

RESOLUTION NO. 0938

**JOINT RESOLUTION OF THE CITY OF GOODVIEW
AND THE TOWNSHIP OF ROLLINGSTONE AS TO THE ORDERLY
ANNEXATION OF FLORIN 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 the 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, the 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 resolution;

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

1. That upon approval by the respective governing bodies of Goodview and the 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.

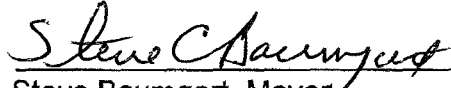
2. The following described lands will hereinafter be described as the annexation area and said property is properly subject to orderly annexation pursuant to Minnesota Statute Section 414.0325. The parties hereto do hereby designate this area as in need of orderly annexation as provided by statute; this area 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 2015, and taxes collected from the orderly annexation area for the year 2015 and all future years shall be paid to Goodview. All taxes collected from the orderly annexation area for the year 2014 and all prior years shall be paid to Township.
6. The Township and Goodview agree that all debt of the Township, whether bonded indebtedness, certificates of indebtedness or contractual debt shall remain with the remainder of the Township, and that Goodview assumes no liabilities whatsoever of the Township. The 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. The 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.

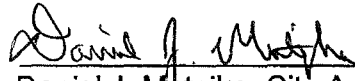
9. The parties agree that Goodview shall pay the Township \$400.00 on or before December 31, 2014, for reimbursement as provided in Minnesota Statute Section 414.036.

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 7th DAY OF July, 2014.



Steve Baumgart, Mayor



Daniel J. Matejka, City Administrator

ADOPTED BY THE ROLLINGSTONE TOWNSHIP BOARD THIS 14 DAY OF July, 2014.



Tim Neyers, Chairman



, Clerk

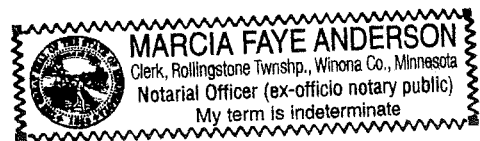


Exhibit A
(FLORIAN PARCEL)

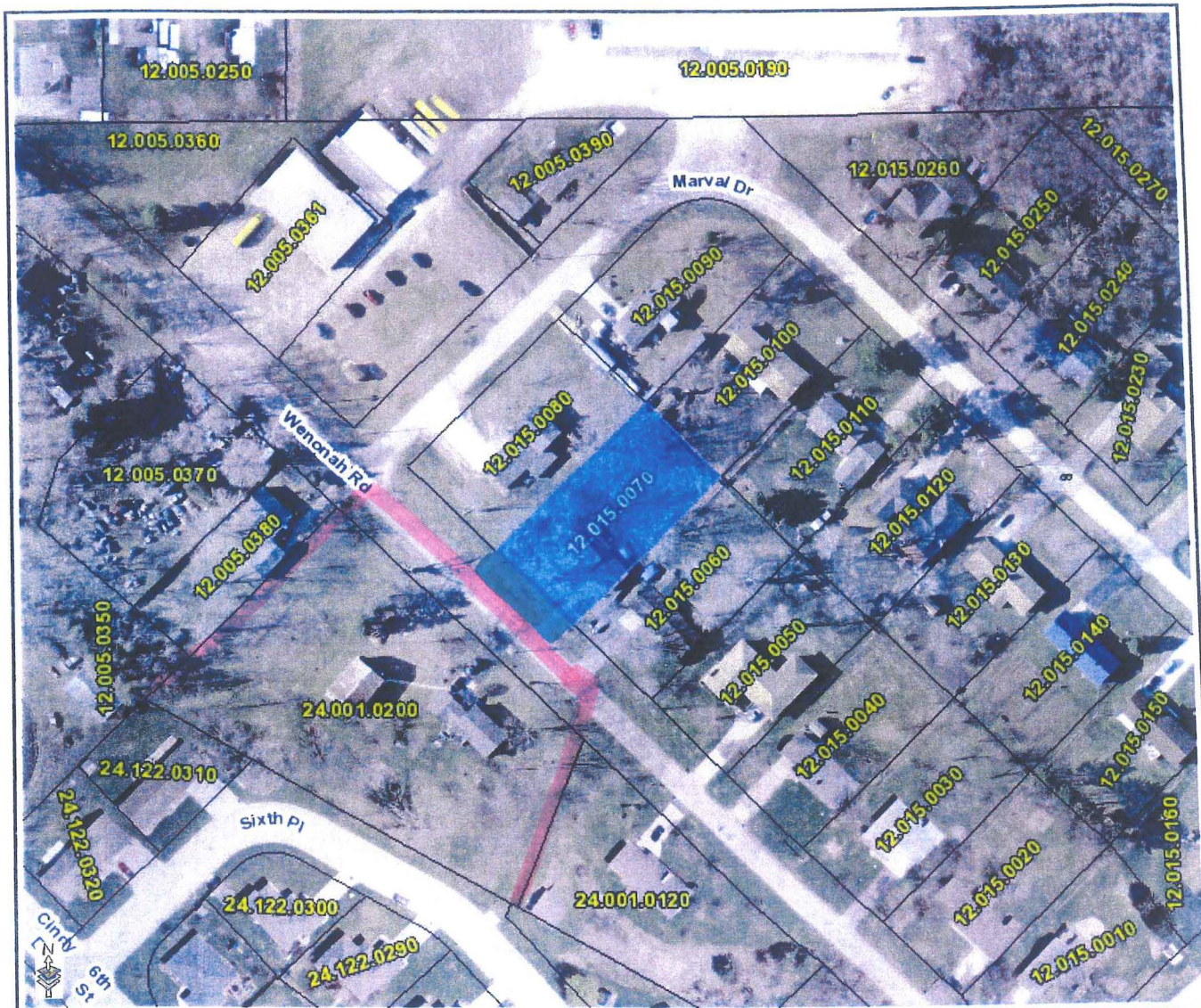
REC'D BY
MBA

JUL 28 2014

Lot 7, Block 1, Kowalewski Subdivision, According to the recorded plat thereof, Winona County, Minnesota.

Also, that part of Wenonah Road (Rollingstone Township Road No. 2) according to said Kowalewski Subdivision, described as follows:

Commencing at the most southerly corner of said Lot 7; thence on an assumed bearing of South 45 degrees 53 minutes 15 seconds West, along the southwesterly extension of the southeasterly line of said Lot 7, a distance of 33.00 feet to the center line of said Wenonah Road; thence North 45 degrees 51 minutes 45 seconds West, along said center line, 100.00 feet to its intersection with the southwesterly extension of the northwesterly line of said Lot 7; thence North 45 degrees 53 minutes 15 seconds East, along said last intersected extended line, 33.00 feet to the most westerly corner of said Lot 7; thence South 45 degrees 51 minutes 45 seconds East, along the southwesterly line of said Lot 7, a distance of 100.00 feet to the point of beginning.



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DESCRIPTION:

TAX ID: 12.015.0070

Sect-12 Twp-107 Range-008 Lot-007 Block-001
KOWALEWSKI SUBD

Owner Name: FLORIN, JACK

Parcel Address: 34 WENONAH RD MINNESOTA CITY 55959

Lot Size (acres): 0.45

Note: Acreage shown on map is approximate. For actual taxed acreage, please refer to parcel plat or relevant deed document.

ANNEXATION LAYOUT FOR THE CITY OF GOODVIEW IN LOT 7, BLK. 1 AND OF A PORTION OF WENONAH ROAD, ALL IN KOWALEWSKI SUBDIVISION,, WINONA COUNTY, MINNESOTA

SW 1/4, NW 1/4

REC'D BY MBA JUL 28 2014

NW COR., SW 1/4, NW 1/4, SEC 12, T107, R8

NE COR., SW 1/4, NW 1/4, SEC. 12, T107, R8

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



SCALE 1"=100'

SECTION 13, T107, R8
SECTION 12, T107, R8

PROPOSED ANNEXATION LEGAL DESCRIPTION

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NOTES

THIS IS NOT A SURVEY. This drawing was compiled from information shown on Kowalewski Subdivision. No field work was done with the preparation of this drawing. This drawing is intended for use as reference in depicting the approximate location of the boundary lines described hereon.

The basis of bearings for this drawing is assumed according to the plat of Kowalewski Subdivision.

The proposed annexation contains approximately 23,291 square feet, including approximately 3,300 square feet of township road right of way.

0.54 acres ±

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: June 2, 2014

DATE: JUNE 2, 2014
FILE NO. 14044

