

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN
THE CITY OF SPRING VALLEY AND SPRING VALLEY TOWNSHIP
PURSUANT TO MINNESOTA STATUTES 414.0325**

WHEREAS, a request from all of the property owners of the area proposed for designation and immediate annexation was received.

WHEREAS, the City of Spring Valley and Spring Valley Township jointly agree to designate and request the immediate annexation of the following described land located within Spring Valley Township to the City of Spring Valley, County of Fillmore, Minnesota;

***Sect-28 Twp-103 Range-013 11.20 AC E ½ NW ¼ Fillmore County Parcel # 35.0293.010
(see attached map)***

and,

WHEREAS, the City of Spring Valley and Spring Valley Township are in agreement as to the orderly annexation of the unincorporated land described; and,

WHEREAS, Minnesota Statutes 414.0325 provides a procedure whereby the City of Spring Valley and Spring Valley Township may agree on a process of orderly annexation and of a designated area; and,

WHEREAS, the City of Spring Valley and Spring Valley Township have agreed to all the terms and conditions for the annexation of the above-described lands; and the signatories hereto agree that no alteration of the designated area is appropriated and no consideration by the Chief Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Spring Valley and the Township Board of Spring Valley Township as follows:

1. That the following described land is subject to orderly annexation pursuant to Minnesota Statutes 414.0325 and that the parties hereto designate the area for orderly annexation; and agree that the land be immediately annexed:

***Fillmore County Parcel# 35.0293.010 Sect-28, Twp-103, Range-013
11.20 AC E ½ NW ¼***

2. That the orderly annexation area consists of approximately 11 acres, the population in the area is 5, and the land use type is Residential.

3. That Spring Valley Township and the City of Spring Valley, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. Reimbursement of the property taxes to the Township shall be based on the property taxes collected by the Township in the last year it collected taxes on the annexed area, in a total amount equivalent to that payable under the former law (Minnesota Statutes § 414.033 Subd.12. 2005), but adjusted to be paid in accordance with amendments to Minnesota Statutes § 414.036.

5. The City of Spring Valley and Spring Valley Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

Adopted by affirmative vote of all the members of the Spring Valley Township Board of Supervisors this 25th day of June 2013.

SPRING VALLEY TOWNSHIP

By: *Janet Welch*
Chairperson
Board of Supervisor

ATTEST:

By: *Ellen M. Voigt, Clerk*
Township Clerk

Adopted by affirmative vote of the City Council of Spring Valley this ^{26th} day of ^{August} ~~July~~ 2013.

CITY OF SPRING VALLEY

By: *[Signature]*
Mayor

ATTEST:

By: *[Signature]*
City Administrator

Approved this ^{26th} day of ^{August} ~~July~~, 2013

35.0293.010

**EXHIBIT A
LEGAL DESCRIPTION
DAVID AND PAMELA WETTER**

PARCEL I: That part of the East One Half of the Northwest Quarter of Section 28, Township 103 North, Range 13 West, Fillmore County, Minnesota, described as follows: Commencing at the Southeast Corner of said East One Half of the Northwest Quarter; thence South 89 degrees 35 minutes 47 seconds West (assumed bearing) along the South line of said East One Half of the Northwest Quarter, 345.22 feet to the Northeasterly Right of Way line of the now abandoned Chicago and North Western Transportation Company Railroad line and to the point of beginning of the tract of land to be herein described; thence North 33 degrees 47 minutes 41 seconds West along said Northeasterly Right of Way line (also along the Southwesterly line of Spring Valley Industrial Park as laid out and platted in the City of Spring Valley), 1685.08 feet; thence South 56 degrees 12 minutes 19 seconds West at right angles to said Northeasterly Right of Way line, 50.00 feet to the centerline of said abandoned Railroad Right of Way and to the West line of said East One Half of the Northwest Quarter; thence South 00 degrees 13 minutes 10 seconds East along said West line, 90.41 feet to the Southwesterly line of said abandoned Railroad Right of Way; thence South 33 degrees 47 minutes 41 seconds East along said Southwesterly Right of Way line, 1543.84 feet to said South line of said East One Half of the Northwest Quarter; thence North 89 degrees 35 minutes 47 seconds East along said South line, 119.77 feet to the point of beginning and containing 3.75 acres, more or less. Subject to easements of record.

PARCEL II: That part of the East One Half of the Northwest Quarter of Section 28, Township 103 North, Range 13 West, Fillmore County, Minnesota, described as follows: Commencing at the Southeast Corner of said East One Half of the Northwest Quarter; thence South 89 degrees 35 minutes 47 seconds West (assumed bearing) along the South line of said East One Half of the Northwest Quarter, 464.99 feet to the Southwesterly Right of Way line of the now abandoned Chicago and Northwestern Transportation Company and to the point of beginning of the tract of land to be herein described; thence continuing South 89 degrees 35 minutes 47 seconds West along said South line, 853.80 feet to the Southwest Corner of said East One Half of the Northwest Quarter; thence North 00 degrees 13 minutes 10 seconds West along the West line of said East One Half of the Northwest Quarter; 1289.01 feet to said Southwesterly Right of Way line; thence South 33 degrees 47 minutes 41 seconds East along said Southwesterly Right of Way line, 1543.84 feet to the point of beginning and containing 12.63 acres, more or less. Subject to easements of record.

EXCEPT THE FOLLOWING DESCRIBED LAND:

That part of the East One Half of the Northwest Quarter of Section 28, Township 103 North, Range 13 West, Fillmore County, Minnesota, described as follows: Commencing at the Southwest Corner of said East One Half of the Northwest Quarter; thence North 00 degrees 13 minutes 10 seconds West (assumed bearing) along the West line of said East One Half of the Northwest Quarter, 661.62 feet to the point of beginning of the tract of

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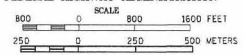
land to be herein described; thence continuing North 00 degrees 13 minutes 10 seconds West along said West line, 717.80 feet to a point on the centerline of the now abandoned Chicago and North Western Transportation Company Railroad Right of Way; thence North 56 degrees 12 minutes 19 seconds East at right angles to said centerline, 50.00 feet to the Northeasterly Right of Way line of said abandoned Railroad; thence South 33 degrees 47 minutes 41 seconds East along said Northeasterly Right of Way line, 941.98 feet; thence North 86 degrees 13 minutes 01 seconds West, 563.98 feet to the point of beginning and containing 5.18 acres, more or less. Subject to easements of record.

highlighted is the property to be annexed.

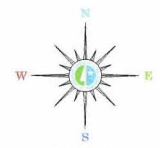
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MUNICIPALITIES OF
FILLMORE CO.

PREPARED BY THE
MINNESOTA DEPARTMENT OF TRANSPORTATION
OFFICE OF TRANSPORTATION DATA & ANALYSIS
BY COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

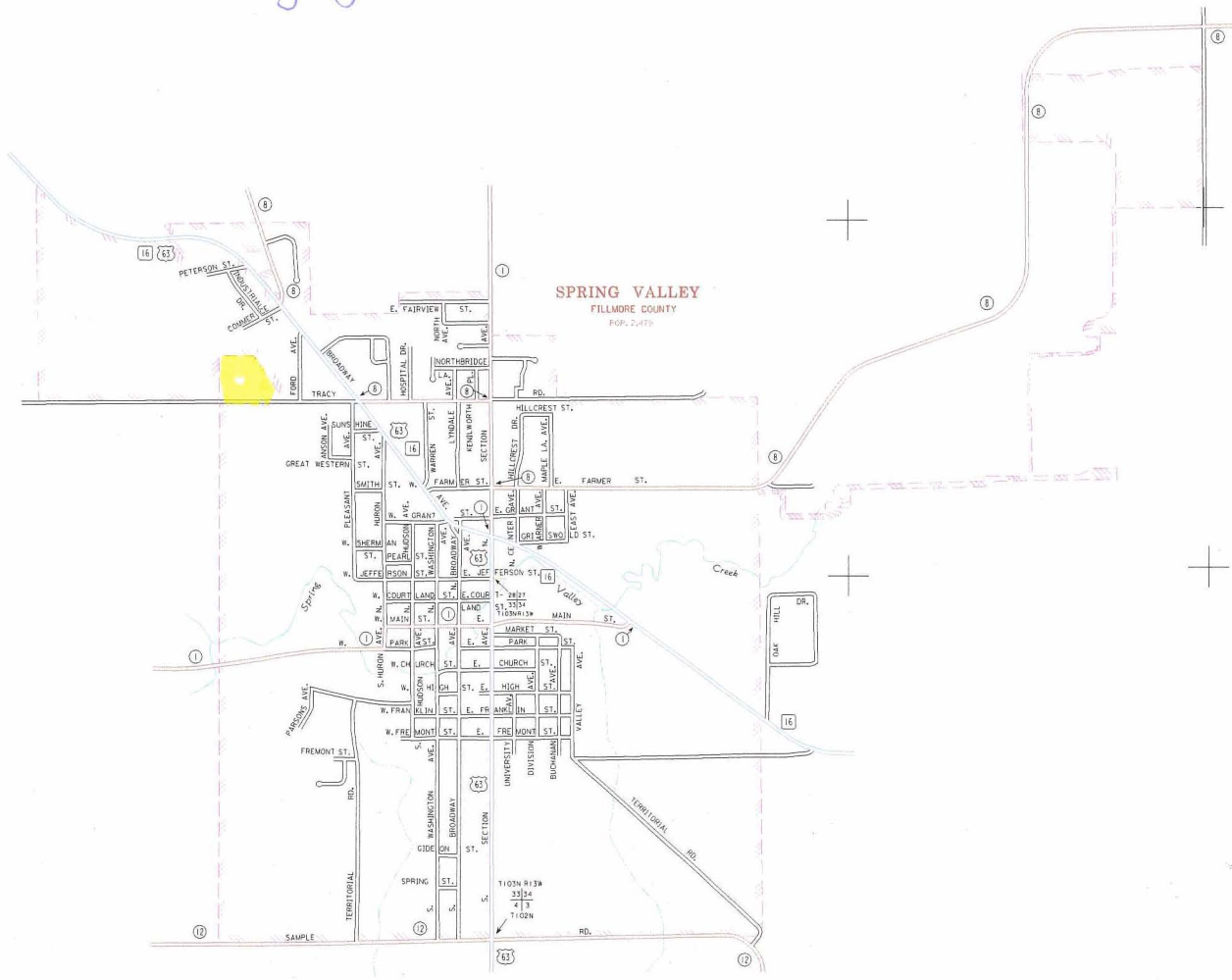


2012
BASIC DATA 2013



LEGEND

- INTERSTATE TRUNK HIGHWAY.....(I)
- U.S. TRUNK HIGHWAY.....(U)
- STATE TRUNK HIGHWAY.....(S)
- COUNTY STATE AID HIGHWAY.....(C)
- COUNTY ROAD.....(R)
- PUBLIC ROAD.....(P)
- PRIVATE ROAD.....(PR)
- CORPORATE LIMITS.....(CL)



MUNICIPALITIES SHOWN
ON THIS SHEET
SPRING VALLEY

For more information, please contact the Minnesota Department of Transportation, Office of Transportation Data & Analysis, 1100 University Ave., St. Paul, MN 55155. Phone: 651-291-3000. Fax: 651-291-3001. Website: www.mn DOT.gov

NOTE: 2010 U.S. CENSUS FIGURES SHOWN FOR ALL MUNICIPALITIES UNLESS OTHERWISE STATED.

"COPY"

SPRING VALLEY INDUSTRIAL PARK SECOND SUBDIVISION

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ENGINEERS • ARCHITECTS
SURVEYORS • PLANNERS
LANDSCAPE ARCHITECTS
217 SPRING VALLEY SOUTHPLANT
ROCHESTER, NEW YORK 14624
PHONE: 716-244-2800
FAX: 716-244-2804
EMAIL: INFO@YCA.COM



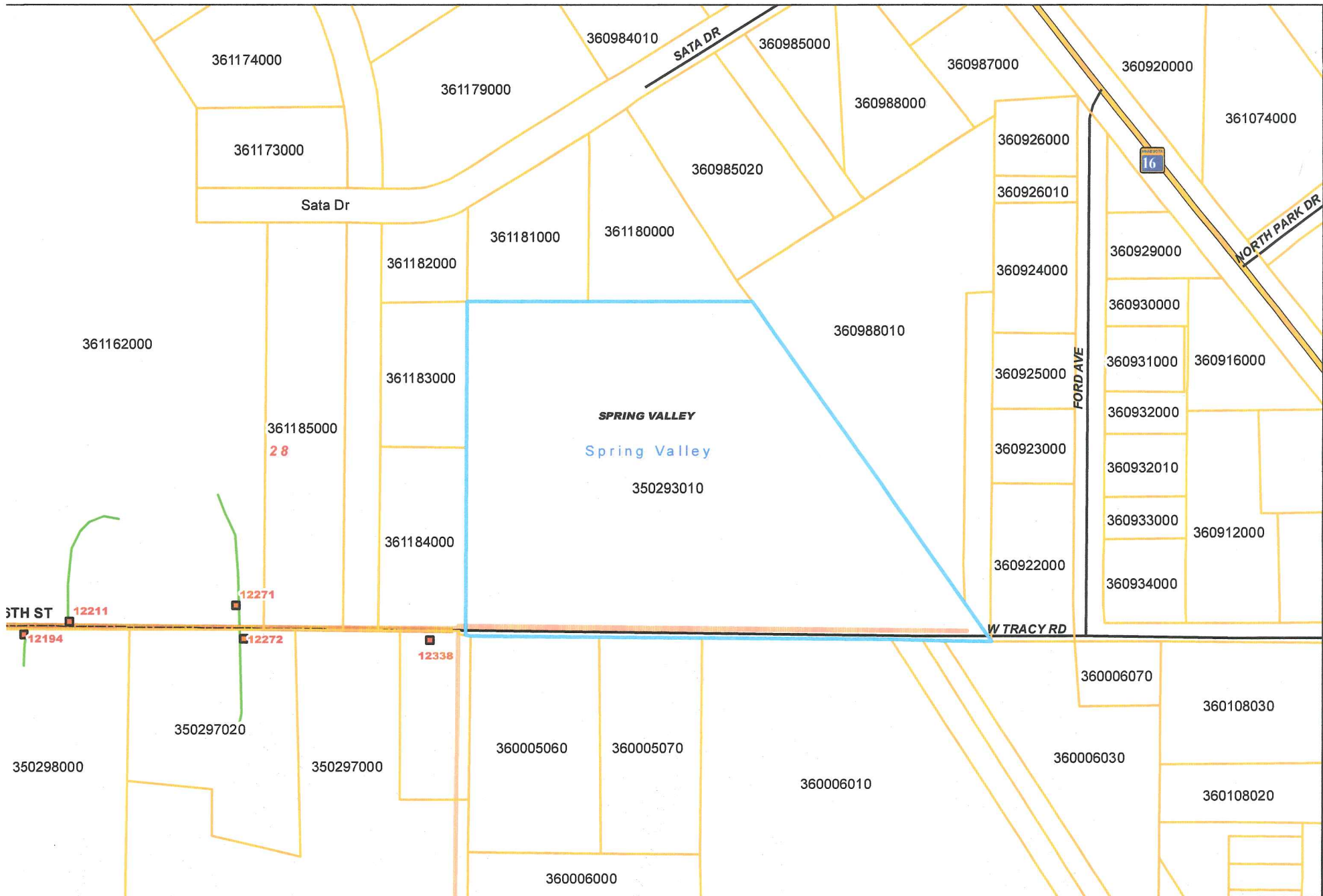
0 50 100 200
SCALE IN FEET



ADJOINING OWNERS:

- 1 KOLLING BROTHERS, LLC
- 2 KAPPERS FABRICATING, INC.
- 3 T.D.FETTERLY, LLC
- 4 DAVID & PAMELA WETTER

Date: 08/14/13 11:53:53 AM C:\Users\jag\Documents\131313\SPV2.dwg



**Fillmore
County**

8/27/2013 11:28:08 AM

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SEP 05 2013

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