

RESOLUTION NO. 0939

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

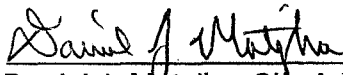
2. The following described lands will hereinafter be described as the annexation area and said property is properly subject to orderly annexation pursuant to Minnesota Statute Section 414.0325. The parties hereto do hereby designate this area as in need of orderly annexation as provided by statute; this 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.

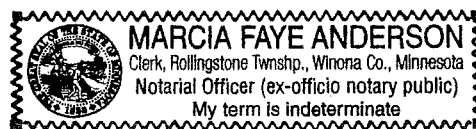

Steve Baumgart, Mayor


Daniel J. Matejka, City Administrator

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


Tim Neyers, Chairman


Marcia Anderson, Clerk



REC'D BY
MBA

JUL 28 2014

Exhibit A

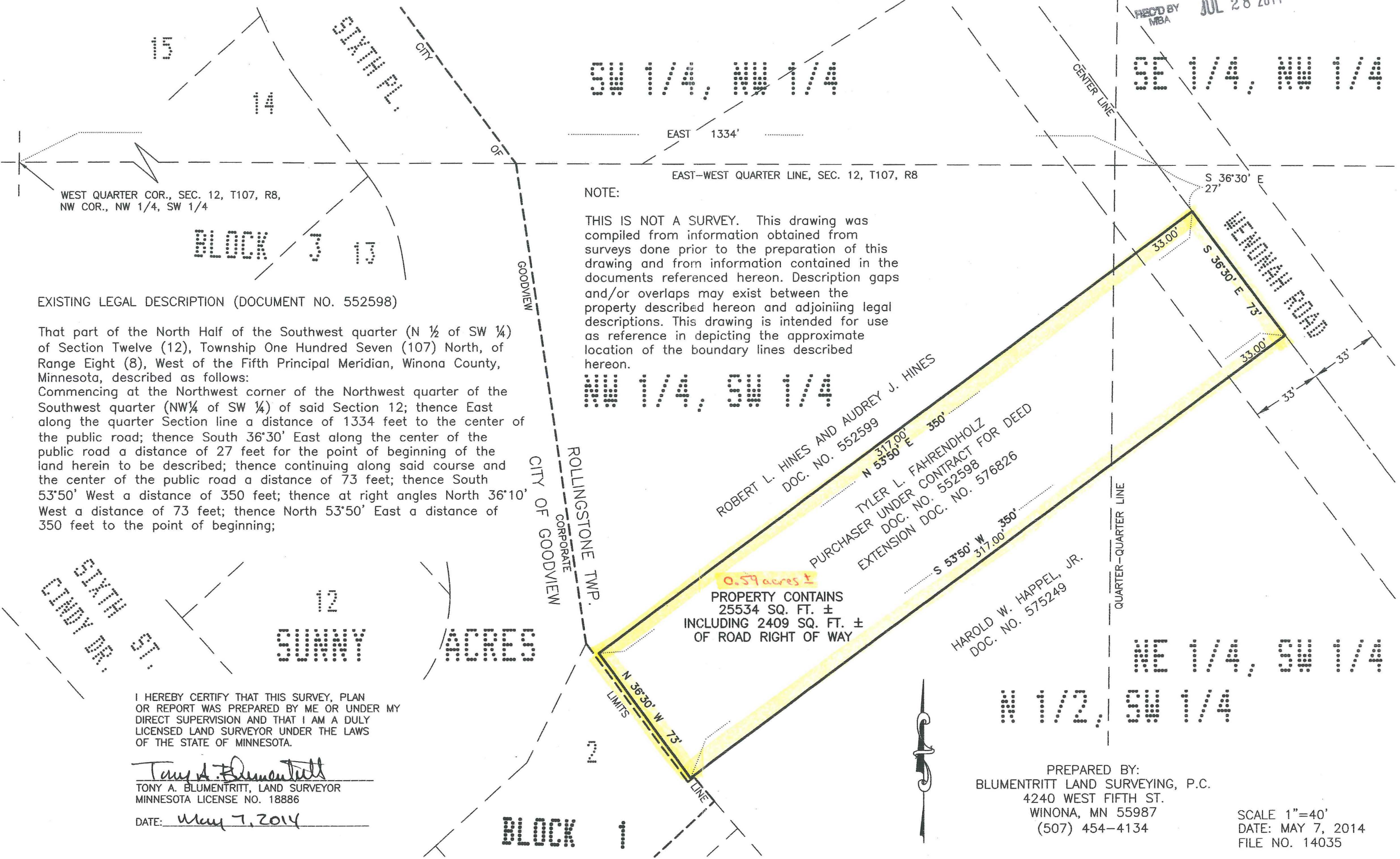
(FAHRENDHOLZ PARCEL)

That part of the North Half of the Southwest quarter (N $\frac{1}{2}$ of SW $\frac{1}{4}$) of Section Twelve (12), Township One Hundred Seven (107) North, of Range Eight (8), West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:

Commencing at the Northwest corner of the Northwest quarter of the Southwest quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$) of said Section 12; thence East along the quarter Section line a distance of 1334 feet to the center of the public road; thence South 36°30' East along the center of the public road a distance of 27 feet for the point of beginning of the land herein to be described; thence continuing along said course and the center of the public road a distance of 73 feet; thence South 53°50' West a distance of 350 feet; thence at right angles North 36°10' West a distance of 73 feet; thence North 53°50' East a distance of 350 feet to the point of beginning;

PROPERTY LAYOUT FOR THE CITY OF GOODVIEW IN THE N 1/2, SW 1/4, SEC. 12, T107, R8, WINONA COUNTY, MINNESOTA

REC'D BY MBA JUL 28 2014



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

Block 3

SW 1/4, NW 1/4

SE 1/4, NW 1/4

NOTE:

THIS IS NOT A SURVEY. This drawing was compiled from information obtained from surveys done prior to the preparation of this drawing and from information contained in the documents referenced hereon. Description gaps and/or overlaps may exist between the property described hereon and adjoining legal descriptions. This drawing is intended for use as reference in depicting the approximate location of the boundary lines described hereon.

NW 1/4, SW 1/4

EXISTING LEGAL DESCRIPTION (DOCUMENT NO. 552598)

That part of the North Half of the Southwest quarter (N 1/2 of SW 1/4) of Section Twelve (12), Township One Hundred Seven (107) North, of Range Eight (8), West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:
Commencing at the Northwest corner of the Northwest quarter of the Southwest quarter (NW 1/4 of SW 1/4) of said Section 12; thence East along the quarter Section line a distance of 1334 feet to the center of the public road; thence South 36°30' East along the center of the public road a distance of 27 feet for the point of beginning of the land herein to be described; thence continuing along said course and the center of the public road a distance of 73 feet; thence South 53°50' West a distance of 350 feet; thence at right angles North 36°10' West a distance of 73 feet; thence North 53°50' East a distance of 350 feet to the point of beginning;

ROBERT L. HINES AND AUDREY J. HINES
DOC. NO. 552599
N 53°50' E 350'

TYLER L. FAHRENDHOLZ
PURCHASER UNDER CONTRACT FOR DEED
DOC. NO. 552598
EXTENSION DOC. NO. 576826
S 53°50' W 317.00'

HAROLD W. HAPPEL, JR.
DOC. NO. 575249

0.59 acres ±
PROPERTY CONTAINS
25534 SQ. FT. ±
INCLUDING 2409 SQ. FT. ±
OF ROAD RIGHT OF WAY

Block 12
SUNNY
ACRES

NE 1/4, SW 1/4
NW 1/2, SW 1/4

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: May 7, 2014

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

SCALE 1"=40'
DATE: MAY 7, 2014
FILE NO. 14035