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# JOINT RESOLUTION AND ORDERLY ANNEXATION AGREEMENT

This Joint Resolution and Orderly Annexation Agreement is made this 20th day of December, 2004, by and between the City of Oronoco, Minnesota, hereinafter "City," and Oronoco Township, hereinafter "Township."

WHEREAS, Minnesota Statutes, Section 414.0325 authorizes townships and cities to provide for the orderly annexation of unincorporated areas that are in need of orderly annexation; and

WHEREAS, City and Township agree that there is a public need for the coordinated, efficient and cost-effective extension of City services to promote the public health, well-being and safety; and

WHEREAS, the property described in Exhibit A, hereinafter the "Annexation Area," is presently urban or suburban in nature or about to become so, and City is capable of providing City services within a reasonable time; and

WHEREAS, the annexation of the Annexation Area would be in the best interests of the Annexation Area and the residents and owners thereof, and would permit City to extend necessary municipal services to the Annexation Area; and

WHEREAS, City and Township desire to accomplish the orderly annexation of the Annexation Area and the extension of municipal services to the Annexation Area in a mutually acceptable and beneficial manner without the need for a hearing before the ~~Municipal Boundary~~ *MN Office of Administrative Hearings* Adjustments Office of the Minnesota Department of Administration (MBA) or its successor and, with the purpose of avoiding an annexation dispute, enter into this Joint Resolution and Agreement; and

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WHEREAS, the Annexation Area is in need of coordinated planning and land use control during the term of this Agreement.

NOW, THEREFORE, City and Township hereby resolve and agree as follows:

1. The Annexation Area is in need of orderly annexation pursuant to Minnesota Statutes, Section 414.0325. No alteration of the stated boundaries of the Annexation Area is appropriate. No consideration by the Minnesota ~~Municipal Board~~ <sup>an Office of Administrative Hearings is necessary</sup> is necessary.

2. City may annex any land within the Annexation Area at any time upon the occurrence of any of the following events:

- (a) A majority of the property owners of a parcel of land contiguous to City and within the Annexation Area submit a petition for annexation to City;
- (b) A landowner of land which abuts the City limits submits a petition for annexation to City;
- (c) The land is owned by a private person and is completely surrounded by land within City; or
- (d) City owns the land.

3. If City intends to annex a parcel of land in the Annexation Area, City shall, within 14 days of receipt of the petition to annex, submit to Township the following:

- (a) the legal description and a map of the property to be annexed;
- (b) a description of the proposed use of the property to be annexed, if known; and
- (c) any general development plan for the property to be annexed, if one has been submitted to City.

4. City will initiate annexation pursuant to this Agreement by resolution adopted by the City Council (the "Annexation Resolution"). The City Planning and Zoning Commission is not required to review City's adoption of an Annexation Resolution. The Annexation Resolution <sup>an Office of Administrative Hearings</sup> shall be filed with the ~~MBA~~ <sup>MAB</sup>, Township and the Olmsted County Auditor/Treasurer. The

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Annexation Resolution shall contain the boundary or legal description of the property to be annexed, and shall contain City's estimate of the population and number of households in the property to be annexed. The Annexation Resolution shall also contain an estimate of the cost of any change in electrical utility services, including rate changes and assessments which might occur from the annexation. The Annexation Resolution shall identify one or more paragraphs of this Joint Resolution and Agreement which authorize such annexation.

5. Township will not file any objection with the <sup>MN office of Administrative Hearings</sup> ~~MBA~~ concerning the annexation of any land within the Annexation Area so long as the annexation complies with the terms and conditions of this Agreement. If Township has already filed such an objection with the <sup>MN office of Administrative Hearings</sup> ~~MBA~~, the filing of this Joint Resolution and Agreement with the <sup>MN office of Administrative Hearings</sup> ~~MBA~~ shall constitute withdrawal of the objection.

6. Upon the filing of an Annexation Resolution with the <sup>MN office of Administrative Hearings</sup> ~~MBA~~, <sup>they</sup> the ~~MBA~~ may review and comment on the Annexation Resolution, but may not otherwise consider the Annexation Resolution or alter the annexation boundaries. Within 30 days of receipt of the Annexation Resolution, the <sup>MN office of Administrative Hearings</sup> ~~MBA~~ shall order the annexation of the property described in the Annexation Resolution in accordance with the terms and conditions of this Joint Resolution and Agreement.

7. Lands ordered annexed pursuant to this Joint Resolution and Agreement shall not be subject to any differential taxation referred to in Minnesota Statutes, Section 414.035. Property taxes payable on annexed land shall continue to be paid to Township for the entire year in which the annexation becomes effective. If the <sup>MN office of Administrative Hearings</sup> ~~MBA's~~ order approving the annexation becomes effective on or before August 1 of a levy year, City may levy on the annexed area beginning with that same levy year. If the MBA's order becomes effective after August 1 of a levy year,

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Township may continue to levy on the annexed area for that levy year. Thereafter, property taxes on the annexed land shall be paid to City.

8. City will provide the following property tax reimbursement payments to Township for land within the Annexation Area that is annexed to City:

- (a) In the case of land that is undeveloped as of the date of this Joint Resolution and Agreement, the City will pay the Township \$150 per acre on undeveloped land at the time of annexation, regardless of whether the property is later developed. "Undeveloped land" is defined as (i) any land without a structure or (ii) that contains a structure and is greater than 30 acres in size. The annual payments shall commence in the year following the annexation.
- (b) In the case of land that is already developed as of the date of this Joint Resolution and Agreement, City will make declining payments annually over five years. The first payment will be 90 percent of the township taxes on the annexed land in the year of annexation. The second payment will be 70 percent of the township taxes on the annexed land in the year of annexation. The third payment will be 50 percent of the township taxes on the annexed land in the year of annexation. The fourth payment will be 30 percent of the township taxes on the annexed land in the year of annexation. The fifth and final payment will be 10 percent of the township taxes on the annexed land in the year of annexation. "Developed land" is defined as land of less than 30 acres in size and upon which a structure exists (according to the Olmsted County tax records) on the date of this Joint Resolution and Agreement.

9. Any tax payments due to Township will be made within 30 days of receipt by City of the tax distribution from Olmsted County.

10. Nothing in this Agreement shall relieve Township of its governmental responsibilities for the Annexation Area, including but not limited to the regular and normal maintenance of the existing infrastructure of roads, drainage facilities, and street signs. Township's continuing governmental responsibilities for an annexed area shall continue until the date of the MBA's order approving the annexation. With respect to the portion of 3<sup>rd</sup> Ave. S.W. south of 12<sup>th</sup> St. S.W., and North of Olmsted County 12, this street is currently bounded on the west by property which has been annexed into the City and is bounded on the east by property

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which remains part of the Township. However, the City shall be solely responsible for maintaining and improving this portion of this street following the execution of this agreement. With respect to the portion of 12<sup>th</sup> St. S.W. east of 3<sup>rd</sup> Ave. S.W. and West of Highway 52, which is currently bounded on the north by property which has been annexed into the City and is bounded on the south by property which remains part of the Township; the City and the Township will continue to share responsibility for the maintenance of this portion of the street until all properties in the area to be annexed north of County Road 12 and west of Highway 52 have been annexed into the City. However, any future improvements to this portion of the street will be the sole responsibility of the City.

11. City's zoning and subdivision authority shall apply within the Annexation Area until the time of annexation. Zoning and subdivision within the Annexation Area shall be governed by and administered in accordance with City's zoning and subdivision ordinances.

12. City will construct and provide water, sanitary sewer, storm sewer and street improvements to the Annexation Area as requested by the owner, pursuant to state and local law, at the discretion of City and based on City's policies then in effect.

13. This Joint Resolution and Agreement provides the exclusive procedure by which lands within the Annexation Area may be annexed by City.

14. The City and the Township also agree as a condition of this agreement that the City shall provide the Township with rent free use of the Oronoco Community Center for Township meetings up to 36 meetings per year, as well as for a Township election polling place. The rental fee for any use by the Township in excess of 36 meetings per year will be at the rate established by the City Council for use of the Community Center by community groups or organizations for that current year.

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15. Unless earlier terminated by agreement of the parties, this Joint Resolution and Agreement shall terminate on December 31, 2009, provided, however, that the property tax reimbursement payment obligations provided in paragraph 8 for lands annexed prior to the date of such termination shall survive termination until the same have been paid in full.

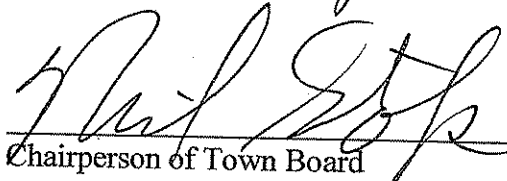
16. This Joint Resolution and Agreement may not be altered, modified or amended except in writing duly executed and signed by the City Council and Township Board of Supervisors, and filed with the <sup>mn Office of Administrative Hearings</sup> ~~MBA~~.

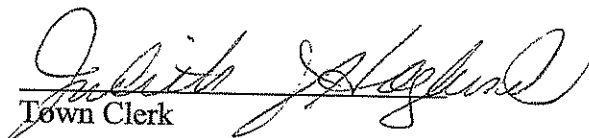
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ORONOCO, MINNESOTA, THIS 20th DAY OF December, 2004.

  
Mayor, City of Oronoco

ATTEST:   
City Clerk

PASSED AND ADOPTED BY ORONOCO TOWNSHIP BOARD OF SUPERVISORS, OLMSTED COUNTY, MINNESOTA, THIS 7<sup>th</sup> DAY OF February, 2005.

  
Chairperson of Town Board

ATTEST:   
Town Clerk



VINCE FANGMAN  
Licensed Land Surveyor  
11724 County Road No. 113 NW  
Pine Island, Minnesota 55963  
Phone (507) 356-8694

REC'D BY  
MMS

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December 27, 2007

Legal Description of Orderly Annexation to the City of Oronoco, Minnesota.

1. The Southwest Quarter of the Southwest Quarter of Section 18, Township 108 North, Range 14 West, Olmsted County, Minnesota. Containing approximately 40 acres, more or less

2. That part of the North One-Half of Section 19, Township 108 North, Range 14 West, Olmsted County, Minnesota described as follows:

Beginning at the northwest corner of the Northwest Quarter of said Section 19; thence N88°44'27"E, assumed bearing along the north line of said Northwest Quarter, 1020.00 feet to the northwest corner of RIVERWOOD HILLS FOURTH, thence S00°51'00"E, along the west line of RIVERWOOD HILLS FOURTH and a southerly extension thereof, 1315.86 feet; thence S51°18'24"W, 79.78 feet; thence S38°41'35"E, 504.97 feet; thence S78°12'52"E, 240.00 feet; thence S69°30'09"E, 657.12 feet; thence N88°28'13"E, 427.03 feet; thence N01°04'13"W, 485.52 feet; thence N68°50'55"E, 176.95 feet; thence S89°29'41"E, 110.00 feet; thence N00°30'09"E, 69.57 feet to the south line of OUTLOT "A" of RIVERWOOD HILLS; thence S89°29'40"E along said south line, 154.58 feet; thence N13°25'58"E along the east line of said OUTLOT "A", 195.12 feet to the southwesterly corner of OUTLOT "C" of RIVERWOOD HILLS SECOND, thence S65°07'43"E along the south line of said OUTLOT "C", 199.06 feet; thence S83°09'15"E along said south line, 114.60 feet to the east line of OUTLOT "B" of RIVERWOOD HILLS THIRD, (the next 6 courses follow the platted boundary of said RIVERWOOD HILLS THIRD); thence S00°04'46"E, along the west line of said Outlot "B", 74.04 feet to the southwest corner of said Outlot "B"; thence S88°46'26"E, along said Outlot "B", 260.76; thence S32°35'07"E, 164.16 feet to the southwest corner of Lot 4, Block 1, RIVERWOOD HILLS THIRD; thence N80°08'09"E, 730.00 feet; thence N88°54'25"E, 285.00 feet to the southeast corner of Lot 10, Block 1, RIVERWOOD HILLS THIRD; thence N01°05'35"W, 270.00 feet to the northeast corner of Lot 10, Block 1, RIVERWOOD HILLS THIRD; thence N88°54'25"E along the south line of Sunny View Lane S.W., as platted in RIVERWOOD HILLS SECOND and RIVERWOOD HILLS THIRD, 479.59 feet to the east line of the Northeast Quarter of Said Section 19; thence S01°09'06"E along said east line, 1425.68 feet to the southeast corner of the Northeast Quarter of said Section 19; thence S88°53'54"W along the south line of the Northeast Quarter and the Northwest Quarter of said Section 19, a distance of

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5149.20 feet to the southwest corner of the Northwest Quarter of said Section 19; thence N00°51'00"W along the west line of said Northwest Quarter, 2629.14 feet to the point of beginning. Containing 159.46 acres, more or less.

3. That part of the Northeast Quarter of the Northeast Quarter of Section 19, Township 108 North, Range 14 West, Olmsted County, Minnesota described as follows:

Commencing at the northeast corner of the Northeast Quarter of said Section 19; thence S01°09'06"E, assumed bearing, along the east line of said Northeast Quarter and the east line of RIVERWOOD HILLS SECOND, 654.05 feet to the southeast corner of 3rd Avenue S.W., as platted in said RIVERWOOD HILLS SECOND; thence continue S01°09'06"E, along the east line of said Northeast Quarter, 478.54 feet to the northeast corner of Sunny View Lane S.W., as platted in RIVERWOOD HILLS THIRD; thence S88°54'25"W, along the north line of said Sunny View Lane S.W., 413.52 feet to the east line of Valley View Drive S.W., as platted in RIVERWOOD HILLS SECOND; thence N01°05'35"W, along said east line of Valley View Drive S.W., 184.64 feet; thence northwesterly 335.20 feet along said east line of Valley View Drive S.W., along a curve, concave to the southwest, central angle of 36°01'58", radius of 533.00 feet and chord of said curve bears N19°06'34"W, 329.70 feet to the most southerly corner of Lot 1, Block 1, RIVERWOOD HILLS SECOND; thence N52°52'27"E, along the southeasterly side of said Lot 1, a distance of 234.87 feet to the most easterly corner of said Lot 1; thence S41°00'09"E, along the southwesterly side of Outlot "A", RIVERWOOD HILLS SECOND, 206.00 feet to the southwest corner of said Outlot "A"; thence N88°50'33"E, along the south line of said Outlot "A" and the south line of said 3rd Avenue S.W., 192.90 feet to the point of beginning. Containing 5.35 acres, more or less.

4. All of ZUMBRO HILLS described as follows:

That part of the South One-Half of the Southeast Quarter of Section 18, Township 108 North, Range 14 West, Olmsted County, Minnesota described as follows:

Beginning at the southeast corner of the Southeast Quarter of said Section 18; thence N00°50'19"W, assumed bearing, along the east line of said Southeast Quarter, 1317.73 feet to the southeast corner of Lot 2, Block 1, WOODSVIEW THIRD SUBDIVISION; thence S88°57'05"W, along the south line of said Lot 2, a distance of 318.31 feet to the southwest corner of said Lot 2; thence S01°13'36"E, along the east line of WOODSVIEW SECOND SUBDIVISION, 338.22 feet to the southeast corner of said WOODSVIEW SECOND SUBDIVISION; thence S88°44'55"W, along the south line of said WOODSVIEW SECOND SUBDIVISION, 2314.13 feet to the west line of the Southeast Quarter of said Section 18; thence S00°59'32"E, along said west line, 961.99 feet to the southwest corner of said Southeast Quarter; thence N89°09'17"E, along the south line of said Southeast Quarter, 2627.51 feet to the point of beginning.

And that part of the Northeast Quarter of the Northeast Quarter of Section 19, Township 108 North, Range 14 West, Olmsted County, Minnesota described as follows:



Beginning at the northeast corner of the Northeast Quarter of said Section 19; thence S89°09'17"W, assumed bearing, along the north line of said Northeast Quarter, 396.39 feet; thence southeasterly 160.15 feet along a curve, not tangent to the last described course, concave the northeast, central angle of 23°57'31", radius of 383.00 feet, and chord of said curve bears S78°51'57"E, 158.99 feet; thence N89°09'17"E, parallel with the north line of said Northeast Quarter, 241.03 feet to the east line of said Northeast Quarter; thence N01°08'58"W, along said east line, 33.00 feet to the point of beginning.

Containing in all 61.34 acres, more or less.

5. That part of the Southeast Quarter of the Southwest Quarter of Section 18, Township 108 North, Range 14 West, Olmsted County, Minnesota described as follows:

Commencing at the southeast corner of the Southwest Quarter of said Section 18; thence N00°59'32"W, assumed bearing, along the east line of said Southwest Quarter and along the east line of Lot 2, Block 4, RIVERWOOD HILLS, 247.03 feet to the most northerly corner of said Lot 2; thence N40°46'47"W, along the northeast line of Lot 3, Block 4, RIVERWOOD HILLS and along the easterly line of OUTLOT "C", RIVERWOOD HILLS, 647.86 feet; thence N37°09'17"E, 671.21 feet to a point on the east line of said Southwest Quarter, being 35.66 feet south of the northeast corner of the Southeast Quarter of said Southwest Quarter; thence S00°59'32"E, along the east line of said Southwest Quarter, 1025.69 feet to the point of beginning. Containing 4.88 acres, more or less.

6. All of the Northwest Quarter of Section 20, Township 108 North, Range 14 West, Olmsted County, Minnesota EXCEPT:

Commencing at the northeast corner of the Northwest Quarter of said Section 20; thence S89°19'35"W, assumed bearing, along the north line of said Northwest Quarter, 902.42 feet to the southwest right of way line of Trunk Highway No. 52, as shown on Minnesota Department of Transportation Right of Way Plat No. 55-18, for a point of beginning; thence continue S89°19'35"W, along said north line, 358.93 feet; thence S00°40'25"E, 204.20 feet; thence N89°19'35"E, parallel with the north line of said Northwest Quarter, 491.19 feet to said southwesterly right of way line of Trunk Highway No. 52; thence northwesterly 243.33 feet along said right of way line, along a curve, not tangent to the last described course, concave to the southwest, central angle of 03°43'41", radius of 3739.76 feet and chord of said curve bears N33°36'13"W, 243.29 feet to the point of beginning. Containing 2.00 acres, more or less.

And EXCEPT:

Beginning at the northeast corner of the Northwest Quarter of said Section 20; thence North 89 degrees 54 minutes 15 seconds West, assumed bearing, along the north line

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thereof, 494.50 feet; thence South 00 degrees 03 minutes 20 seconds East, 66.00 feet; thence South 89 degrees 54 minutes 15 seconds East, 494.90 feet to the east line of said Northwest Quarter; thence North 00 degrees 24 minutes 08 seconds West, along said east line, 66.00 feet to the point of beginning. Containing 0.95 acres, more or less.

Containing in all approximately 157 acres, more or less.

7. That part of the Northeast Quarter of Section 20, Township 108 North, Range 14 West, Olmsted County, Minnesota described as follows:

Commencing at the northeast corner of the Northeast Quarter of said Section 20; thence South 00 degrees 25 minutes 41 seconds East, assumed bearing, along the east line of said Northeast Quarter, 959.84 feet to the southeast corner of CEDAR WOODLAND for a point of beginning; the next nine courses follow the south line of said CEDAR WOODLAND; thence North 89 degrees 35 minutes 31 seconds West, 400.89 feet; thence North 00 degrees 24 minutes 29 seconds East, 80.00 feet; thence North 36 degrees 34 minutes 14 seconds West, 216.98 feet; thence North 89 degrees 35 minutes 31 seconds West, 188.81 feet; thence South 54 degrees 16 minutes 08 seconds West, 160.84 feet; thence South 00 degrees 24 minutes 29 seconds West, 158.48 feet; thence North 89 degrees 35 minutes 31 seconds West, 587.54 feet; thence North 00 degrees 24 minutes 29 seconds East, 455.66 feet; thence northwesterly 736.11 feet along a tangential curve, concave to the southwest, radius of 467.00 feet and a central angle of 90 degrees 18 minutes 44 seconds; thence North 89 degrees 54 minutes 15 seconds West, 738.65 feet to a point on the west line of said Northeast Quarter being 66.00 feet south of the northwest corner thereof; thence South 00 degrees 24 minutes 06 seconds East, along said west line, 2573.15 feet to the southwest corner of said Northeast Quarter; thence South 89 degrees 35 minutes 31 seconds East, along the south line of said Northeast Quarter, 2633.57 feet to the southeast corner of said Northeast Quarter; thence North 00 degrees 25 minutes 41 seconds West, along the east line of said Northeast Quarter, 1654.44 feet to the point of beginning. Containing 126.56 acres, more or less.

8. That part of the South One-Half of the Southeast Quarter of Section 17, Township 108 North, Range 14 West, Olmsted County, Minnesota described as follows:

Beginning at the southwest corner of the Southeast Quarter of said Section 17; (for the purpose of this description the south line of the Southeast Quarter of said Section 17 has an assumed bearing of S89°03'01"E); thence S89°54'16"E, assumed bearing, along the north line of Cedar Point Road S.E. as platted in CEDAR WOODLANDS, 739.22 feet; thence southeasterly 116.79 feet along the north line of Cedar Point Road S.E., along a curve, concave to the southwest, central angle of 12°33'16", radius of 533.00 feet and chord of said curve bears S83°37'37"E, 116.56 feet to the south line of said Southeast Quarter; thence S89°03'01"E, along said south line, 213.12 feet to the west line of Cedar Drive S.E. as platted in CEDAR WOODLANDS; thence N35°38'44"E, along said west line, 372.84 feet; thence northeasterly 59.56 feet along said west line, along a curve,

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concave to the northwest, central angle of  $12^{\circ}46'51''$ , radius of 267.00 feet and chord of said curve bears  $N29^{\circ}15'18''E$ , 59.44 feet;  $S85^{\circ}10'27''W$ , 11.35 feet; thence northwesterly 394.85 feet along a curve, not tangent to the last described curve, concave to the southwest, central angle of  $88^{\circ}01'38''$ , radius of 257.00 feet and chord of said curve bears  $N19^{\circ}58'21''W$ , 357.14 feet; thence  $N28^{\circ}14'38''E$ , not tangent to the last described curve, 336.00 feet; thence  $N20^{\circ}54'31''E$ , 292.44 feet; thence  $N89^{\circ}09'10''W$ , 602.75 feet; thence  $S42^{\circ}42'51''W$ , 289.02 feet; thence  $S60^{\circ}41'27''W$ , 243.16 feet; thence  $N29^{\circ}18'33''W$ , 120.00 feet; thence  $N60^{\circ}41'27''E$ , 224.18 feet; thence  $N42^{\circ}42'51''E$ , 216.21 feet to a point of the north line of the South One-Half of said Southeast Quarter being 1927.37 feet west of the northeast corner of the South One-Half of said Southeast Quarter; thence  $N89^{\circ}09'10''W$ , along said north line, 718.39 feet to the northwest corner of the South One-Half of said Southeast Quarter; thence  $S00^{\circ}03'01''E$ , along the west line of said Southeast Quarter, 1302.41 feet to the point of beginning. Containing 36.40 acres, more or less.

9. The West One-Half of the Northeast Quarter of Section 21, and all of the Northwest Quarter of Section 21, Township 108 North, Range 14 West, Olmsted County, Minnesota EXCEPT:

Beginning at the northwest corner of the Northwest Quarter of said Section 21; thence  $N89^{\circ}29'58''E$ , assumed bearing, along the north line of said Northwest Quarter, 608.03 feet to the center of the Middle Fork Zumbro River (described in the next five courses); thence  $S58^{\circ}49'26''W$ , 10.08 feet; thence  $S83^{\circ}34'51''W$ , 201.91 feet; thence  $S68^{\circ}59'18''W$ , 315.51 feet; thence  $N89^{\circ}58'47''W$ , 71.20 feet; thence  $S89^{\circ}29'58''W$ , 31.98 feet to the west line of said Northwest Quarter; thence  $N00^{\circ}25'46''W$ , along said west line, 135.87 feet to the point of beginning. Containing 0.94 acres, more or less.

Containing in all approximately 239 acres, more or less.

10. That part of the Southwest Quarter of the Southwest Quarter, of the East One-Half of the Southwest Quarter, and of the West One-Half of the Southeast Quarter of Section 16, Township 108 North, Range 14 West, Olmsted County, Minnesota described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 16; thence  $N89^{\circ}29'56''E$ , 608.03 feet to the center of the Middle Fork Zumbro River for a point of beginning; (said center line being described in the next twenty-two course); thence  $N58^{\circ}49'26''E$ , 258.54 feet; thence  $N73^{\circ}10'00''E$ , 557.93 feet; thence  $N55^{\circ}59'27''E$ , 289.06 feet; thence  $N41^{\circ}03'55''E$ , 266.05 feet; thence  $N27^{\circ}19'24''E$ , 338.69 feet; thence  $N15^{\circ}43'55''E$ , 215.15 feet; thence  $N13^{\circ}05'01''W$ , 242.58 feet; thence  $N05^{\circ}46'53''W$ , 575.75 feet; thence  $N17^{\circ}22'42''E$ , 54.24 feet; thence  $N55^{\circ}48'15''E$ , 97.84 feet; thence  $N69^{\circ}58'10''E$ , 434.08 feet; thence  $S83^{\circ}20'47''E$ , 140.09 feet; thence  $S66^{\circ}15'07''E$ , 133.35 feet to a point on the east line of said Southwest Quarter being 2142.62 feet north of the southeast corner of said Southwest Quarter; thence continue  $S66^{\circ}15'07''E$ , 99.94 feet; thence  $S51^{\circ}11'25''E$ , 232.48 feet; thence  $S29^{\circ}05'56''E$ , 259.32 feet; thence  $S18^{\circ}24'31''E$ ,

286.55 feet; thence S30°47'01"E, 410.70 feet; thence S50°15'49"E, 248.19 feet; thence S27°52'22"E, 186.75 feet; thence S67°00'34"E, 207.36 feet; thence N86°54'14"E, 134.72 feet to the east line of the West One-Half of the Southeast Quarter of said Section 16; thence S00°11'09"W, along said east line, 718.49 feet to the southeast corner of the West One-Half of said Southeast Quarter; thence N89°32'11"W, along the south line of said Southeast Quarter, 1312.66 feet to the southwest corner of the West One-Half of said Southeast Quarter; thence S89°29'58"W, along the south line of said Southwest Quarter, 2024.80 feet to the point of beginning. Containing 84.79 acres, more or less.

11. The Southwest Quarter of Section 21 and the West One-Half of the Southeast Quarter of Section 21, Township 108 North, Range 14 West, Olmsted County, Minnesota. Containing approximately 240 acres, more or less

12. The South One-Half of Section 20, Township 108 North, Range 14 West, Olmsted County, Minnesota. Containing approximately 320 acres, more or less.

13. The South One-Half of Section 19, Township 108 North, Range 14 West, Olmsted County, Minnesota. Containing approximately 320 acres, more or less.

14. The North One-Half of Section 30, Township 108 North, Range 14 West, Olmsted County, Minnesota. Containing approximately 320 acres, more or less.

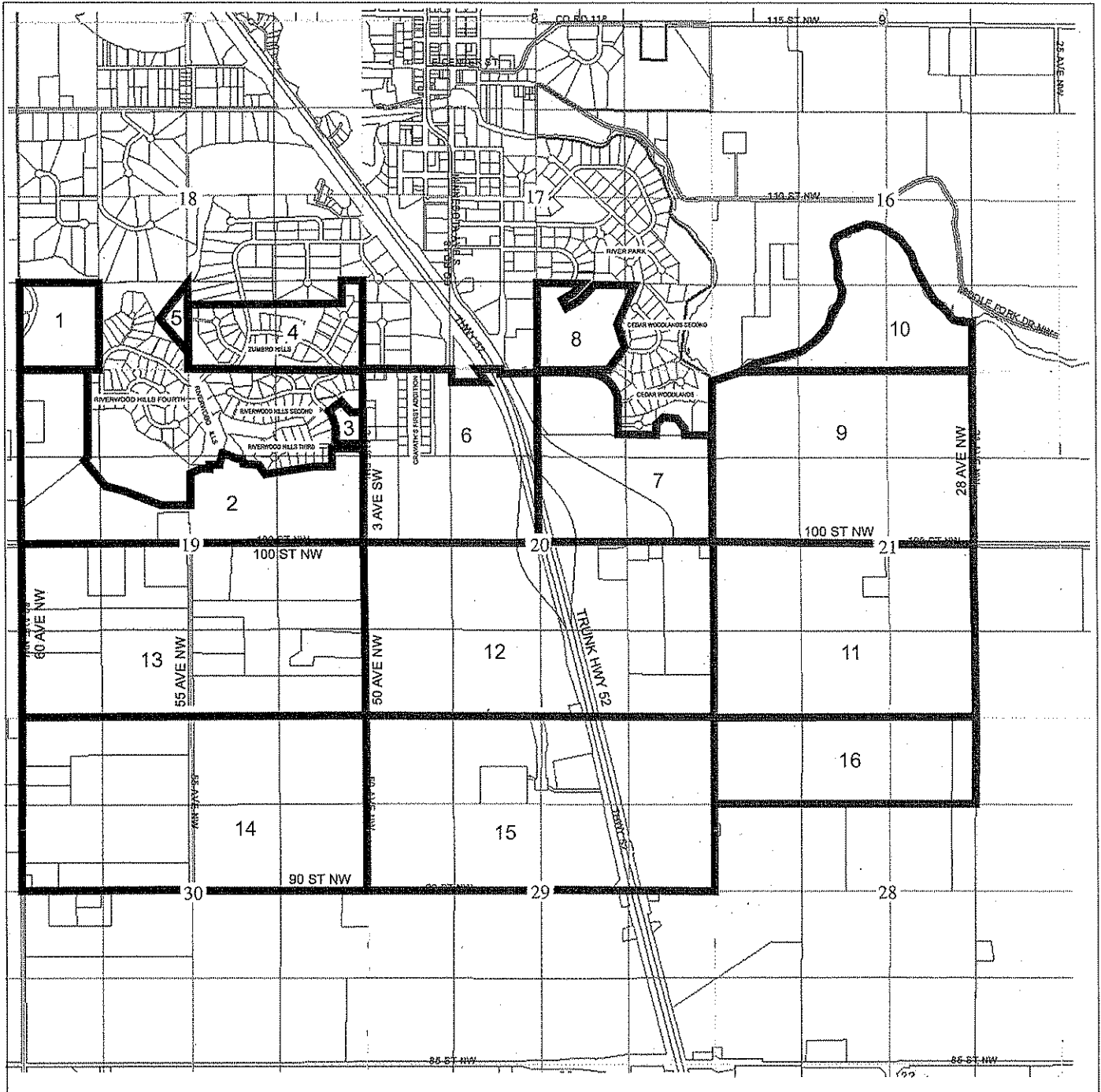
15. The North One-Half of Section 29, Township 108 North, Range 14 West, Olmsted County, Minnesota. Containing approximately 320 acres, more or less.

16. The North One-Half of the Northwest Quarter of Section 28 and the Northwest Quarter of the Northeast Quarter of Section 28, Township 108 North, Range 14 West, Olmsted County, Minnesota. Containing 120 acres, more or less.

REC'D BY  
MMS

JAN 08 2008

# CITY OF ORONOCO ORDERLY ANNEXATION DESCRIPTIONS



**AMENDMENT TO JOINT RESOLUTION ESTABLISHING AN  
ORDERLY ANNEXATION AGREEMENT BETWEEN  
THE CITY OF WATERTOWN AND WATERTOWN TOWNSHIP**

**CITY OF WATERTOWN RESOLUTION NO. 2008-11-25-2  
WATERTOWN TOWNSHIP RESOLUTION NO. 11-25-08  
MUNICIPAL BOUNDARY ADJUSTMENTS RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, the City of Watertown (the "City") and the Township of Watertown (the "Town"), entered into that certain Joint Resolution Establishing an Orderly Annexation Agreement between the City of Watertown and Watertown Township, dated March 4, 2008 (by the City) and March 11, 2008 (by the Town) (hereinafter the "Orderly Annexation Agreement"); and

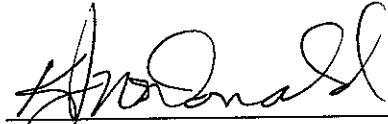
Whereas, the City held a public hearing on the Amendment proposed herein on November 25, 2008 after 10 day published notice and the Town held a public hearing on the Amendment proposed herein on November 25, 2008 after 10 days published notice; and

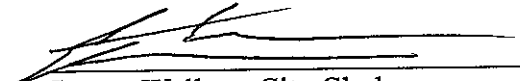
**WHEREAS**, the respective governing bodies of the City and Town have expressed their desire to amend the Orderly Annexation Agreement by adding additional property to the Designated Area as hereinafter provided.

**NOW, THEREFORE, BE IT RESOLVED**, in consideration of the mutual terms and conditions that follow, that the City and Town hereby enter into this Amendment to the Orderly Annexation Agreement upon the following terms and conditions:

1. Designated Area. Paragraph 1 of the Orderly Annexation Agreement is hereby amended by substituting the attached Exhibits A-1 and B-1 for the existing Exhibits A and B.
2. Amendment of Annexation Conditions. With regard to the property identified on attached Exhibit B-1 as the "BERG" property, the Town and City agree that the City's acquisition on or before December 31, 2010, by donation, of any unincorporated portion of the designated "BERG" property for the purpose of the development and maintenance of a public park thereon shall constitute "development approval from the City" as referenced in Paragraph 8(f) of the Orderly Annexation Agreement, and that the remaining portion of the aforesaid "BERG" property shall thereafter remain within the orderly annexation area of the Town that is subject to the terms and provisions of the Orderly Annexation Agreement.
3. No Other Amendments. Except as expressly provided herein, the terms of the Orderly Annexation Agreement remain in full force and effect at this time.


Approved this 25<sup>th</sup> day of November, 2008, by the City of Watertown.

  
Kenneth J. McDonald, Mayor

  
Steven Wallner, City Clerk

Approved this 25<sup>th</sup> day of November, 2008, by Watertown Township.

  
Si Tesch, Chairperson

  
Ann Brunel, Clerk

## EXHIBIT "A-1"

**LEGAL DESCRIPTION OF  
CITY OF WATERTOWN AND WATERTOWN TOWNSHIP  
ORDERLY ANNEXATION AREA**

1. The West Half of Section 5, Township 117, Range 25.
2. The North Half of the Northeast Quarter of Section 5, Township 117, Range 25.
3. The West Half of the East Half of Section 5, Township 117, Range 25, **except** that part thereof now within the municipal boundary of the City of Watertown.
4. That part of the Northwest Quarter of the Northeast Quarter of Section 8, Township 117, Range 25, not now within the municipal boundary of the City of Watertown.
5. The Northwest Quarter of Section 8, Township 117, Range 25, **except** that part thereof now within the municipal boundary of the City of Watertown.
6. The South Half of the Northeast Quarter of Section 7, Township 117, Range 25.
7. The Southwest Quarter of Section 8, Township 117, Range 25, **except** that part thereof now within the municipal boundary of the City of Watertown.
8. Outlots 115 to 125, according to the plat of the Townsite of Watertown and that part of the North Half of the Southeast Quarter of Section 8, Township 117, Range 25, not now within the municipal boundary of the City of Watertown.
9. The North Half of the North Half of Section 17, Township 117, Range 25.
10. Those parts of the South Half of Section 9, Township 117, Range 25, not now within the municipal boundary of the City of Watertown.
11. The North Half of the North Half of Section 16, Township 117, Range 25.
12. The Northeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 16, Township 117, Range 25, and the Southwest Quarter of the Northeast Quarter **excepting** therefrom those parcels as described in PIN's 10-016-0400, 10-016-0300 and 10-016-0210.
13. The North Half of the Northwest Quarter of Section 15, Township 117, Range 25.
14. Outlot A, Dream Acres (P/O the South Half of Section 10, Township 117, Range 25).



15. That part of the North Half of Section 10, Township 117, Range 25, as described in PIN's 10-010-1200, 10-010-1100 and 10-010-0910, including that part of 10-010-0910 lying southerly of the State of Minnesota Luce Line Trail.
16.
  - A. The North Half of the Northeast Quarter of Section 9, Township 117, Range 25, **except** those parts as described in PIN's 85-075-0060 and 85-075-0061.
  - B. Those parts of the Southeast Quarter of the Northeast Quarter as described in PIN's 10-009-1610 and 10-009-1210.
17. The East Half of the West Half of the Southwest Quarter and the East Half of the Southwest Quarter of Section 3, Township 117, Range 25.
18. The North Half of the Northeast Quarter of Section 3, Township 117, Range 25, **except** those parcels as described in PIN's 10-003-1110 and 10-003-1100.
19. The Northwest Quarter of Section 3, Township 117, Range 25.
20. The North Half of Section 4, Township 117, Range 25, **except** Ortloff's Addition and **except** that parcel described in PIN 85-004-0300 and **except** part of Outlot H, Plat of Forest Hills.
21. That part of the Southwest Quarter of the Southeast Quarter of Section 4, Township 117, Range 25, described in PIN 10-004-0500.
22. That part of the West Half of the Northeast Quarter described as: West on North line 76.15 feet to a point on the North 15 feet West to the North line of the West Half of Comm at the Northeast corner of the West Half Northeast Quarter then beginning on the South 413.78 feet on the West 617 feet of the Northeast Quarter then East on the North line to the beginning in Section 10, Township 117, Range 25.
23. Lot 003, Block 001 of the Stein Addition in Section 10, Township 117, Range 25.

# CITY OF WATERTOWN



## EXHIBIT A-1 "Designated Area"

### Legend

- 2030 Growth Boundary
- City Boundary
- Parcels in City Limits
- Properties in 1976 OAA
- Phase 2005-2010
- Future Phase

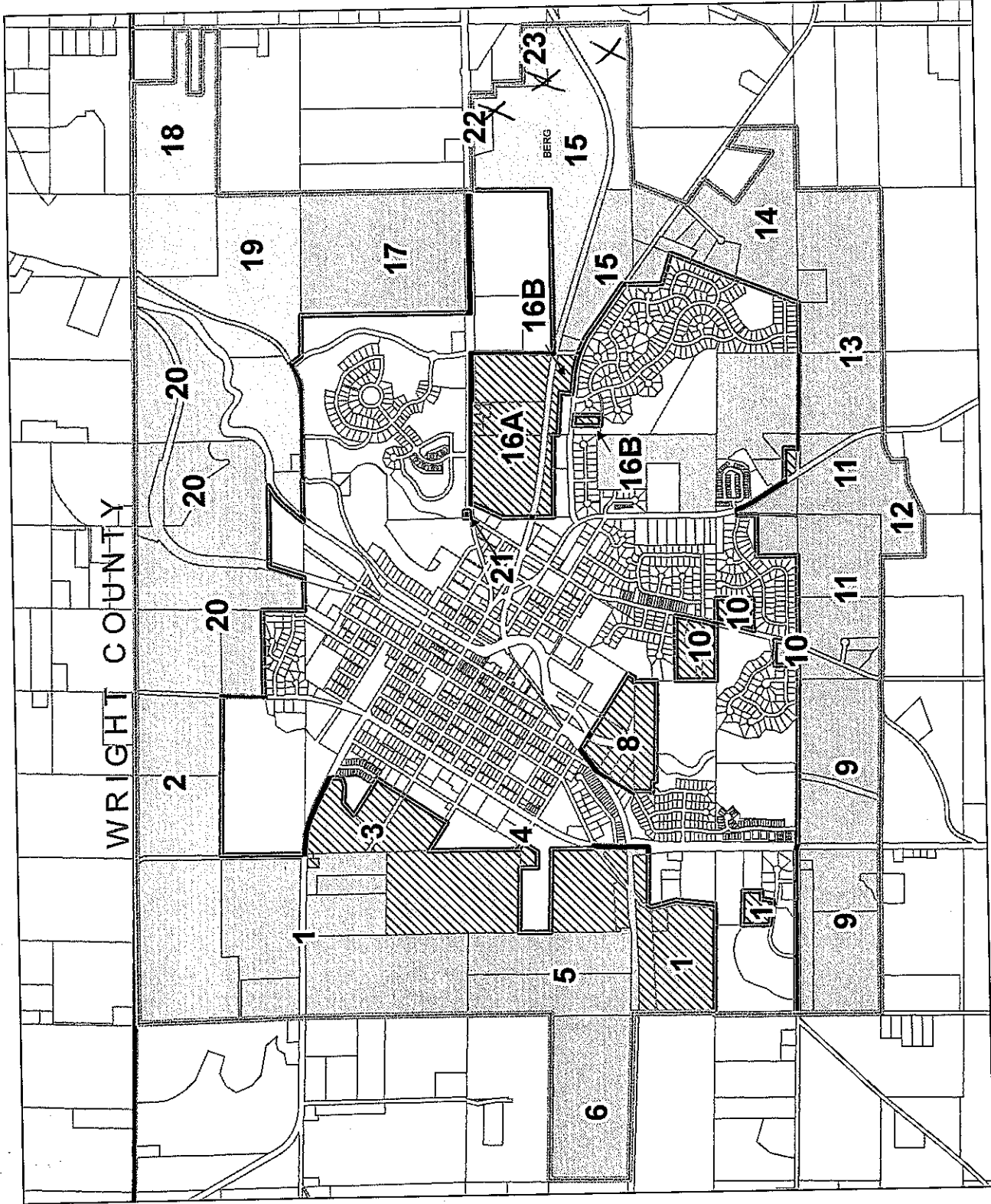
Note: Numbers correspond with legal description

REC'D BY  
M.A.B

DEC 04 2008



March, 2008  
Amended November 21, 2008



# CITY OF WATERTOWN



## EXHIBIT B-1 "Designated Area"

- Legend**
- 2030 Growth Boundary
  - City Boundary
  - Parcels in City Limits
  - Properties in 1976 OAA
  - Phase 2005-2010
  - Future Phase

REC'D BY  
MAM B

DEC 04 2008



March, 2008  
Modified November 21, 2008

