

RESOLUTION NO. 0662

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

WHEREAS, the Minnesota Office of Strategic and Long Range Planning 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 Minnesota Office of Strategic and Long Range Planning 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 45.30 acres and is legally described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

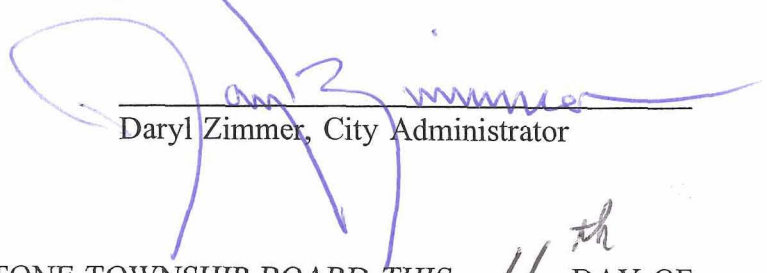
3. Goodview and Township mutually state that no alteration by the Minnesota Office of Strategic and Long Range Planning to the boundaries as described in Exhibit "A" (the "orderly annexation area") is appropriate or permitted.
4. The parties acknowledge that Goodview is capable of providing municipal 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 2004, and taxes collected from the orderly annexation area for the year 2004 and all future years shall be paid to Goodview. All taxes collected from the orderly annexation area for the year 2003 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. 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 Minnesota Office of Strategic and Long Range Planning is necessary. As such, the Minnesota Office of Strategic and Long Range Planning 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 11th DAY OF AUGUST, 2003.

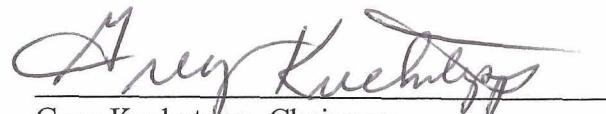


Jack Weimerskirch, Mayor



Daryl Zimmer, City Administrator

ADOPTED BY THE ROLLINGSTONE TOWNSHIP BOARD THIS 11th DAY OF AUGUST, 2003.



Greg Kuehntopp, Chairman



Jeanne Hoffman, Clerk

EXHIBIT A

PARCEL 1

That part of the East Half of the Northeast Quarter, and that part of the Northeast Quarter of the Southeast Quarter, all in Section 11, Township 107, Range 8, Winona County, Minnesota, lying southwesterly of the northeasterly line of the Canadian Pacific Railroad, and lying northeasterly of the southwesterly line of State Highway Right of Way Plat No. 85-3, according to the recorded plat thereof, said Winona County.

Also, all that part of said East Half of the Northeast Quarter, lying northerly of the following described Line 1, and lying westerly of the following described Line 2 and its extensions:

Line 1 is described as commencing at the southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 11; thence northerly along the east line of said East Half of the Northeast Quarter, 412.50 feet to the northeasterly corner of the property described in Book 106 of Deeds, Page 211, on file in the office of the County Recorder in and for said Winona County; thence westerly along the northerly line of said property described in Book 106, Page 211, a distance of 429 feet to the northwesterly corner of said property described in Book 106, Page 211, also being a point on the center line of Wenonah Road; thence southwesterly along a line drawn at right angles to said center line, 33.00 feet to the southerly line of said Wenonah Road; thence westerly along said southerly line of Wenonah Road to the northeasterly line of said Canadian Pacific Railroad; thence in a generally northwesterly direction along said northeasterly line of the Canadian Pacific Railroad to the west line of said East Half of the Northeast Quarter, and said herein described Line 1 there terminating.

Line 2 is described as commencing at the southeast corner of the Northeast Quarter of said Section 11; thence North along the east line of said Section 11, a distance of 1738.8 feet; thence on a line deflecting 101 degrees 36 minutes 30 seconds left, a distance of 49.27 feet to the point of beginning of said Line 2; thence on a line deflecting 101 degrees 31 minutes 30 seconds right a distance of 90 feet; thence on a line deflecting 90 degrees left a distance of 120 feet; thence on a line deflecting 90 degrees right a distance of 720 feet; thence on a line deflecting 90 degrees left a distance of 120 feet; thence on a line deflecting 90 degrees right a distance of 117 feet, more or less, to the north line of said East Half of the Northeast Quarter, and said herein described Line 2 there terminating.

Excepting therefrom all that part of said Northeast Quarter of the Northeast Quarter of Section 11, lying within the boundaries of the following described property:

Beginning at a point on the south line of the Southeast Quarter of the Southeast Quarter of Section 2, Township 107 North of Range 8 West; said point being 78 feet east of the southwest corner of said Southeast Quarter of the Southeast Quarter; thence West along the section line 259 feet to the division line between the property of O.M. Lord and the property of the estate of Otto Groost, deceased; thence southeasterly along said division line, 142 feet to a point; thence North 54 degrees 30 minutes East, 272 feet more or less to the point of beginning.

Also excepting therefrom all that part of said Northeast Quarter of the Northeast Quarter described as follows:

Beginning at a point South 35 degrees 15 minutes East 10.75 chains from the N.W. corner of the NE 1/4 NE 1/4 Sec. No. 11, T.107 N. R.8 West. Thence North 84 degrees West, 1.30 chains, thence South 78 degrees 15 minutes West, 1.25 chains, thence South 39 degrees 15 minutes West, 1.56 chains, thence South 53 degrees 45 minutes West 1.55 chains, thence South 76 degrees 00 minutes West, 1.43 chains to the northerly boundary line of the Right of Way of the Canadian Pacific Railroad (former Chicago, Milwaukee and St. Paul Railway Co.), thence South 34 degrees 00 minutes East 2.56 chains along said North Right of way line to the center of public road, thence South 54 degrees 45 minutes East 0.73 chains, thence North 57 degrees 00 minutes East 4.59 chains, thence North 6 1/2 degrees East 2.57 chains to the place of beginning containing 1.40 acres.

NW COR., NE 1/4, NE 1/4
NE COR., NW 1/4, NE 1/4
SW COR., SE 1/4, SE 1/4,
SEC. 2, T107, R8

SECTION 2, T107, R8
SOUTH LINE, SE 1/4, SE 1/4

NORTH LINE, E 1/2, NE 1/4
SECTION 11, T107, R8

PROPOSED PARCEL 1

NE 1/4, NE 1/4

PARCEL 2

EXCEPTION

EXCEPTION

ANNEXATION

RIGHT OF WAY
U.S. TRUNK HIGHWAY NO. 61
CANADIAN PACIFIC RAILROAD
DAKOTA, MINNESOTA & EASTERN RAILROAD

AUDITOR'S
SUBDIVISION
FORMER TRUNK HIGHWAY NO. 3
DAKOTA, MINNESOTA & EASTERN RAILROAD
MINNESOTA
CITY
STATE

MINNESOTA CITY
ROLLINGSTONE TOWNSHIP

HIGHWAY

PROPOSED UTILITY EASEMENT
TO ACCESS EASEMENT
DOC. NO. 327456

DOC. NO. 232206

DOC. NO.

PLAT NO. 85-3

*Not included
in A-16848*

PARCEL 2

That part of the Northwest Quarter of the Northeast Quarter of Section 11, Township 107, Range 8, Winona County, Minnesota, described as follows:

Beginning at the northeast corner of said Northwest Quarter of the Northeast Quarter; thence running west with a variation of compass North 7 degrees 40 minutes East, a distance of 2 chains and 75 links to the point of beginning of the line to be herein described; thence South 16 degrees East a distance of 7 chains and 50 links; thence South 67 degrees 30 minutes West to the northeasterly line of the Canadian Pacific Railroad; thence southeasterly along said northeasterly line of the Canadian Pacific Railroad to the east line of said Northwest

