

CITY OF WACONIA
RESOLUTION NO. 2019-141

LAKETOWN TOWNSHIP
RESOLUTION NO. 2019-08

In the Matter of the Orderly
Annexation of Certain Real Property
to the City of Waconia from Laketown
Township.
[MBAU Docket A-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 51.394 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:

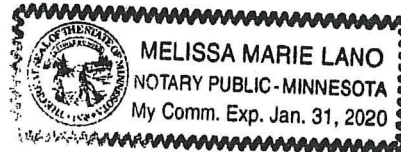
The property to be annexed is legally described on attached **Exhibit A** and depicted with cross-hatching on the map attached as **Exhibit B**.

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. 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.
7. Tax Reimbursement. Pursuant to Minnesota Statutes §414.036, the City and the Township acknowledge that the reimbursement for taxable property has been satisfied. The Developer and Township have agreed that a single payment of \$ 21,215.50 will be made to the Township for the taxable property annexed by this Joint Resolution. The payment has already been made and a copy of the Township's receipt acknowledging payment is attached as **Exhibit C** (the "Receipt").
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 24 day of June, 2019.

Milo Langley
Chairman

ATTEST: [Signature]
Clerk



Passed and adopted by the City Council of the City of Waconia this 8 day of July, 2019.

[Signature]
Mayor

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

EXHIBIT A

Parcel 1:

That part of Government Lot 1, Section 18, Township 116, Range 24, Carver County, Minnesota, described as follows: Commencing at the northeast corner of said Government Lot 1; thence North 86 degrees 43 minutes 19 seconds West on an assumed bearing along the north line of said Government Lot 1, 788.75 feet; thence South 24 degrees 57 minutes 34 seconds West, 430.46 feet; thence South 28 degrees 35 minutes 12 seconds West, 103.70 feet to the point of beginning of the land to be described; thence South 67 degrees 11 minutes 17 seconds East, 146.87 feet; thence South 84 degrees 50 minutes 42 seconds East, 65.48 feet; thence South 2 degrees 24 minutes 11 seconds East, 151.27 feet; thence South 20 degrees 43 minutes 40 seconds West, 97.32 feet; thence North 72 degrees 27 minutes 42 seconds West, 104.57 feet; thence North 79 degrees 21 minutes 24 seconds West, 234 feet, more or less, to the high water line of Lake Waconia; thence Northerly along said high water line, 274 feet, more or less, to the intersection with a line bearing north 67 degrees 11 minutes 17 seconds West from the point of beginning; thence South 67 degrees 11 minutes 17 seconds East, 35 feet, more or less to the point of beginning.

Parcel 2:

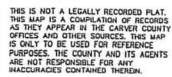
That part of Government Lot One (1), Section Eighteen (18), Township One Hundred Sixteen (116), Range Twenty-four (24), Carver County, Minnesota, EXCEPTING THEREFROM the north 400 feet thereof subject to road right-of-way along County Road No. 30 and utility easement for overhead lines along County Road No. 30. ALSO EXCEPTING THEREFROM that part of Government Lot 1, Section 18, Township 116, Range 24, Carver County, Minnesota, described as follows: Commencing at the northeast corner of said Government Lot 1; thence North 86 degrees 43 minutes 19 seconds West on an assumed bearing along the north line of said Government Lot 1, 788.75 feet; thence South 24 degrees 57 minutes 34 seconds West, 430.46 feet; thence South 28 degrees 35 minutes 12 seconds West, 103.70 feet to the point of beginning of the land to be described; thence South 67 degrees 11 minutes 17 seconds East, 146.87 feet; thence South 84 degrees 50 minutes 42 seconds East, 65.48 feet; thence South 2 degrees 24 minutes 11 seconds East, 151.27 feet; thence South 20 degrees 43 minutes 40 seconds West 97.32 feet; thence North 72 degrees 27 minutes 42 seconds West, 104.57 feet; thence North 79 degrees 21 minutes 24 seconds West, 234 feet, more or less, to the high water line of Lake Waconia; thence Northerly along said high water line 274 feet, more or less, to the intersection with a line bearing north 67 degrees 11 minutes 17 seconds West from the point of beginning; thence South 67 degrees 11 minutes 17 seconds East, 35 feet, more or less to the point of beginning.

EXHIBIT A
(continued)

AND

The West Half of the Northeast Quarter of Section 18, Township 116, Range 24, Carver County, Minnesota EXCEPTING THEREFROM the north 738.83 feet thereof; and EXCEPTING THEREFROM that part lying east of the following described line: Beginning at the northeast corner of said West Half of the Northeast Quarter; thence South 7 degrees 33 minutes 32 seconds West (assuming the north line of said Northeast Quarter has a bearing of South 89 degrees 20 minutes 08 seconds East), a distance of 744.21 feet; thence South 2 degrees 16 minutes 31 seconds West, a distance of 130.00 feet; thence South 5 degrees 52 minutes 37 seconds West, a distance of 882 feet, more or less to the northerly right-of-way line of State Trunk Highway No. 5 and there terminating. AND EXCEPTING THEREFROM that part thereof described as follows: Commencing at the northwest corner of said West Half of the Northeast Quarter; thence South along the west line thereof, a distance of 1821.87 feet to the point of beginning of the land to be described; thence North 77 degrees 17 minutes 43 seconds East a distance of 525.00 feet; thence South to the northerly right-of-way line of State Trunk Highway No. 5; thence Southwesterly along said northerly right-of-way line to the intersection with the west line of said West Half of the Northeast Quarter; thence North along said west line to the point of beginning. AND EXCEPTING THEREFROM that part thereof lying South of the northerly right-of-way line of State Trunk Highway No. 5 AND EXCEPT Parcel Nos. 2, 6, 7 and 8, Carver County Parcel Map No. 1, as filed and of record at the Carver County Recorder as Document No. 278127.

THIS IS NOT A LEGALLY RECORDED PLAT.
THIS MAP IS A COMPILATION OF RECORDS
AS THEY APPEAR IN THE CARVER COUNTY
OFFICES AND OTHER SOURCES. THIS MAP
IS ONLY TO BE USED FOR REFERENCE
PURPOSES. THE COUNTY AND ITS AGENTS
ARE NOT RESPONSIBLE FOR ANY
INACCURACIES CONTAINED THEREIN.

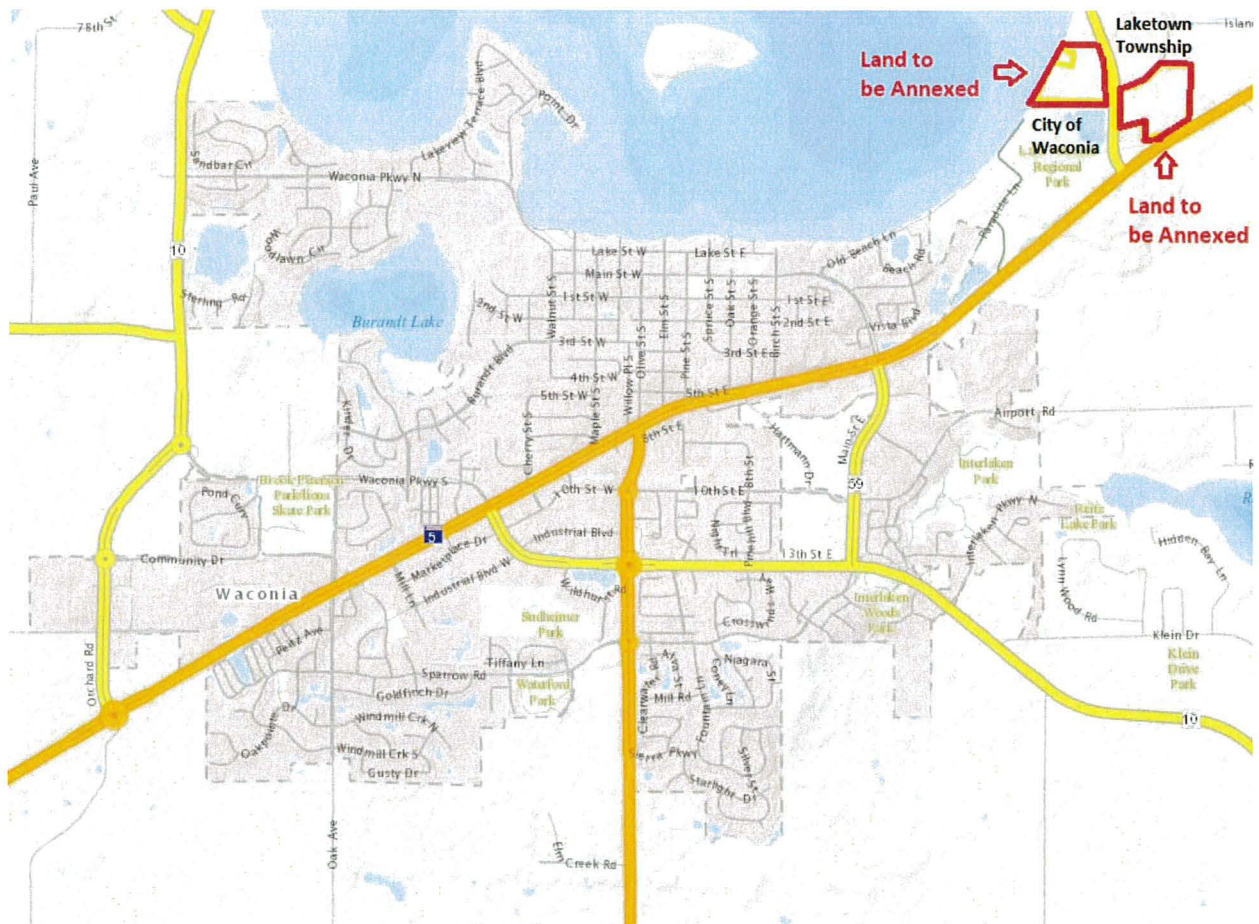


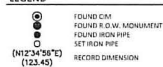
Feb 20, 2019

N¹/₂ Sec. 18-116-24

Map of Land to be Annexed to City of Waconia

(Anderson Property)





1. Subject property's address 7980 Laketown Parkway, Waconia, MN 55387, its property identification numbers are 070180100, & 070180130.
2. The bearing system is based on the North line of Government Lot 1 which is assumed to bear North 87 degrees 57 minutes 42 seconds West.
3. Field work was completed 04/09/2019.
4. The gross area of the subject property is \$1.4± 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. That this survey does not purport to show all improvements, easements or encroachments, to the property except as shown thereon.


 Marcus F. Hampton MHC-5, Nov 1981

STATE TRUNK HIGHWAY NO. 5

ANDERSON PROPERTY
WISCONSIN
BOUNDARY SURVEY
THE
LAKE WACONIA PARTNERS LLC

CAD FILE
23523-20s.dwg

PROJECT NO.
23523-00

FILE NO.
1-19-015

SHEET 1 OF 1

EXHIBIT C

LAKETOWN TOWNSHIP

RECEIPT FOR REIMBURSEMENT TO TOWNSHIP

FOR ANNEXATION OF TAXABLE PROPERTY

June 27, 2019

Pursuant to Minnesota Statutes Section 414.036, the Town of Laketown hereby acknowledges the receipt of \$ 21,215.50 as reimbursement for all of the taxable property being annexed to the City of Waconia as described on Exhibit A and Exhibit B attached hereto and approves the annexation of such land. There are no special assessments assigned by Laketown Township to the annexed property and no debt incurred by the Township prior to the annexation attributable to the property annexed.

Laketown Township

By: 