

ORDINANCE NO. 4132

**AN ORDINANCE OF THE CITY OF WINONA, ANNEXING LAND
LOCATED IN WILSON TOWNSHIP, WINONA COUNTY, MINNESOTA,
TO THE CITY OF WINONA, WINONA COUNTY, MINNESOTA, PURSUANT
TO MINN. STAT. § 414.033, SUBD. 2(3), PERMITTING ANNEXATION BY
ORDINANCE**

THE CITY OF WINONA DOES ORDAIN:

SECTION 1. That the unincorporated land legally described in Exhibit A (the "Subject Area"), which is attached hereto and incorporated herein by reference, located in Wilson Township, Winona County, Minnesota, is land that is contiguous to and abuts the municipal corporate limits of the City of Winona, Winona County, Minnesota; is land that is 120 acres or less in size; is land that is not presently served by public wastewater facilities, and for which public wastewater facilities are not otherwise available than through the City of Winona; and is land that is existing or proposed for immediate urban or suburban development.

SECTION 2. That the owner of the Subject Area has requested annexation for purposes of immediate urban or suburban residential development of the Subject Area and has submitted a petition to the City Council of the City of Winona for annexation of said Subject Area.

SECTION 3. That a boundary map depicting the Subject Area is attached hereto and incorporated by reference as Exhibit B.

SECTION 4. That the City of Winona held a public hearing pursuant to Minn. Stat. § 414.033, subd. 2b, on July 20, 2020, following thirty (30) days written notice by certified mail to Wilson Township and to all landowners within and contiguous to the Subject Area to be annexed.

SECTION 5. That the corporate limits of the City of Winona are hereby extended to include the Subject Area legally described in Exhibit A and depicted in Exhibit B, containing approximately 9.35 acres, and the same is hereby annexed to be included within the City of Winona, Winona County, Minnesota.

SECTION 6. That the population of the Subject Area hereby annexed is 1.

SECTION 7. That pursuant to Minn. Stat. § 414.036, with respect to the property taxes payable on the Subject Area that is hereby annexed, the total Wilson Township portion of such property taxes payable 2020 were \$391. The City of Winona recommends that it be ordered by the chief administrative law judge of the Minnesota Office of Administrative Hearings to make a cash payment to Wilson Township for the period and in accordance with the following schedule:

a. In the first year in which the City of Winona may levy property taxes on the Subject Area following the annexation thereof, an amount equal to one hundred percent (100%) of the property taxes distributed to Wilson Township in regard to the Subject Area in the last year that property taxes from the Subject Area were payable to Wilson Township; and

b. In the second and final year, an amount equal to the first year payment described in clause a. above of this Section.

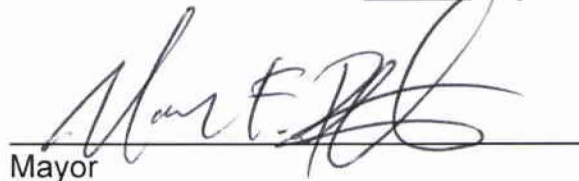
SECTION 8. That there are no special assessments assigned by Wilson Township to the Subject Area, and there is no debt incurred by Wilson Township prior to the annexation and attributable to the Subject area for which reimbursement is required.

SECTION 9. That pursuant to City of Winona City Code, Section 43.02.14 (E), the Subject Area hereby annexed to the City of Winona on the effective date hereof shall not bear a zoning classification as set forth in Section 43.02.12 until the Subject Area is given a classification by ordinance by the City Council of the City of Winona. No building permit or permit to do work of any kind on Subject Area shall be granted until such ordinance rezoning the Subject Area becomes effective.

SECTION 10. That the City Clerk of the City of Winona is hereby authorized and directed to file a copy of this Ordinance with the with the chief administrative law judge of the Minnesota Office of Administrative Hearings; the Minnesota Secretary of State; the Winona County Auditor; and the Wilson Township Clerk

SECTION 11. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the chief administrative law judge of the Minnesota Office of Administrative Hearings.

Passed by the City Council of the City of Winona, Minnesota, this 3rd day of August, 2020.


Mayor

ATTEST:


City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT AREA

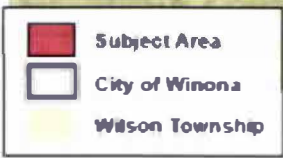
That part of the Southwest Quarter of the Southeast Quarter and that part of the Southeast Quarter of the Southwest Quarter of Section 1; also that part of the Northwest Quarter of the Northeast Quarter and that part of the Northeast Quarter of the Northwest Quarter of Section 12; all in Township 106, Range 7, Winona County, Minnesota, and all described as follows:

Commencing at the southeast corner of said Section 1; thence South 89 degrees 10 minutes 09 seconds West, oriented with the Winona County Coordinate System, NAD 1983 (1996 adjustment), along the south line of the Southeast Quarter of said Section 1, a distance of 2515.00 feet; thence South 26 degrees 24 minutes 51 seconds East, 55.50 feet to the point of beginning of the land to be described; thence North 73 degrees 35 minutes 09 seconds East, 224.32 feet; thence North 20 degrees 12 minutes 51 seconds West, 197.28 feet; thence South 74 degrees 00 minutes 09 seconds West, 19.22 feet; thence North 19 degrees 59 minutes 51 seconds West, 250.00 feet; thence North 74 degrees 00 minutes 09 seconds East, 232.85 feet to the westerly line of Winona County Highway Right of Way Plat No. 1017, according to the recorded plat thereof, said Winona County; thence northerly along said westerly line, 290.14 feet along the arc of a non-tangential curve, concave easterly, having a radius of 17238.73 feet and a central angle of 00 degrees 57 minutes 52 seconds, the chord of said curve bears North 27 degrees 40 minutes 42 seconds West and measures 290.13 feet; thence South 62 degrees 38 minutes 58 seconds West, 36.73 feet; thence South 74 degrees 50 minutes 42 seconds West, 509.19 feet; thence South 15 degrees 09 minutes 18 seconds East, 66.00 feet; thence South 74 degrees 47 minutes 22 seconds West, 228.82 feet; thence South 15 degrees 09 minutes 01 seconds East, 305.02 feet; thence South 72 degrees 55 minutes 12 seconds East, 402.31 feet; thence South 19 degrees 10 minutes 00 seconds East, 145.60 feet; thence North 73 degrees 35 minutes 09 seconds East, 87.00 feet to the point of beginning.

EXHIBIT B

BOUNDARY MAP DEPICTING SUBJECT AREA

The municipal boundary map referenced in the Ordinance to which this exhibit is attached, showing the current City of Winona and its relation to the Subject Area to be annexed, legally described in Exhibit A, is attached hereto.



This map was created from a variety of sources. The information provided is for informational purposes only and does not constitute a warranty of any kind. The City of Winona and Wilson Township are not responsible for any errors or omissions in this map. The City of Winona and Wilson Township are not responsible for any damages or losses resulting from the use of this map. The City of Winona and Wilson Township are not responsible for any damages or losses resulting from the use of this map.

February 2020