

**CITY OF WACONIA  
RESOLUTION NO. 2021-212**

**LAKETOWN TOWNSHIP  
RESOLUTION NO. 2021-08**

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 5.61 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 \$ 2,555.00 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 23 day of August, 2021.

  
\_\_\_\_\_  
Pete Parris, Chairman

ATTEST:   
\_\_\_\_\_  
Melissa Lano, Clerk

Passed and adopted by the City Council of the City of Waconia this 7<sup>th</sup> day of September, 2021.

  
\_\_\_\_\_  
Kent Bloudek, Mayor


ATTEST:   
\_\_\_\_\_  
Jackie Schilze, City Clerk

EXHIBIT A  
Legal Description of Property to be Annexed

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 southwest corner of said Section 19; thence on an assumed bearing of North 89 degrees 46 minutes 00 seconds East along the south line of said Southwest Quarter of the Southwest Quarter 1,569.77 feet to a point of cusp; thence Northwesterly along a 3 degree 00 minute 00 second curve concave to the Northeast, an arch length of 327.62 feet; the chord of said curve bears North 85 degrees 19 minutes 07 seconds West from said point and is 327.22 feet in length to the point of beginning of the tract to be described; thence North 16 degrees 45 minutes 00 seconds East 308.95 feet; thence North 4 degrees 58 minutes 00 seconds East 241.00 feet; thence North 77 degrees 25 minutes 00 seconds West 100.00 feet; thence North 30 degrees 29 minutes 00 seconds West 100.00 feet; thence North 83 degrees 33 minutes 00 seconds West 124.00 feet; thence South 40 degrees 59 minutes 00 seconds West 618.40 feet more or less to the intersection with the previously described 3 degrees 00 minute 00 second curve; thence Southeasterly along said 3 degree 00 minute 00 second curve, an arch length of 600.98 feet; the chord of said curve bears South 71 degrees 23 minutes 25 seconds East from said point and chord length is 598.51 feet and said curve terminating on the originally described point of beginning.



## Map of Land to be Annexed to the City of Waconia

(Lovett Property)





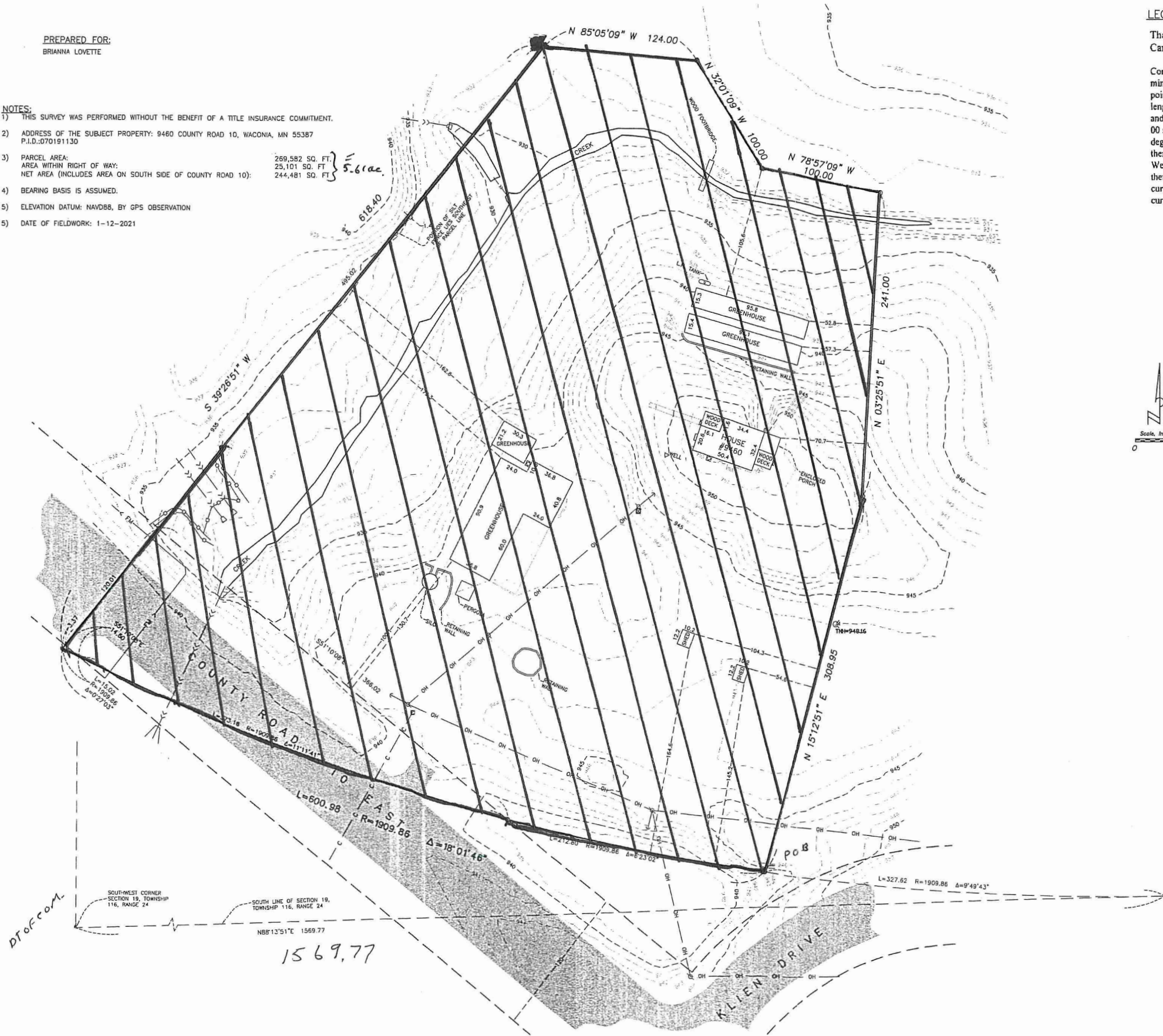
LOVETT

EXHIBIT B

CERTIFICATE OF SURVEY

PREPARED FOR:  
BRIANNA LOVETTE

- NOTES:
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE INSURANCE COMMITMENT.
  - ADDRESS OF THE SUBJECT PROPERTY: 9480 COUNTY ROAD 10, WACONIA, MN 55387  
P.I.D.: 070191130
  - PARCEL AREA:  
AREA WITHIN RIGHT OF WAY: 269,582 SQ. FT.  
NET AREA (INCLUDES AREA ON SOUTH SIDE OF COUNTY ROAD 10): 25,101 SQ. FT.  
244,481 SQ. FT.  $\approx 5.61 \text{ ac.}$
  - BEARING BASIS IS ASSUMED.
  - ELEVATION DATUM: NAVD83, BY GPS OBSERVATION
  - DATE OF FIELDWORK: 1-12-2021



LEGAL DESCRIPTION:

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 southwest corner of said Section 19; thence on an assumed bearing of North 89 degrees 46 minutes 00 seconds East along the south line of said Southwest Quarter of the Southwest Quarter 1,569.77 feet to a point of cusp; thence Northwestly along a 3 degree 00 minute 00 second curve concave to the Northeast, an arch length of 327.62 feet; the chord of said curve bears North 85 degrees 19 minutes 07 seconds West from said point and is 327.22 feet in length to the point of beginning of the tract to be described; thence North 16 degrees 45 minutes 00 seconds East 308.95 feet; thence North 4 degrees 58 minutes 00 seconds East 241.00 feet; thence North 77 degrees 25 minutes 00 seconds West 100.00 feet; thence North 30 degrees 29 minutes 00 seconds West 100.00 feet; thence North 83 degrees 33 minutes 00 seconds West 124.00 feet; thence South 40 degrees 59 minutes 00 seconds West 618.40 feet more or less to the intersection with the previously described 3 degrees 00 minute 00 second curve; thence Southeastly along said 3 degree 00 minute 00 second curve, an arch length of 600.98 feet; the chord of said curve bears South 71 degrees 23 minutes 25 seconds East from said point and chord length is 598.51 feet and said curve terminating on the originally described point of beginning.

LEGEND:

- SET REBAR W/CAP #44109
- POWER POLE (WITH GUY ANCHOR)
- FIRE HYDRANT
- GATE VALVE
- COMMUNICATIONS PEDESTAL
- ELECTRIC METER
- GAS METER
- OVERHEAD UTILITY LINE
- COMMUNICATIONS LINE
- STORM SEWER LINE
- SANITARY SEWER FORCEMAIN
- SILT FENCE
- CONCRETE SURFACE
- BITUMINOUS SURFACE
- GRAVEL SURFACE

CERTIFICATION:

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.

SIGNED: Travis W. Van NESTE

Travis W. Van NESTE, Minnesota Professional Surveyor #44109  
Michigan Professional Surveyor #46695

JOB # 2021001	ISSUED: 1-13-2021
DRAWN BY: TWN	REV:
SCALE: 1"=40 FEET	

**VAN NESTE SURVEYING**  
PROFESSIONAL SURVEYING SERVICES  
4400 WEST ARD RD, UNIT 120, SPRING PARK, MN 55384  
(952) 686-3055 VANNESTESURVEYING.COM



EXHIBIT C

LAKETOWN TOWNSHIP  
RECEIPT FOR REIMBURSEMENT TO TOWNSHIP  
FOR ANNEXATION OF TAXABLE PROPERTY

August 19, 2021

Pursuant to Minnesota Statutes Section 414.036, the Township of Laketown hereby acknowledges the receipt of \$2,555.00 as reimbursement for all of the taxable property being annexed to the City of Waconia as legally described on **Exhibit A** and as depicted on **Exhibit B** of the attached Joint Resolution 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: 

