

CITY OF WACONIA
RESOLUTION NO. 2019-109

LAKETOWN TOWNSHIP
RESOLUTION NO. 2019-06

In the Matter of the Orderly
 Annexation of Certain Real Property
 to the City of Waconia from Laketown
 Township.
 [MBAU C -2205(OA)]

**JOINT RESOLUTION STIPULATING
 TO AMENDMENT OF ORDERLY
 ANNEXATION AGREEMENT NO.
 76-47 AND TO ORDERLY
 ANNEXATION OF PROPERTY**

TO: **Chief Administrative Law Judge
 State Office of Administrative Hearings
 Municipal Boundary Adjustments Unit
 P.O. Box 64620
 St. Paul, MN 55164-0620**

WHEREAS, a joint resolution for orderly annexation (Joint Resolution to Designate) was stipulated and agreed to by the City of Waconia (the "City") on December 7, 1976, and Laketown Township (the "Township") on December 20, 1976, pursuant to Minn. Stat. §414.0325 (2014) designating certain real property for annexation; and

WHEREAS, pursuant to said Joint Resolution to Designate, the City and the Township jointly request the annexation of certain real property to the City of Waconia as hereinafter described; and

WHEREAS, the area to be annexed contains approximately 248 acres and lies within the area stipulated for orderly annexation and adjoins the present city limits of the City of Waconia; and

WHEREAS, it is deemed appropriate and in the best interests of both the City and the Township that such property be annexed to the City;

NOW, THEREFORE, pursuant to Minnesota Statutes §414.0325, be it **JOINTLY RESOLVED** and agreed by the City Council of the City of Waconia and the Board of Supervisors of the Township of Laketown, Carver County, Minnesota, as follows:

1. The City and the Township jointly request the Office of Administrative Hearings, Municipal Boundary Adjustment Unit (the "**Municipal Boundary Adjustment Unit**"), to issue an

order annexing the following described property, which was previously designated for orderly annexation into the City:

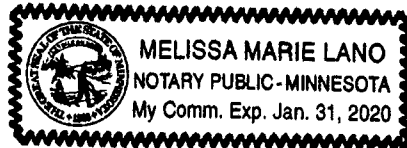
The property to be annexed is legally described on attached **Exhibit A** and depicted with cross-hatching on the map attached as **Exhibit B**.

2. This Joint Resolution confers jurisdiction on the chief administrative law judge over the provisions of this Joint Resolution.
3. This Joint Resolution provides for the conditions of annexation. No alteration of the stated boundaries are appropriate, and no consideration by the chief administrative law judge is necessary. The chief administrative law judge may review and comment, but shall, within 30 days, order the annexation in accordance with the terms of this resolution.
4. There will be no change in the electric service or cost resulting from the annexation.
5. That for purposes of real estate taxation, if the annexation becomes effective on or before August 1 of a levy year, the City may levy on the annexed area beginning with the same levy year. If the annexation becomes effective after August 1 of a levy year, Laketown Township may continue to levy on the annexed area for that levy year, and the City of Waconia may not levy on the annexation area until the following levy year.
6. Pursuant to Minnesota Statutes §414.036, the City and the Township agree the property to be annexed is tax exempt and no tax reimbursement is due from the City to the Township.
7. There are no special assessments assigned by the Township to the property and no debt incurred by the Township prior to the annexation and attributable to the property needs to be reimbursed.
8. The City and Township agree that in the event there are errors, omissions or any other problems with the legal descriptions provided in **Exhibit A** or mapping provided in **Exhibit B**, in the judgment of the Office of Administrative Hearings/Municipal Boundary Adjustment Unit, the City and Township agree to make such corrections and file any additional documentation, including new exhibits making the corrections requested or required by the Office of Administrative Hearings/Municipal Boundary Adjustment Unit as necessary to make effective the annexation of the Land in accordance with the terms of this Joint Resolution.
9. This Joint Resolution is effective upon approval and adoption by both the City Council of the City of Waconia and the Board of Supervisors of the Township of Laketown.

Passed and adopted by the Board of Supervisors of the Township of Laketown this 13 day of
May, 2019.

Mike Klingenberg
Chairman

ATTEST: Melissa Marie Lano
Clerk



Passed and adopted by the City Council of the City of Waconia this 20th day of
May, 2019.

[Signature]
Mayor

ATTEST: Susan MH Arntz
Susan MH Arntz, City Administrator/City Clerk

EXHIBIT A

Legal Description of Carver County Property to be Annexed

PROPOSED DESCRIPTION OF THE WACONIA REGIONAL PARK AREA FOR ANNEXATION TO THE CITY OF WACONIA:

TRACT A: All of Government Lot 2, Section 18, Township 116 North, Range 24 West, Carver County, Minnesota, EXCEPT Parcel 1, CARVER COUNTY PARCEL MAP NO. 1, according to the recorded map thereof, said county, AND EXCEPT those parts of Parcel 9, Parcel 10, and Parcel 11, CARVER COUNTY RIGHT OF WAY PLAT NO. 9, according to the recorded plat thereof, said county, contained therein,

TRACT B: Parcel 1, CARVER COUNTY PARCEL MAP NO. 1, according to the recorded map thereof,

TRACT C: Parcel 9, Parcel 10, Parcel 11, Parcel 12, Parcel 13, Parcel 14 and Parcel 15, CARVER COUNTY RIGHT OF WAY PLAT NO. 9, according to the recorded plat thereof,

TRACT D: The Southwest Quarter of the Northeast Quarter of said Section 18, lying southerly of the northerly line of Parcel 13 and Parcel 17, CARVER COUNTY RIGHT OF WAY PLAT NO. 9, according to the recorded plat thereof, EXCEPT those parts platted as Parcel 9, Parcel 10, Parcel 12, Parcel 13, Parcel 14, Parcel 15, Parcel 16 and Parcel 17, CARVER COUNTY RIGHT OF WAY PLAT NO. 9, according to the recorded plat thereof,

TRACT E: Parcel 6, Parcel 7, Parcel 8, Parcel 16 and Parcel 17, CARVER COUNTY RIGHT OF WAY PLAT NO. 9, according to the recorded plat thereof,

TRACT F: All of Government Lot 3 of said Section 18, EXCEPT that part platted as LEGACY VILLAGE AT WACONIA, according to the recorded plat thereof, said county, AND EXCEPT that part of said Government Lot 3 and the Southwest Quarter of the Southwest Quarter of Section 18, Township 116 North, Range 24 West, described as follows: Commencing at the Southwest corner of Section 18, Township 116 North, Range 24 West; thence North 00 degrees 00 minutes 00 seconds East 1374.00 feet, on an assumed bearing on the West line of said Section 18; thence South 89 degrees 43 minutes 47 seconds East 258.99 feet, on the North line of Tract No. 1 described in Certificate of Title No. 3514, and recorded in the Registrar of Titles Office, Carver County, Minnesota, to the point of beginning; thence South 89 degrees 43 minutes 47 seconds East 432.90 feet, on the North line of said Tract No. 1; thence North 85 degrees 48 minutes 22 seconds East 12.72 feet, to a point on the centerline of (former) State Highway No. 5; thence North 27 degrees 55 minutes 30 seconds East 649.28 feet, on said centerline; thence North 71 degrees 04 minutes 31 seconds West 514.99 feet; thence South 19 degrees 32 minutes 29 seconds West 784.79 feet, to the point of beginning, AND EXCEPT that part of Parcel 7, CARVER COUNTY RIGHT OF WAY PLAT NO. 9, according to the recorded plat thereof, contained therein,

TRACT G: The Northeast Quarter of the Southwest Quarter of said Section 18, EXCEPT that part of Parcel 7, CARVER COUNTY RIGHT OF WAY PLAT NO. 9, according to the recorded plat thereof, contained therein,

TRACT H: The Northwest Quarter of the Southeast Quarter of said Section 18, EXCEPT that part of Parcel 7, CARVER COUNTY RIGHT OF WAY PLAT NO. 9, according to the recorded plat thereof, contained therein,

TRACT I: That part of the Southwest Quarter of the Southwest Quarter of said Section 18, lying east of the easterly right of way line of former Minnesota State Highway No. 5, as dedicated on the recorded plat of LEGACY VILLAGE AT WACONIA, said county, and lying northerly of the following described line to be herein known as Line A: Commencing at the southeast corner of said Southwest Quarter of the Southwest Quarter; thence North along the east line of said Southwest Quarter of the Southwest Quarter, a distance of 500.00 feet to the point of beginning of the line to be described; thence westerly, deflecting 81 degrees 30 minutes 00 seconds to the left to said easterly right of way line and said line there terminating, EXCEPT that part of Parcel 7, CARVER COUNTY RIGHT OF WAY PLAT NO. 9, according to the recorded plat thereof, contained therein,

TRACT J: That part of the Southwest Quarter of the Southwest Quarter of said Section 18 and that part of the Northwest Quarter of the Northwest Quarter of Section 19, Township 116 North, Range 24 West, lying southerly of said Line A, lying southeasterly of the easterly right of way line of former Minnesota State Highway No. 5, as dedicated on the recorded plat of LEGACY VILLAGE AT WACONIA, said county, and lying northwesterly of the northwesterly line of Parcel 6, CARVER COUNTY RIGHT OF WAY PLAT NO. 9, according to the recorded plat thereof,

TRACT K: That part of the Southwest Quarter of the Southwest Quarter of Section 18 and that part of the Northwest Quarter of the Northwest Quarter of Section 19 all in Township 116 North, Range 24 West, Carver County, described as follows: Beginning at boundary corner B19, CARVER COUNTY RIGHT OF WAY PLAT NO. 9; thence North 50 degrees 01 minutes 35 seconds East along the southeasterly line of said CARVER COUNTY RIGHT OF WAY PLAT NO. 9, a distance of 772.45 feet; thence South 05 degrees 28 minutes 25 seconds West, 45.60 feet; thence South 18 degrees 10 minutes 07 seconds West, 286.56 feet; thence South 11 degrees 38 minutes 21 seconds West, 42.73 feet; thence South 14 degrees 21 minutes 38 seconds West, 59.26 feet; thence South 50 degrees 59 minutes 29 seconds West, 76.27 feet; thence South 73 degrees 57 minutes 29 seconds West, 51.80 feet; thence South 62 degrees 52 minutes 17 seconds West, 73.70 feet; thence South 42 degrees 41 minutes 50 seconds West, 60.07 feet; thence South 33 degrees 42 minutes 07 seconds East, 46.46 feet; thence South 07 degrees 13 minutes 39 seconds East, 45.35 feet; thence South 25 degrees 22 minutes 37 seconds West, 57.35 feet; thence South 46 degrees 23 minutes 33 seconds West, 63.28 feet; thence North 72 degrees 14 minutes 51 seconds West, 47.61 feet; thence North 51 degrees 34 minutes 03 seconds West, 54.24 feet; thence North 65 degrees 46 minutes 38 seconds West, 59.05 feet; thence North 65 degrees 08 minutes 56 seconds West, 49.32 feet; thence North 56 degrees 34 minutes 16 seconds West, 68.80 feet; thence North 12 degrees 32 minutes 04 seconds East, 30.20 feet; thence North 17 degrees 40 minutes 52 seconds West to said southeasterly line of CARVER COUNTY RIGHT OF WAY PLAT NO. 9; thence northeasterly, along said southeasterly line, to the point of beginning.

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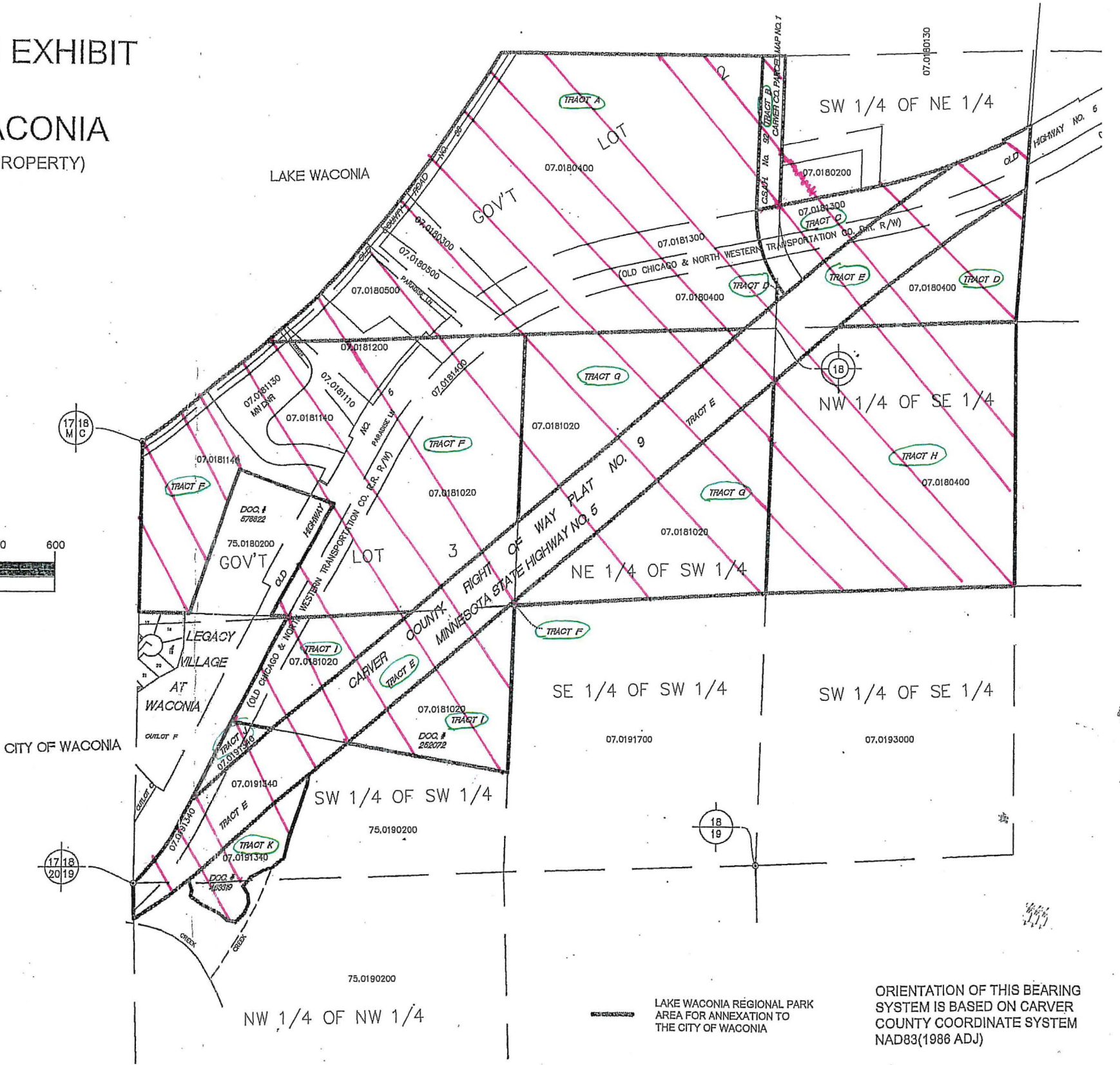
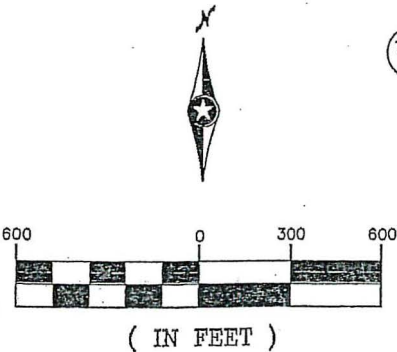
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Total Acreage = 248.15 Ac.

ANNEXATION EXHIBIT
FOR
CITY OF WACONIA
(CARVER COUNTY PROPERTY)



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON CARVER COUNTY COORDINATE SYSTEM NAD83(1986 ADJ)

DRAWN BY: LLS
SURVEYED BY: XXX

ANNEXATION EXHIBIT
SEC. 18, TWP 116N, RNG 24W
LAKETOWN TOWNSHIP, CARVER CO., MN



Public Works Division
11360 Hwy 212, Suite 1
Cologne, MN 55322
952.466.5200

WACONIA REGIONAL PARK
AREA FOR ANNEXATION

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.
Signature: _____ Lic. No. 44646
Printed Name: Brian E. Praske Date: _____

FILE NO.
XXXXXX
CSAH NO. XX
DATE
03/28/19
SHEET
1 OF 1