Hearings/Municipal Boundary Adjustments is necessary. As such, the Office of Administrative Hearings/Municipal Boundary Adjustments may review and comment, but shall, within thirty (30) days of the date of receipt of this Joint Resolution for Orderly Annexation, order the annexation of lands described in Exhibit "A" in accordance with the terms of this Joint Resolution.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF GOODVIEW THIS 5TH DAY OF OCTOBER, 2009.



Jack Weimerskirch, Mayor




Daniel J. Matejka, City Administrator

ADOPTED BY THE ROLLINGSTONE TOWNSHIP BOARD THIS 12TH DAY OF OCTOBER, 2009.



Greg Kuehtopp, Chairman



Mariann Mastenbrook, Clerk

REC'D BY
MBA

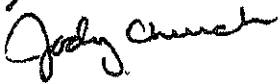
OCT 28 2009

RECEIVED SEP 14 2009

To City of Goodview Council,

We would like to make a request to annex into the city of Goodview for the purpose of hooking our property located at 17092 County Road 23 to city water and sewer.

Jared & Jody Church



9/14/09

EXHIBIT "A"

RECORDED
MBA

OCT 28 2009

LEGAL DESCRIPTION

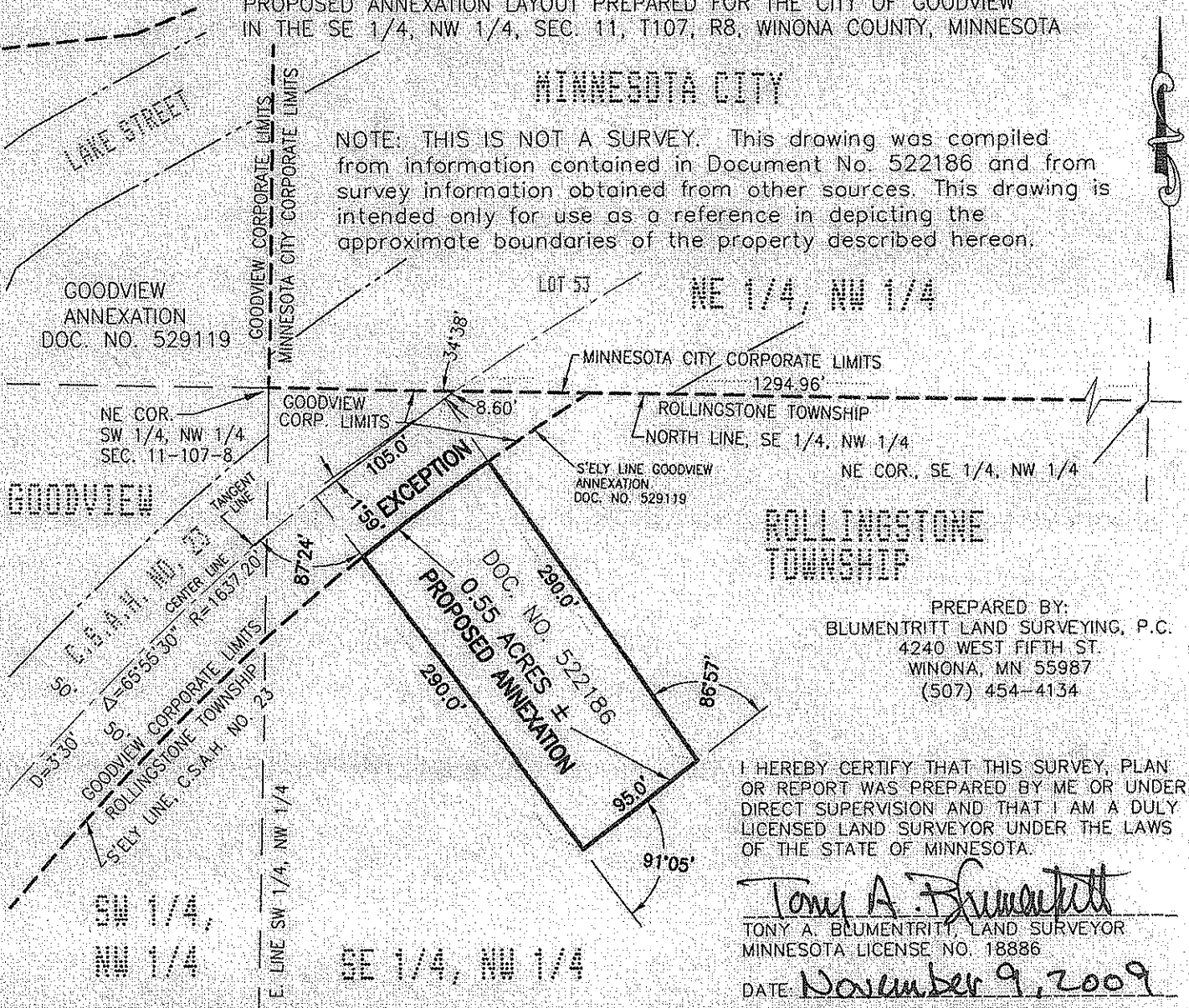
That part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 107, Range 8, Winona County, Minnesota, which is more particularly described as follows, to-wit:

Commencing at the Northeast corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 11; thence Westerly along the North line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ for a distance of 1224.96 feet to a point in the center line of County Road 23; thence deflect to the left 34° 38', for a chord distance of 8.60 feet to the point of beginning of property to be described; thence continue along said center line which is on a 3° 30' curve, delta angle 65° 55' 30", radius 1637.20 feet and the chord deflects to the left 1° 59' from the last described chord for a distance of 105.0 feet; thence Southeasterly at a deflection angle of 87° 24' to the left from tangent line at last described point for a distance of 290.0 feet; thence deflect 91° 05' to the left for a distance of 95.0 feet; thence deflect 86° 57' to the left for a distance of 290.0 feet to the point of beginning. Subject to the right-of-way of the County Road No. 23; containing 0.66 acres in all.

PROPOSED ANNEXATION LAYOUT PREPARED FOR THE CITY OF GOODVIEW
 IN THE SE 1/4, NW 1/4, SEC. 11, T107, R8, WINONA COUNTY, MINNESOTA

MINNESOTA CITY

NOTE: THIS IS NOT A SURVEY. This drawing was compiled from information contained in Document No. 522186 and from survey information obtained from other sources. This drawing is intended only for use as a reference in depicting the approximate boundaries of the property described hereon.



PREPARED BY:
 BLUMENTRITT LAND SURVEYING, P.C.
 4240 WEST FIFTH ST.
 WINONA, MN 55987
 (507) 454-4134

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT 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.

Tony A. Blumentritt
 TONY A. BLUMENTRITT, LAND SURVEYOR
 MINNESOTA LICENSE NO. 18886
 DATE: November 9, 2009

PROPOSED ANNEXATION DESCRIPTION

That part of the SE 1/4 of the NW 1/4 of Section 11, Township 107, Range 8, Winona County, Minnesota, which is more particularly described as follows, to-wit:

Commencing at the Northeast corner of the SE 1/4 of the NW 1/4 of said Section 11; thence Westerly along the North line of said SE 1/4 of the NW 1/4 for a distance of 1224.96 feet to a point in the center line of County Road 23; thence deflect to the left 34°38' for a chord distance of 8.60 feet to the point of beginning of the property to be described; thence continue along said center line which is on a 3°30' curve, delta angle 65°55'30", radius 1637.20 feet and the chord deflects to the left 1°59' from the last described chord for a distance of 105.0 feet; thence Southeasterly at a deflection angle of 87°24' to the left from tangent line at last described point for a distance of 290.0 feet; thence deflect 91°05' to the left for a distance of 95.0 feet; thence deflect 86°57' to the left for a distance of 290.0 feet to the point of beginning.

Excepting therefrom the right-of-way of the County Highway No. 23.

REC'D BY
 MBA
 NOV 10 2009

DATE: NOVEMBER 6, 2009
 SCALE: 1"=100'
 FILE NO. 09106