



Resolution No. 2025-44

*Moved by Roberts
Seconded by Evansky*

A RESOLUTION APPROVING THE ANNEXATION OF PROPERTY IN LAKETOWN TOWNSHIP FOR THE WEST CREEK VILLAGE RESIDENTIAL DEVELOPMENT

WHEREAS, U.S. Home, LLC (the "Applicant") has applied for annexation on behalf of Victoria Properties, LLC (the "Property Owner") who owns property in Laketown Township as described in Exhibit A (the "Property"); and

WHEREAS, by City of Victoria (the "City") Resolution 2020-13 and Laketown Township (the "Township") Resolution 2020-04, the City and Town amended Resolution 76-47, the orderly annexation agreement (the "OAA") governing the Property; and the Minnesota Office of Administrative Hearings (the "OAH") approved and ordered the implementation of the OAA amendment; and

WHEREAS, the OAA authorizes the City to submit a resolution to the OAH for annexation of all or portions of the territory covered; and

WHEREAS, by petition dated December 2, 2024, the Applicant requested annexation of the Property as shown in Exhibit B consisting of 87.41 acres under the OAA; and

WHEREAS, the City and Applicant shall adhere to the requirements of the OAA.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VICTORIA AS FOLLOWS:

1. OAH Jurisdiction/Consideration by the Chief Judge. The OAA confers jurisdiction over annexation of the Property described in Exhibit A to the OAH. The City requests immediate annexation of the Property, as shown in Exhibit B upon submission to the OAH. Pursuant to the OAA and Minnesota Statutes, Section 414.0325, Subd. 1 (g) and (h) the Chief Judge may review and comment but no additional consideration is necessary and the annexation shall be ordered within 30 days without alteration of the boundaries.
2. Timely Notice. The Applicant timely gave any and all required notices to the City prior to petitioning, and the City timely gave any notices required.
3. Effective Date of Annexation. The Chief's order for annexation shall be effective as of the date of issuance.
4. Reimbursement. Pursuant to paragraph 8 of the OAA, the City shall not initiate annexation with the OAH until such time as the Township acknowledges, in writing, receipt of such payment in lieu of tax reimbursement as it may require.

RESULT:

Motion carried unanimously 4-0

Ayes:

Council Member Evansky, Council Member
Pederson, Council Member Reiff and Council
Member Roberts

Absent

Mayor McMillan

This Resolution is adopted by the City of Victoria and approved by the Mayor this 23 day of June 2025

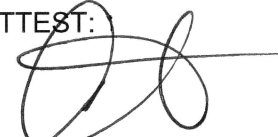
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Adopted: Jun 23 2025

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Andy Reiff, Mayor Pro Tem

ATTEST: 

Claudia Ettesvold, City Clerk

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EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Real property in the City of Laketown Township, County of Carver, State of Minnesota, described as follows:

The West Half of the East Half of the Northeast Quarter, AND the East Half of the Southeast Quarter, all in Section 35, Township 116 North, Range 24 West, Carver County, Minnesota, according to the Government Survey thereof, EXCEPTING therefrom the seven (7) tracts of land described as follows:

EXCEPTION NO. 1:

3.61 acres previously deeded to the Hastings and Dakota Railroad Company for right-of-way.

EXCEPTION NO. 2:

A five acre tract of land in the East Half of the Southeast Quarter of Section 35, Township 116 North, Range 24, West, Carver County, Minnesota, described as follows, to-wit: Commencing at an iron monument on the north line of the right-of-way of the C.M. and St. Paul Railway in the center of the road known as Chaska and Waconia Road, to the point of beginning of the land to be described; thence northwesterly along center of road 279.5 feet; thence turning to the right at an angle of 72 degrees 52 minutes 33 feet to a steel monument which is 77 feet from a 30 inch Burr Oak East and North and 69.5 feet from a 36 inch Elm Tree North and East; thence along in the same direction 351 feet to a 2 inch pipe monument which is 40.5 feet from the northeast corner of a tile chicken house and 51.1 feet from the southeast corner; thence continuing along the same course 152 feet, more or less, to the north line of said East Half of the Southeast Quarter; thence west along said north line to the northwest corner of said East Half of the Southeast Quarter; thence south along the west line thereof 888.6 feet to the north right-of-way line of said Railroad Company; thence East along said line 521 feet more or less to the point of beginning.

EXCEPTION NO. 3:

That part of the East Half of the Southeast Quarter of Section 35, Township 116 North, Range 24 West, Carver County, Minnesota, described as follows: Beginning at a point on the east line of the Southeast Quarter of said Section 35, distant 1479 feet North of the southeast corner of said Section 35; thence West at right angles to the east line of the Southeast Quarter of said Section, 150 feet; thence North parallel with the East line of the Southeast Quarter of said Section, 256.0 feet to the center of a public road; thence Southeasterly along the center of said road, 160.0 feet, more or less, to the east line of the Southeast Quarter of said Section; thence South along the east line of the Southeast Quarter of said Section 200.0 feet to the point of beginning.

EXCEPTION NO. 4:

That part of the East Half of the Southeast Quarter of Section 35, Township 116, Range 24, Carver County, Minnesota, described as follows:

Beginning at a point on the east line of the Southeast Quarter of said Section 35, distant 1011.00 feet North of the southeast corner of said Section 35; thence West at right angles to the east line of the Southeast Quarter of said Section, 185.00 feet; thence North parallel with the east line of the Southeast Quarter of said Section, 736.96 feet to the center of a public road; thence Southeasterly along the center of said road 196.58 feet, more or less, to the east line of the Southeast Quarter of said Section; thence South along the east line of the Southeast Quarter of said Section, 670.76 feet to the place of beginning; EXCEPT that part of the East Half of the Southeast Quarter of Section 35, Township 116 North, Range 24 West, described as follows: Beginning at a point on the east line of the Southeast Quarter of said Section 35, distant 1479 feet North of the southeast corner of said Section 35; thence West at right angles to the east line of the Southeast Quarter of said Section, 150 feet; thence North parallel with the East line of the Southeast Quarter of said Section, 256.0 feet to the center of a public road; thence Southeasterly along the center of said road, 160.0 feet, more or less, to the east line of the Southeast Quarter of said Section; thence South along the east line of the Southeast Quarter of said Section 200.0 feet to the point of beginning.

EXCEPTION NO. 5:

That part of the Northeast Quarter of the Southeast Quarter of said Section 35, Township 116 North, Range 24 West, Carver County, Minnesota, described as follows:

Commencing at the northeast corner of said Northeast Quarter of the Southeast Quarter; thence on an assumed bearing of South along the east line of said Northeast Quarter of the Southeast Quarter, a distance of 680.53 feet to the actual point of beginning of the land to be described; thence West a distance of 192.80 feet; thence South 17 degrees 49 minutes 30 seconds West a distance of 225.90 feet to the center line of County State Aid Highway No. 10; thence Southeasterly along said center line a distance of 278.44 feet to the east line of said Northeast Quarter of the Southeast Quarter; thence North along said east line a distance of 309.00 feet to the actual point of beginning.

EXCEPTION NO. 6:

That part of the Northeast Quarter of the Southeast Quarter of Section 35, Township 116, Range 24, Carver County, Minnesota, described as follows: Beginning at the southwest corner of said Northeast Quarter of the Southeast Quarter; thence Easterly along the south line of said Northeast Quarter of the Southeast Quarter a distance of 897.52 feet; thence Northerly parallel with the east line of said Northeast Quarter of the Southeast Quarter a distance of 523 feet, more or less, to the center line of County State Aid Highway No. 10; thence Northwesterly along said center line a distance of 324.75 feet, more or less, to the southeasterly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence Southwesterly along said southeasterly right of way line a distance of 691.17 feet, more or less, to the west line of said Northeast Quarter of the Southeast Quarter; thence Southerly along said west line a distance of 317.07 feet to the point of beginning.

EXCEPTION NO. 7:

That part of the West Half of the East Half of the Northeast Quarter, AND the East Half of the Southeast Quarter, all in Section 35, Township 116 North, Range 24 West, Carver County,

Minnesota, according to the Government Survey thereof, which lies Southerly of County State Aid Highway No. 10, EXCEPTING therefrom all of the land included in Exception No. 1, Exception No. 2, Exception No. 3, Exception No. 4 and Exception No. 6 heretofore described.

Together with:

Beginning at the Northwest corner of the South half of the Northwest Quarter of said Section 36; thence on an assumed bearing of North 88 degrees 52 minutes 14 seconds East, along the North line of said South half of the Northwest Quarter, a distance of 4.56 feet; thence South 1 degree 41 minutes 06 seconds East, a distance of 96.10 feet; thence South 0 degrees 57 minutes 46 seconds East, a distance of 60.36 feet; thence South 1 degree 00 minutes 20 seconds West, a distance of 102.59 feet; thence South 1 degree 31 minutes 46 seconds East, a distance of 95.04 feet; thence South 0 degrees 14 minutes 45 seconds East, a distance of 97.81 feet; thence South 0 degrees 40 minutes 20 seconds East, a distance of 96.69 feet; thence South 1 degree 09 minutes 48 seconds East, a distance of 104.38 feet; thence South 0 degrees 10 minutes 12 seconds East, a distance of 101.48 feet; thence South 1 degree 00 minutes 31 seconds East, a distance of 99.38 feet; thence South 0 degrees 15 minutes 35 seconds East, a distance of 94.57 feet; thence South 2 degrees 14 minutes 34 seconds East, a distance of 216.74 feet; thence South 13 degrees 15 minutes 34 seconds East, a distance 18.39 feet; thence South 12 degrees 26 minutes 45 seconds East, a distance of 149.18 feet; more or less, to the South line of said South half of the Northwest Quarter; thence Westerly along said South line to the Southwest corner of said South half of the Northwest Quarter; thence North 0 degrees 31 minutes 04 seconds West, along the West line of said South half of the Northwest Quarter, to the point of beginning.

AND

All that part of the Northwest Quarter of the Southwest Quarter of Section 36, Township 116, Range 24, Carver County, Minnesota, which lies North and West of the right of way of the Chicago, Milwaukee and St. Paul Railway Co. as now located and established.

AND

The East half of the East half of the Northeast Quarter (E1/2 of E1/2 of NE1/4) of Section 35, Township 116 North of Range 24 West, Carver County, Minnesota. EXCEPT that part of said East Half of the East Half of the Northeast Quarter of Section 35 described as follows:

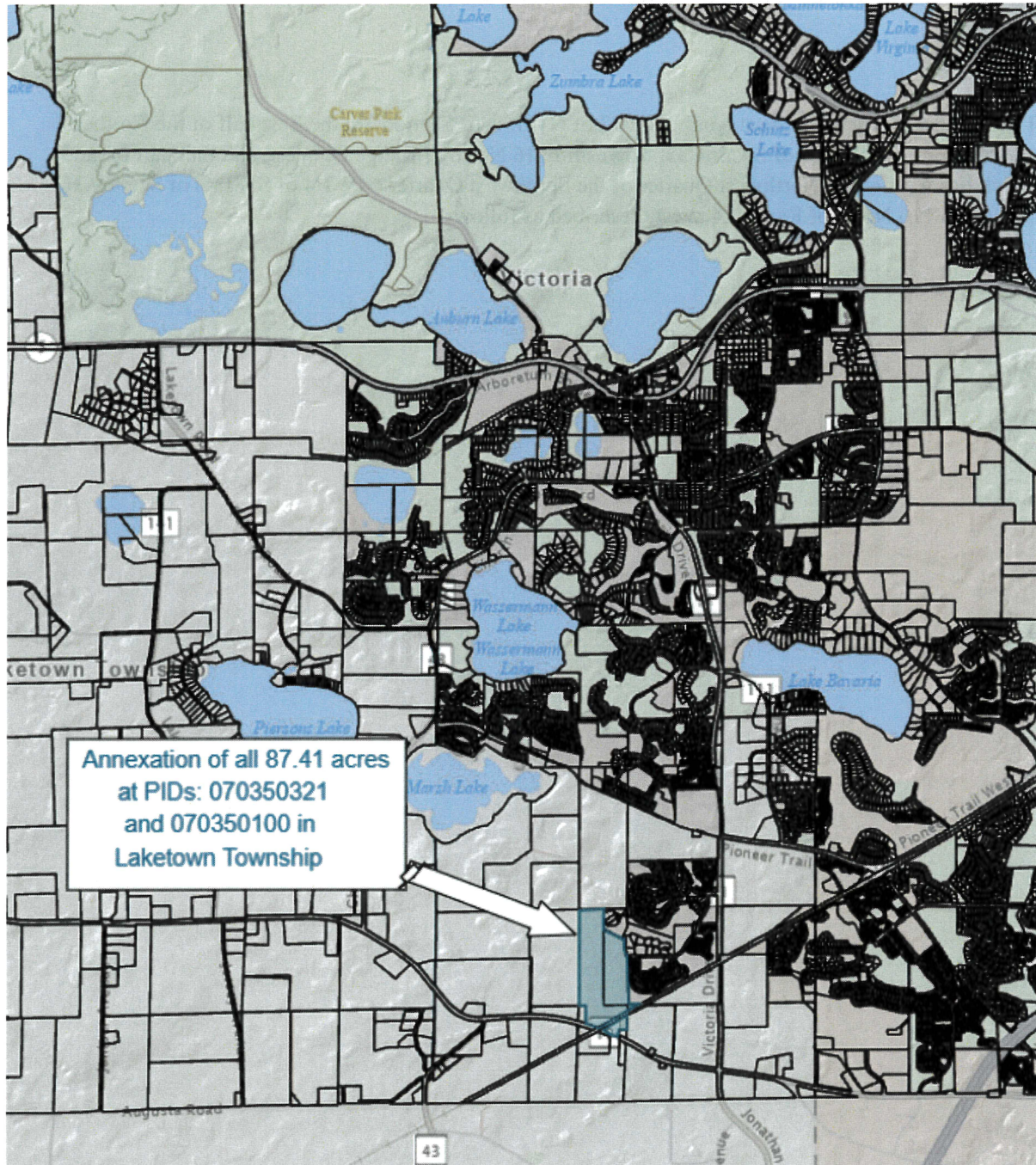
Commencing at the southwest corner of the Northwest Quarter of the Northwest Quarter of Section 36, Township 116 North, Range 24 West, said county; thence North 00 degrees 31 minutes 04 seconds West, assumed bearing along the west line of said Northwest Quarter of the Northwest Quarter of Section 36, said line also being a segment of the east line of said East Half of the East Half of the Northeast Quarter of Section 35, a distance 35.00 feet to the point of beginning; thence South 88 degrees 52 minutes 14 seconds West 35.23 feet; thence North 16 degrees 23 minutes 11 seconds West 223.45 feet; thence North 02 degrees 54 minutes 54 seconds West 222.66 feet; thence North 62 degrees 25 minutes 58 seconds West 643.47 feet to the west line of said East Half of the East Half of the Northeast Quarter of Section 35; thence North 00 degrees 11 minutes 37 seconds West, along said west line of the East Half of the East Half of the Northeast Quarter of Section 35, a distance of 546.51 feet to the north line of said East Half of the East Half of the

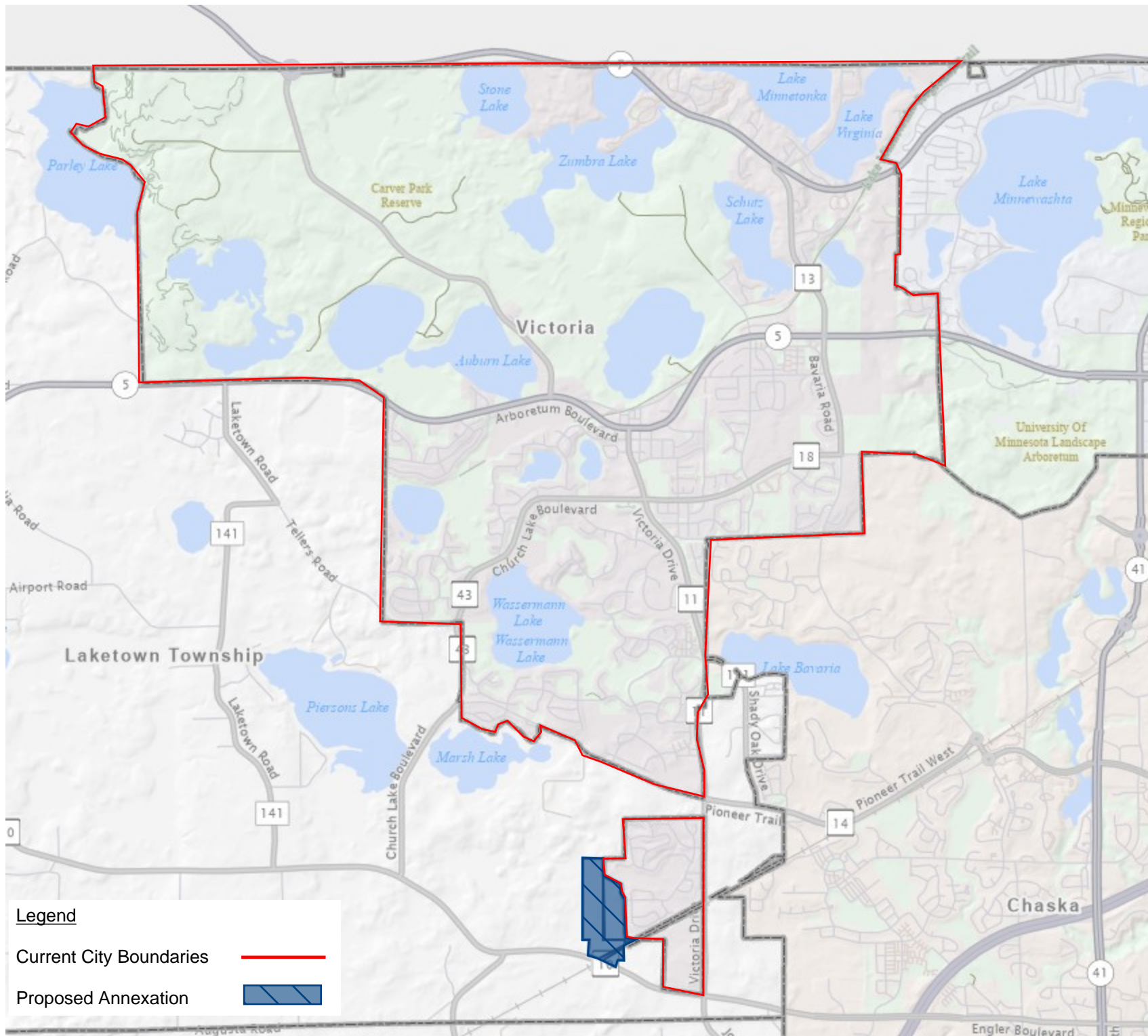
Northeast Quarter of Section 35; thence North 88 degrees 48 minutes 52 seconds East, along said north line of the East Half of the East Half of the Northeast Quarter of Section 35, a distance of 670.30 feet to said east line of the East Half of the East Half of the Northeast Quarter of Section 35; thence South 00 degrees 31 minutes 04 seconds East, along said east line of the East Half of the East Half of the Northeast Quarter of Section 35, a distance of 1294.27 feet to the point of beginning.

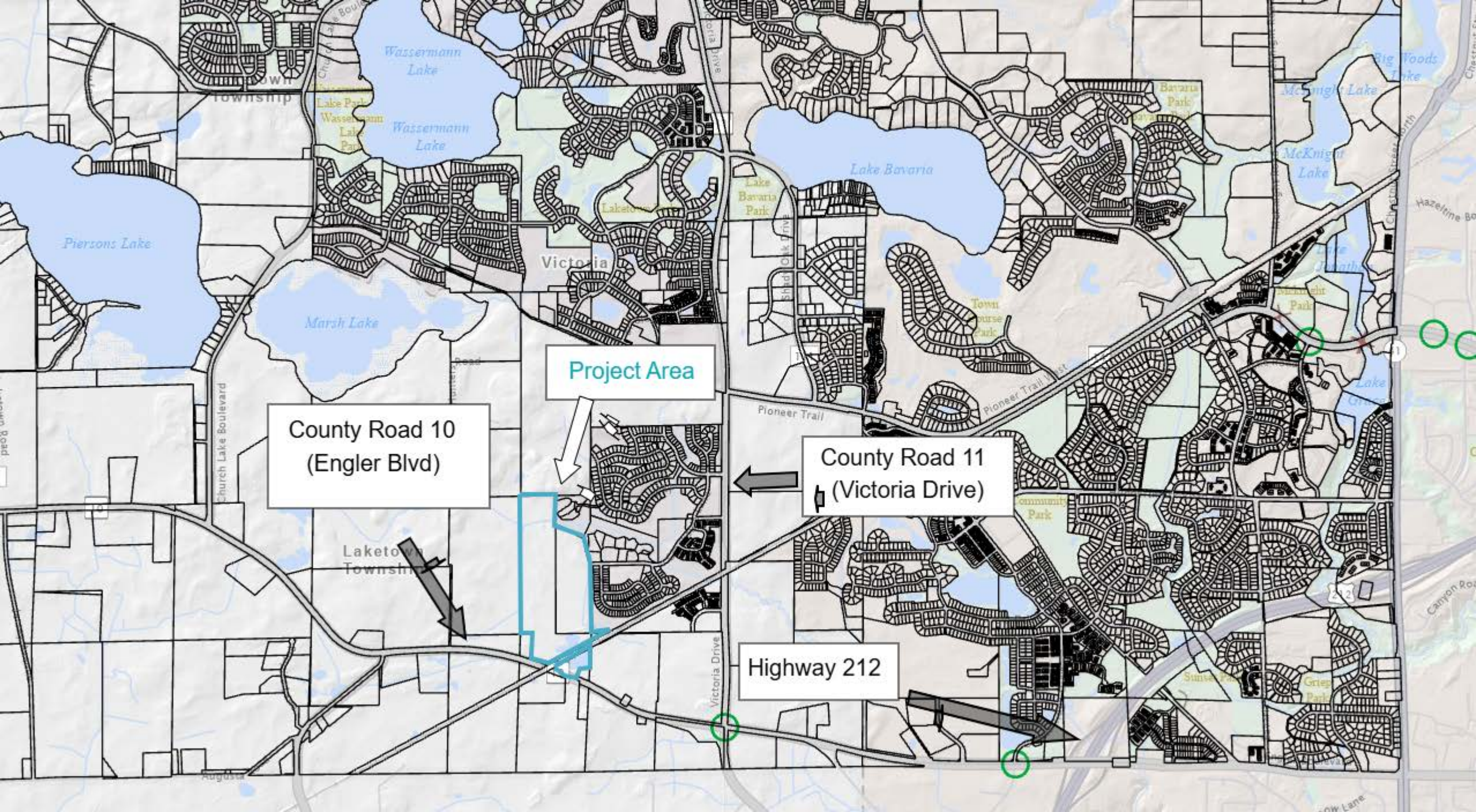
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EXHIBIT B

ANNEXATION EXHIBIT







Project Area

County Road 10
(Engler Blvd)

County Road 11
(Victoria Drive)

Highway 212