

RESOLUTION NO. 2007-95

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WACONIA, MINNESOTA, TO PROCEED WITH ORDERLY ANNEXATION OF CERTAIN PROPERTY IN LAKETOWN TOWNSHIP

WHEREAS, Plowshares Development, LLC, and Plowshares Development, Inc. (collectively, "Plowshares") owns fee title to that certain real property located in Laketown Township, Carver County, Minnesota, that is depicted as Parcels A, B and C on attached Exhibit A and legally described on attached Exhibit B (the "Subject Property"); and

WHEREAS, Plowshares has filed a Petition for Annexation of the Subject Property with the City of Waconia (the "City"); and

WHEREAS, the Subject Property is included within the area encompassed by an orderly annexation agreement between the cities of Waconia, Chaska, and Victoria and the Township of Laketown, as amended in regard to the Subject Property and certain other properties by a Joint Resolution of the City and Laketown Township as to the Orderly Annexation of Property adopted by the City Council of the City on April 17, 2006 as Resolution 2006-90 and the Board of Supervisors of Laketown Township on March 13, 2006 (the "Joint Resolution"); and

WHEREAS, Minn. Stat. §414.0325 and the Joint Resolution provide that orderly annexation may proceed within a designated area by submitting a resolution of the City requesting immediate processing of the annexation of the Subject Property; and

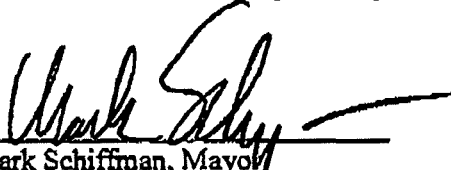
WHEREAS, the Municipal Boundary Adjustments may review and comment, but shall, within 30 days of receipt, order the annexation in accordance with the terms and conditions of the Orderly Annexation Agreement between the City of Waconia and Laketown Township;


NOW, THEREFORE, the City Council of the City of Waconia does hereby resolve as follows:

1. Pursuant to MINN. STAT. §414.0325, Subd. 1(d)(1) and the Joint Resolution, the City adopts this Resolution calling for the immediate annexation of the Subject Property, which annexation is undertaken pursuant of the terms of the Joint Resolution.
2. On behalf of the City, the City Clerk or City Attorney shall provide a copy of this resolution to the Department of Administration, Municipal Boundary Adjustments (the "Municipal Boundary Adjustments Unit"), and request annexation of the Subject Property.
3. Any fees associated with such annexation request shall be advanced from City funds, and City staff shall then seek reimbursement from Plowshares.

4. The City Clerk or City Attorney shall further provide a copy of this resolution to the Township Clerk for Laketown Township and to Plowshares.
5. The City Clerk or City Attorney shall request the Township Clerk of Laketown Township to confirm in writing to the Municipal Boundary Adjustments Unit that, in regard to the Subject Property, Plowshares has complied with the taxation reimbursement requirements of that certain agreement titled "Annexation Agreement" between Laketown Township and Plowshares dated March 13, 2006.

Adopted by the City Council of the City of Waconia this 21st day of May, 2007.


Mark Schiffman, Mayor

ATTEST: 
Mary J. Johnson, CMC, City Clerk

M/ Karki

Ague

Aye

De Vaan

Aye

S/ Parpart

Karki

Aye

Parpart

Aye

Schiffman

Aye

EXHIBIT B**Legal Descriptions of Subject Property****Parcel A:**

That part of the Southwest Quarter of the Southwest Quarter of Section 19, Township 116, Range 24, Carver County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest Quarter of the Southwest Quarter; thence North 88 degrees 12 minutes 04 seconds East, assumed bearing along the north line of said Southwest Quarter of the Southwest Quarter, a distance of 330.19 feet to the east line of the West 330.00 feet of said Southwest Quarter of the Southwest Quarter and the point of beginning; thence continuing North 88 degrees 12 minutes 04 seconds East, along said north line a distance of 649.01 feet; thence South 30 degrees 10 minutes 21 seconds West, a distance of 217.15 feet; thence North 64 degrees 51 minutes 39 seconds West, a distance of 29.26 feet; thence westerly along a tangential curve concave to the south, having a central angle of 65 degrees 54 minutes 16 seconds, a radius of 150.00 feet and an arc distance of 172.54 feet; thence southwesterly along a compound tangential curve concave to the southeast having a central angle of 30 degrees 04 minutes 42 seconds, a radius of 320.00 feet and an arc distance of 167.99 feet; thence South 19 degrees 09 minutes 23 seconds West, tangent to said curve a distance of 104.31 feet; thence southerly along a tangential curve concave to the west, having a central angle of 11 degrees 17 minutes 36 seconds, a radius of 530.00 feet and an arc distance of 104.47 feet; thence South 30 degrees 26 minutes 59 seconds West, tangent to said curve a distance of 176.04 feet; thence South 38 degrees 49 minutes 53 seconds West, a distance of 57.00 feet; thence North 51 degrees 10 minutes 08 seconds West, a distance of 379.81 feet; thence northwesterly along a tangential curve concave to the southwest having a central angle of 2 degrees 21 minutes 36 seconds, a radius of 2356.83 feet and an arc distance of 97.08 feet to a line drawn perpendicular to the west line of said Southwest Quarter of the Southwest Quarter, distant 396.00 feet south of said northwest corner as measured along said west line of the Southwest Quarter of the Southwest Quarter; thence South 89 degrees 51 minutes 05 seconds East, along said perpendicular line a distance of 316.55 feet to said east line of the West 330.00 feet; thence North 00 degrees 08 minutes 54 seconds East along said east line a distance of 407.22 feet to the point of beginning.

AND

That part of the Southwest Quarter of the Southwest Quarter of Section 19, Township 116, Range 24, Carver County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest Quarter of the Southwest Quarter; thence North 88 degrees 12 minutes 04 seconds East, a distance of 1806.29 feet to the point of beginning; thence continuing North 88 degrees 12 minutes 04 seconds East, along said north line a distance of 150.01 feet to the east line of said Southwest

Quarter of the Southwest Quarter and the point of beginning; thence South 01 degrees 04 minutes 05 seconds East along said east line a distance of 949.87 feet to the westerly extension of the north line of Lot 4, Block 1, SCHMITTVILLE CREEK-VIEW ADDITION, according to the recorded plat thereof said Carver County; thence South 88 degrees 44 minutes 26 seconds West, along said westerly extension line a distance of 100.00 feet to a line 100 feet westerly of the west line of said SCHMITTVILLE CREEK-VIEW ADDITION; thence South 01 degrees 04 minutes 05 seconds East, along said west line a distance of 372.07 feet to the south line of said Southwest Quarter of the Southwest Quarter; thence South 88 degrees 13 minutes 51 seconds West, along said south line a distance of 340.11 feet; thence northerly along a non-tangential curve concave to the west having a central angle of 31 degrees 51 minutes 49 seconds, a radius of 1925.00 feet and an arc distance of 1070.55 feet, the chord of said curve bears North 14 degrees 51 minutes 50 seconds East; thence North 01 degrees 04 minutes 05 seconds West tangent to said curve a distance of 308.31 feet to the point of beginning.

Area = 507,063.15 sf. or 11.64 ac.

Parcel B

That part of the Northwest Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 19, Township 116, Range 24, Carver County, Minnesota, described as follows:

Beginning at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence South 00 degrees 08 minutes 54 seconds West, assumed bearing along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 1,375.77 feet; thence North 81 degrees 32 minutes 21 seconds East, a distance of 125.00 feet; thence North 01 degrees 47 minutes 56 seconds West, a distance of 40.56 feet to the south line of said Northwest Quarter of the Southwest Quarter; thence North 88 degrees 12 minutes 04 seconds East, along said south line a distance of 856.92 feet; thence North 30 degrees 10 minutes 21 seconds East, a distance of 18.12 feet; thence North 41 degrees 14 minutes 54 seconds West, a distance of 90.99 feet; thence North 36 degrees 12 minutes 30 seconds West, a distance of 96.78 feet; thence North 22 degrees 06 minutes 49 seconds West, a distance of 54.94 feet; thence North 19 degrees 56 minutes 45 seconds East, a distance of 53.68 feet; thence North 22 degrees 23 minutes 55 seconds East, a distance of 51.78 feet; thence North 61 degrees 16 minutes 35 seconds West, a distance of 150.00 feet; thence northeasterly along a non-tangential curve concave to the southeast having a central angle of 27 degrees 27 minutes 52 seconds, a radius of 385.00 feet for an arc distance of 184.55 feet, the chord of said curve bears North 42 degrees 27 minutes 21 seconds East; thence North 56 degrees 11 minutes 17 seconds East, tangent to said curve, a distance of 72.84 feet; thence North 33 degrees 48 minutes 43 seconds West, a distance of 60.00 feet; thence North 56 degrees 11 minutes 17 seconds East, a distance of 72.84 feet; thence northeasterly along a tangential curve concave to the northwest having a central angle of 34 degrees 30 minutes 47 seconds, a radius of 320.00 feet for an arc distance of 192.76 feet; thence North 21 degrees 40 minutes 30 seconds East, tangent to said curve, a distance of 9.91 feet; thence North 52 degrees 04 minutes 43 seconds West,

a distance of 90.21 feet; thence North 39 degrees 02 minutes 30 seconds West, a distance of 86.06 feet; thence North 08 degrees 34 minutes 00 seconds West, a distance of 145.20 feet; thence North 26 degrees 59 minutes 20 seconds East, a distance of 72.01 feet; thence North 31 degrees 08 minutes 24 seconds East, a distance of 73.29 feet; thence North 68 degrees 37 minutes 12 seconds East, a distance of 143.67 feet; thence South 83 degrees 49 minutes 40 seconds East, a distance of 91.04 feet; thence North 63 degrees 06 minutes 18 seconds East, a distance of 92.57 feet; thence North 72 degrees 52 minutes 06 seconds East, a distance of 92.63 feet; thence North 81 degrees 52 minutes 48 seconds East, a distance of 86.49 feet; thence North 88 degrees 24 minutes 58 seconds East, a distance of 76.55 feet; thence North 88 degrees 10 minutes 13 seconds East, a distance of 282.46 feet; thence southerly along a non-tangential curve concave to the east having a central angle of 15 degrees 13 minutes 41 seconds, a radius of 2075.00 feet for an arc distance of 551.49 feet, the chord of said curve bears South 06 degrees 32 minutes 45 seconds West; thence South 01 degrees 04 minutes 05 seconds East, tangent to said curve, a distance of 761.46 feet to said south line of the Northwest Quarter of the Southwest Quarter; thence North 88 degrees 12 minutes 04 seconds East, along said south line, a distance of 150.01 feet to the east line of said Northwest Quarter of the Southwest Quarter; thence North 01 degrees 04 minutes 05 seconds West, along said east line a distance of 760.00 feet; thence northerly along a tangential curve concave to the east having a central angle of 16 degrees 58 minutes 47 seconds, a radius of 1925.00 feet for an arc distance of 570.48 feet to the north line of said Northeast Quarter of the Southwest Quarter; thence South 88 degrees 10 minutes 13 seconds West, not tangent to said curve and along said north line of the Northeast Quarter of the Southwest Quarter and along the north line of said Northwest Quarter of the Southwest Quarter, a distance of 2,012.20 feet to the point of beginning.

Area = 1,482,221.23 sf. or 34.03 ac.

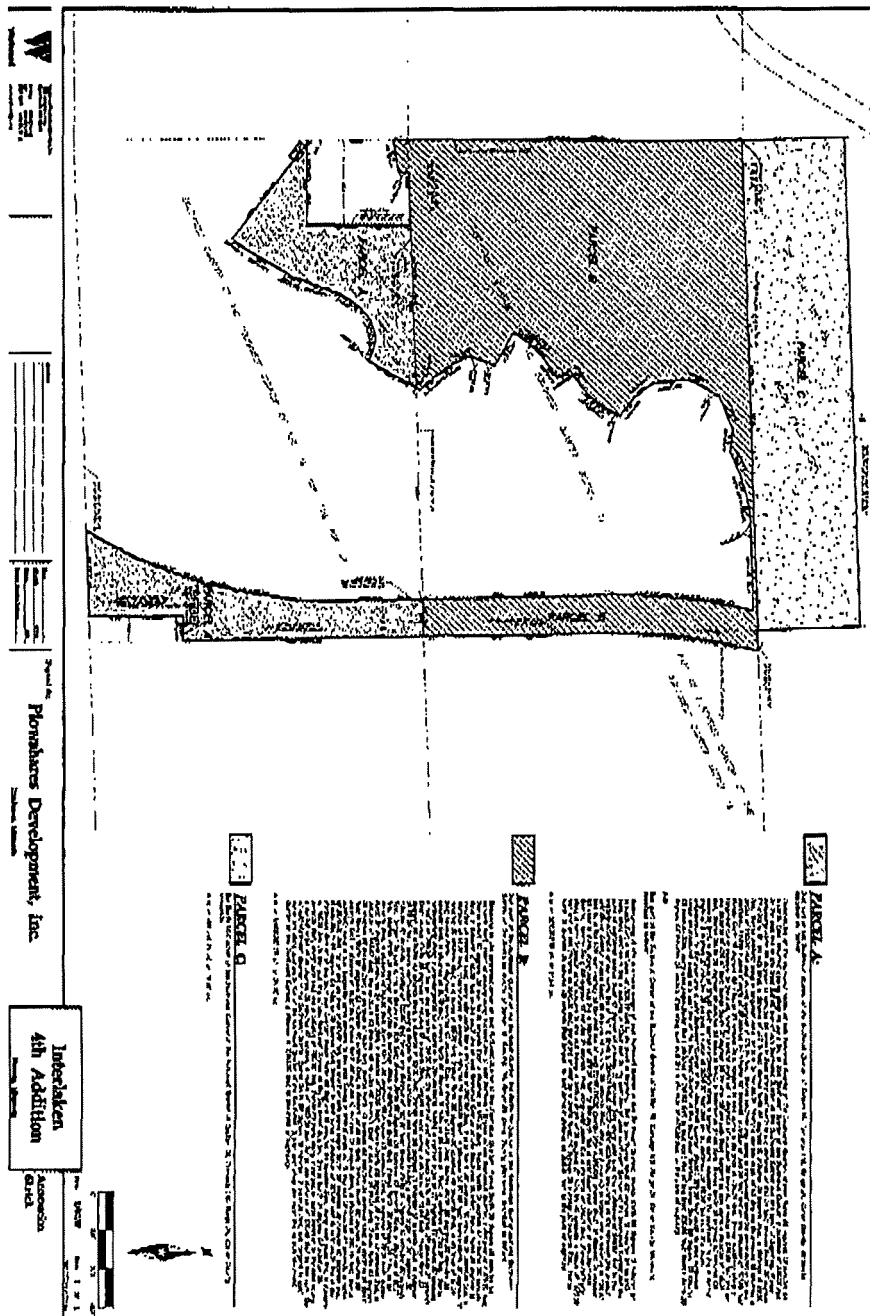
Parcel C

The South 18.0 acres of the Southwest Quarter of the Northwest Quarter of Section 19, Township 116, Range 24, Carver County, Minnesota.

Area = 784,098.94 sf. or 18.00 ac.

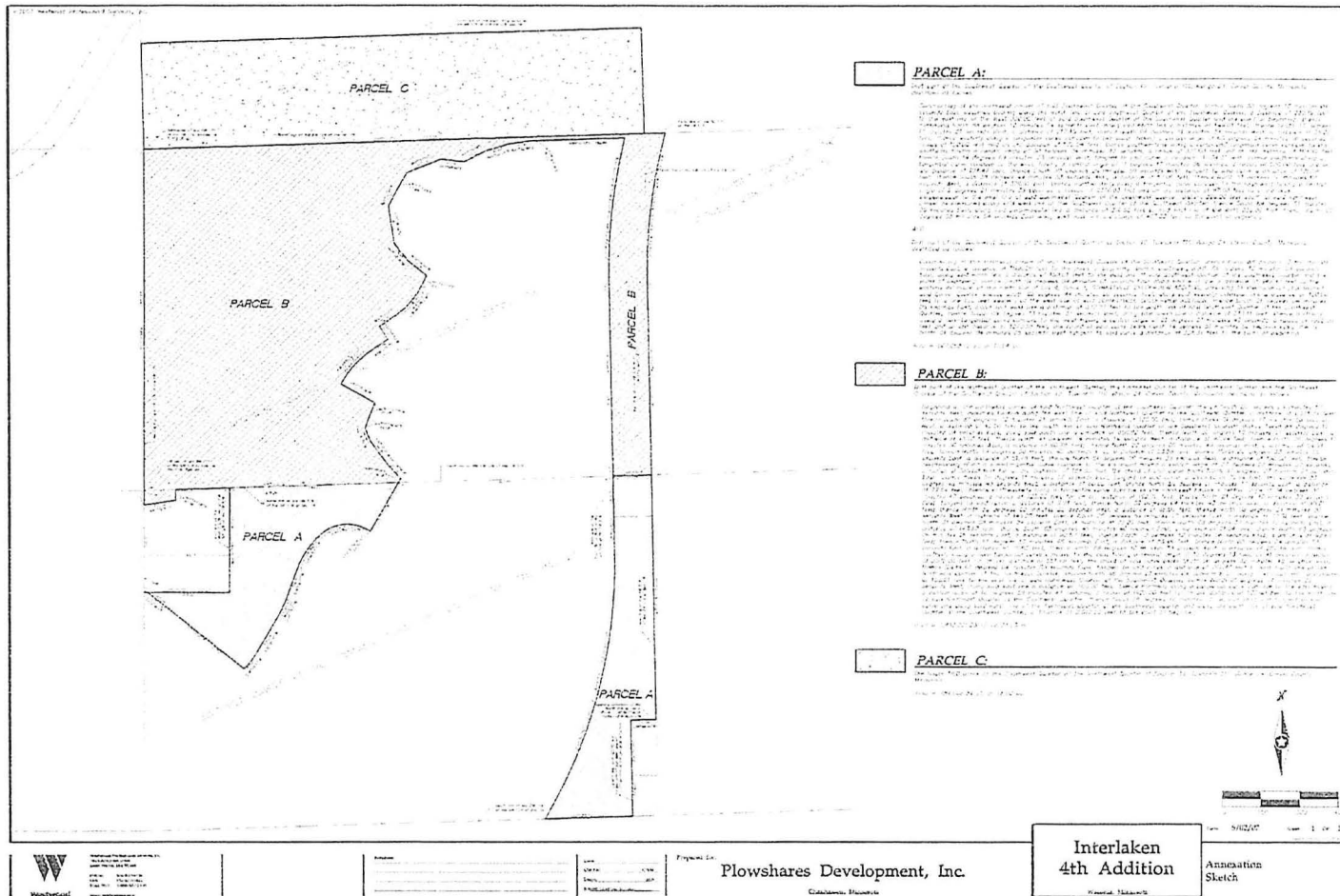
EXHIBIT A

Diagram of Subject Property



REC'D BY
M.A.B.
JUN 04 2007

EXHIBIT A
Diagram of Subject Property



City of Waconia Zoning Map

RECD BY
MMA

JUN 04 2007

