

ORDINANCE NO. 4187**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 January 3, 2022, 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 .41 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 2.

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 2021 were \$140. 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 18th day of January, 2022.



Mayor

ATTEST:



City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT AREA

22170 Pinecrest Road, Winona MN 55987, more particularly described as:

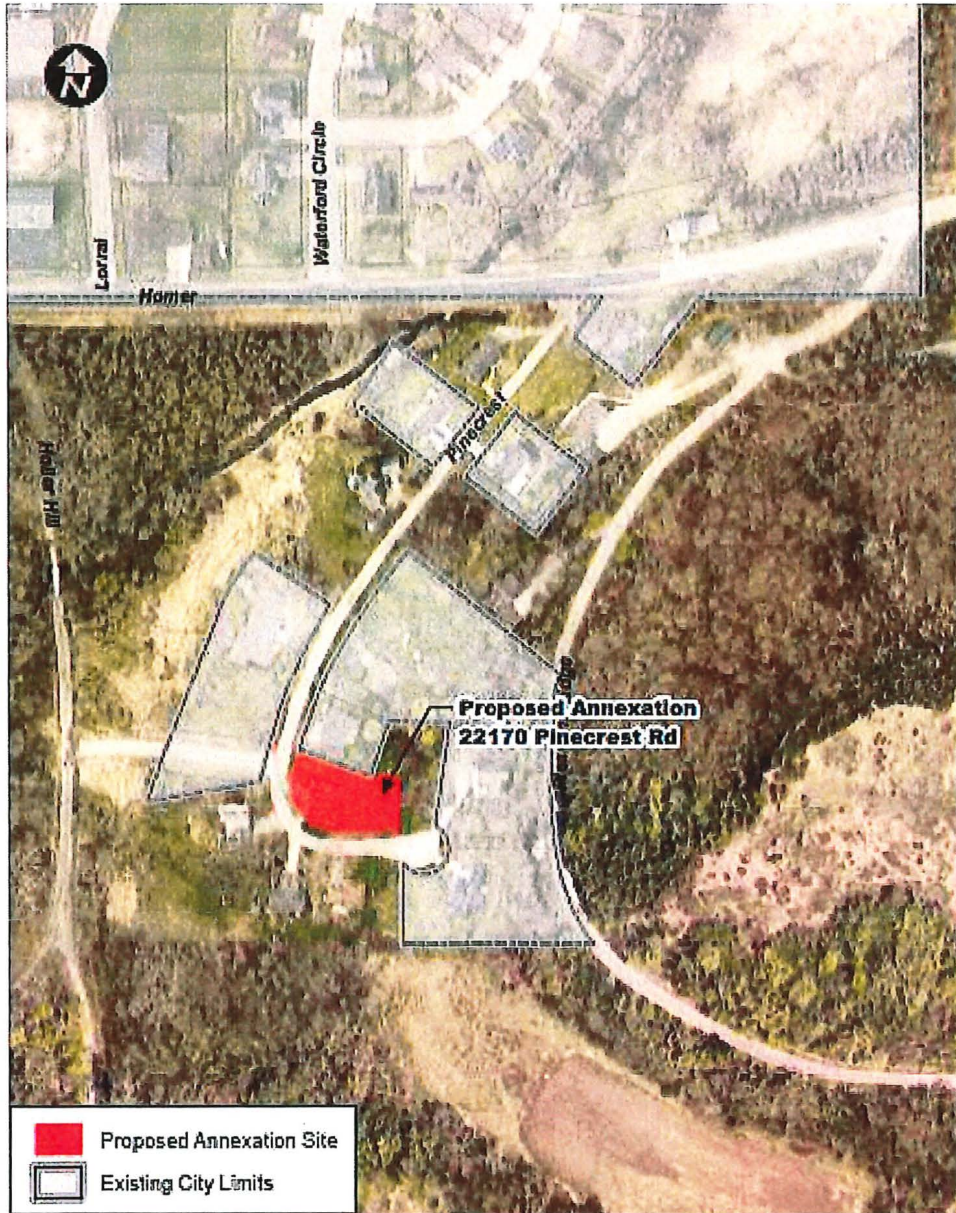
That part of the Northeast Quarter of the Northeast Quarter of Section 1, Township 106, Range 7, Winona County, Minnesota, described as follows:

Commencing at the Southwest corner of Lot 2, Block 2 of Pinecrest Subdivision; thence South $38^{\circ} 31' 00''$ West, assumed bearing, along the Easterly line of Pinecrest Road, according to said Pinecrest Subdivision, 75.49 feet; thence Southwesterly 234.84 feet along the Easterly line of said Pinecrest Road along a tangential curve, concave to the Southeast having a central angle of $19^{\circ} 28' 00''$ and a radius of 691.20 feet; thence South $19^{\circ} 03' 00''$ West along the Easterly line of said Pinecrest Road 44.69 feet to the point of beginning of the land to be described thence South $71^{\circ} 17' 38''$ East 118.66 feet; thence North $90^{\circ} 00' 00''$ East 51.11 feet; thence South $00^{\circ} 00' 00''$ East 93.69 feet to the Northerly line of said Pinecrest Road; thence South $90^{\circ} 00' 00''$ West along the Northerly line of said Pinecrest Road 100.50 feet; thence Northwesterly 147.14 feet along the Northerly and Easterly line of said Pinecrest Road on a tangential curve, concave to the Northeast, having a central angle of $109^{\circ} 03' 00''$ and a radius of 77.31 feet; thence North $19^{\circ} 03' 00''$ East along the Easterly line of said Pinecrest Road 30.89 feet to the point of beginning.

EXHIBIT B

BOUNDARY MAP DEPICTING SUBJECT AREA

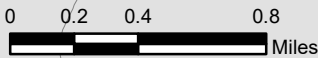
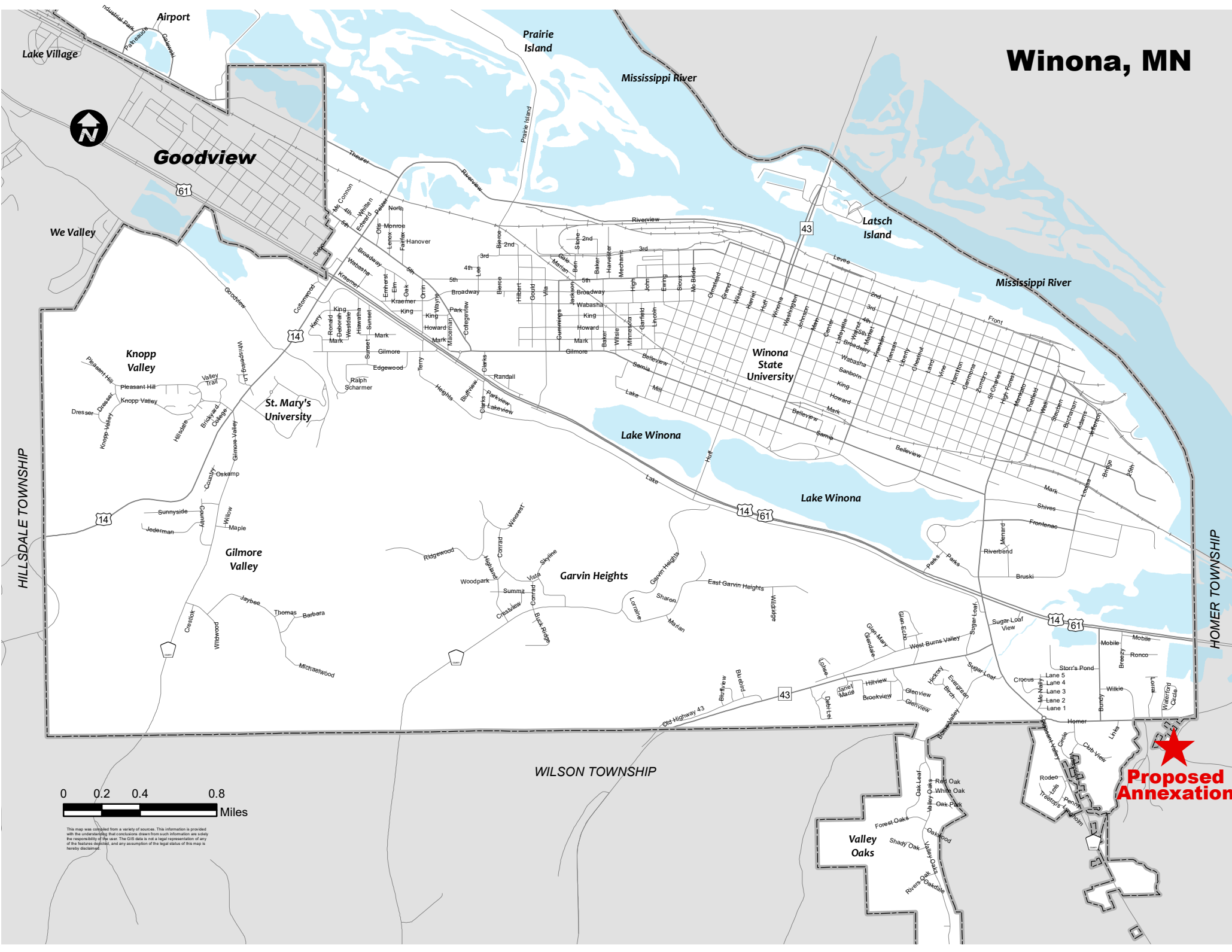
The municipal boundary map referenced in the Ordinance to which this exhibit is attached, showing the current City of Winona and its relation to the Subject Area to be annexed, legally described in Exhibit A, is attached hereto.



November 2021

This map was compiled from a variety of sources. This information is provided with the understanding that conclusions drawn from such information are solely the responsibility of the user. The GIS data is not a legal representation of any of the features depicted, and any inaccuracies or omissions of the legal status of this map is hereby disclaimed.

Winona, MN



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Proposed Annexation