

## ORDERLY ANNEXATION RESOLUTION

REC'D BY  
M M B

JUN 17 2008

A Joint Resolution between the Town of Oronoco, the Town of New Haven and the City of Pine Island as to the territory described below.

Oronoco Township Resolution ~~08-0~~ 08-060208

New Haven Township Resolution 08-05

City of Pine Island Resolution 08-017

WHEREAS: The Townships and City agree to designation of the lands described in Exhibit A for orderly annexation, and immediate initiation of annexation of such lands, all in accordance with Minn. Stat. § 414.0325.

WHEREAS: The described lands are owned by Tower Investments, LLC or its direct subsidiaries, and the owner(s) have petitioned for immediate annexation.

WHEREAS: The chief administrative law judge of the state Office of Administrative Hearings (OAH), or the chief's delegate, may review and comment but shall order the annexation within 30 days.

NOW THEREFORE BE IT RESOLVED by the Townships and City as follows:

1. OAH Jurisdiction. This Resolution confers jurisdiction on the OAH over annexation of the described lands.
2. Description of the Lands Being Annexed. The lands subject to annexation under this Resolution are described on the attached Exhibit A and no alteration of the boundaries is appropriate.
3. Initiation of Annexation. The Townships and City request immediate annexation of the described lands.
4. Reasons for Annexation. Due to potential future roadway realignments and development by the owner, the designated lands will experience future population growth and the existing Township form of government will not be adequate to protect the public health, safety and welfare, and annexation is in the best interest of the Townships and City. The City's comprehensive plan and future land use map encompasses these lands, and the City intends to provide utility infrastructure and services and other public services to the annexed lands.
5. Consideration by the Director. Pursuant to Minn. Stat. § 414.0325, Subd. 1(g), no consideration by the OAH chief is necessary.
6. Electric Utility Service Notice. The property owner gave any and all required notices to the municipality at least 60 days prior to petitioning for annexation, and at least 30 days prior to petitioning the municipality gave any and all required notices to petitioner that the cost of electric utility service may change upon annexation.

7. Effective Date of Annexation. The chief's order for annexation shall be effective as of the date of issuance.

8. Reimbursement. Pursuant to prior agreements, New Haven Township has been reimbursed a total of \$218,983.48 and Oronoco Township has been reimbursed a total of \$83,446.15 for the loss of taxes generated from the annexed property. The parties acknowledge and agree that these are the full amounts due as payment in lieu of taxes.

9. Effective Date. This Resolution is effective upon approval by the Townships and City. This Resolution supercedes any prior orderly annexation resolutions or agreements with respect to the lands described in Exhibit A.

Adopted by the New Haven Township Board this 11 day of JUNE, 2008.

BY: David OR  
Town Board Chair

BY: [Signature]  
Town Board Clerk

Adopted by the Oronoco Township Board this 2<sup>nd</sup> day of June, 2008.

BY: [Signature]  
Town Board Chair

BY: [Signature]  
Town Board Clerk

Adopted by the City Council of the City of Pine Island this 20 day of May,  
2008

BY: [Signature]  
Paul Perry, Mayor

BY: [Signature]  
Abraham Algadi, City Administrator

**Exhibit A****LEGAL DESCRIPTION**

That part of the East Half of the Northwest Quarter of Section 2, Township 108 North, Range 15 West, described as follows:

Beginning at the northeast corner of said East Half of the Northwest Quarter; thence on an assumed bearing of South  $89^{\circ}18'59''$  West 1319.73 feet to the northwest corner of said East Half of the Northwest Quarter; thence South  $00^{\circ}48'04''$  East along the west line of said East Half of the Northwest Quarter 1225.25 feet to the northeasterly right of way line of Trunk Highway Number 52; thence South  $59^{\circ}18'11''$  East along said northeasterly right of way line 1460.75 feet; thence North  $30^{\circ}41'49''$  East along said northeasterly right of way line 100.00 feet; thence South  $59^{\circ}18'11''$  East along said northeasterly right of way line 27.21 feet to the east line of said East Half of the Northwest Quarter; thence North  $00^{\circ}50'18''$  West 1914.70 feet to the point of beginning, containing 49.23 acres and is subject to any easements, covenants, and restrictions of record.



**Exhibit A**

The following described Property (parcels A- E) containing 877.32 acres more or less:

Parcel 'A'

The Northwest Quarter of the Northeast Quarter of Section 1, Township 108 North, Range 15 West, Olmsted County, Minnesota.

The Northeast Quarter of the Northeast Quarter of Section 1, Township 108 North, Range 15 West, Olmsted County, Minnesota.

That part of the Southwest Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter, Northeast Quarter of the Southwest Quarter, West Half of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter, of Section 1, Township 108 North, Range 15 West, Olmsted County, Minnesota, lying northerly and easterly of the following described line:

Commencing at the northwest corner of said Section 1; thence on an assumed bearing of South 00 degrees 54 minutes 41 seconds East along the west line of said Section 1 a distance of 778.98 feet; thence South 44 degrees 55 minutes 49 seconds East 764.84 feet to the north line of said Southwest Quarter of the Northwest Quarter to the point of beginning of the line to be described; thence South 44 degrees 55 minutes 49 seconds East 5121.99 feet; thence southeasterly 389.04 feet to the south line of said Section 1 along a tangential curve concave to the southwest having a radius of 1083.65 feet and a central angle of 20 degrees 34 minutes 11 seconds and there terminating.

That part of the West Half of the Northwest Quarter, Southeast Quarter of the Northwest Quarter, Northeast Quarter of the Southwest Quarter, West Half of the Southeast Quarter, and Southeast Quarter of the Southeast Quarter, of Section 1, Township 108 North, Range 15 West, Olmsted County, Minnesota, lying southerly and westerly of the following described line:

Commencing at the northwest corner of said West Half of the Northwest Quarter; thence on an assumed bearing of South 00 degrees 54 minutes 41 seconds East along the west line of said West Half of the Northwest Quarter 778.98 feet to the point of beginning of the line to be described; thence South 44 degrees 55 minutes 49 seconds East 5886.83 feet; thence southeasterly 389.04 feet to the south line of said Section 1 along a tangential curve concave to the southwest having a radius of 1083.65 feet and a central angle of 20 degrees 34 minutes 11 seconds and there terminating.

That part of the Northwest Quarter of the Southwest Quarter, Southwest Quarter of the Southwest Quarter, and Southeast Quarter of the Southwest Quarter of Section 1, Township 108 North, Range 15 West, Olmsted County, Minnesota, which lies northerly of the north right-of-way line of State Highway 52.

That part of the East Half of the Northeast Quarter of Section 12, Township 108 North, Range 15 West, Olmsted County, Minnesota, lying and being north and east of Highway Number 52 and

south and west of that certain Township Road, formerly known as State Highway Number 20, running northwesterly and southeasterly through said East Half of the Northeast Quarter.

That part of the East Half of the Northeast Quarter of Section 12, Township 108 North, Range 15 West, Olmsted County, Minnesota, lying north and east of the Township Road.

That part of the Northeast Quarter of the Southeast Quarter of Section 12, Township 108 North, Range 15 West, Olmsted County, Minnesota, lying and being north and east of Highway Number 52 as it is presently located across said Northeast Quarter of the Southeast Quarter.

EXCEPTING THEREFROM THE FOLLOWING THREE DESCRIBED PARCELS:

- 1) That part of the Southeast Quarter of the Northeast and the Northeast Quarter of the Southeast Quarter of Section 12, Township 108 North, Range 15 West, Olmsted County, Minnesota, described as follows:

Commencing at a surveyor's monument located at the northeast corner of the Southeast Quarter of said Section 12; thence on an assumed bearing of South  $00^{\circ}36'36''$  East along the East line of said Section 12 a distance of 172.31 feet to the north right-of-way line of Minnesota Trunk Highway Number 52; thence North  $65^{\circ}39'04''$  West 626.00 feet along said right-of-way line; thence North  $22^{\circ}10'09''$  East 633.60 feet to the centerline of the Township Road presently known as 59<sup>th</sup> Avenue; thence South  $31^{\circ}41'17''$  East 246.86 feet along said centerline; thence southeasterly a distance of 337.05 feet along a tangential curve concave to the northeast having a radius of 2600.00 feet and a central angle of  $07^{\circ}25'39''$  to the east line of the Southeast Quarter of the Northeast Quarter of said Section 12; thence South  $01^{\circ}24'13''$  East along the east line of the Southeast Quarter of the Northeast Quarter of said Section 12, not tangent to said curve, 188.00 feet to the point of beginning.

AND

- 2) That part of the Northeast Quarter of the Northeast Quarter and that part of the north 550.00 feet of the Southeast Quarter of the Northeast Quarter, all in Section 12, Township 108 North, Range 15 West, Olmsted County, Minnesota, lying east of the Township Road know as 59<sup>th</sup> Avenue NW.

AND

- 3) That part of the South 250.00 feet of Southeast Quarter of the Southeast Quarter, of Section 1, Township 108 North, Range 15 West, Olmsted County, Minnesota, lying east of the Township Road Know as 59<sup>th</sup> Avenue NW.

Parcel 'B'

The Southwest Quarter of the Northeast Quarter of Section 1, Township 108 North, Range 15 West, Olmsted County, Minnesota.



The Southeast Quarter of the Northeast Quarter of Section 1, Township 108 North, Range 15 West, Olmsted County, Minnesota.

The Northeast Quarter of the Southeast Quarter of Section 1, Township 108 North, Range 15 West, Olmsted County, Minnesota.

The South Half of the Northeast Quarter of Section 2, Township 108 North, Range 15 West, Olmsted County, Minnesota, EXCEPT that part which lies southerly of Trunk Highway Number 52 and also excepting Parcel 303 as shown on Minnesota Department of Transportation Right of Way Plat No. 55-30 recorded on February 2, 1990, in Book E-5 on Page 401.

The Northwest Quarter of the Northeast Quarter of Section 2, Township 108 North, Range 15 West, Olmsted County, Minnesota.

That part of the Northeast Quarter of the Northeast Quarter of Section 2, Township 108 North, Range 15 West, Olmsted County, Minnesota, lying southerly and westerly of the following described line:

Commencing at the northeast corner of said Northeast Quarter of the Northeast Quarter; thence on an assumed bearing of South 00 degrees 54 minutes 41 Seconds East along the east line of said Northeast Quarter of the Northeast Quarter 778.98 feet to the point of beginning of the line to be described; thence North 44 degrees 55 minutes 49 seconds West 1087.92 feet to the north line of said Northeast Quarter of the Northeast Quarter and there terminating.

That part of the Northeast Quarter of the Northeast Quarter of Section 2, Township 108 North, Range 15 West, Olmsted County, Minnesota, lying northerly and easterly of the following described line:

Commencing at the northeast corner of said Northeast Quarter of the Northeast Quarter; thence on an assumed bearing of South 00 degrees 54 minutes 41 seconds East along the east line of said Northeast Quarter of the Northeast Quarter 778.98 feet to the point of beginning of the line to be described; thence North 44 degrees 55 minutes 49 Seconds West 1087.92 feet to the north line of said Northeast Quarter of the Northeast Quarter and there terminating.

Parcel 'C'

That part of the North Half of the Southeast Quarter of Section 2, Township 108 North, Range 15 West, Olmsted County, Minnesota, lying northerly and easterly of State Highway Number 52.

Parcel 'D'

That part of the West Half of the Northeast Quarter of Section 12, Township 108 North, Range 15 West, Olmsted County, Minnesota, described as follows:

Commencing for a place of beginning at the northwest corner of the Northeast Quarter of said Section and running thence East along the north line of said Section a distance of 1304.2 feet to the northeast corner of said West Half of the Northeast Quarter; thence South along the east line of said West Half a distance of 2101 feet to the northerly right-of-way line of U.S. Trunk Highway Number 52; thence Northwesterly along said northerly right-of-way line a distance of 1816.68 feet to the west line of said Northeast Quarter; thence North a distance of 871.6 feet to the place of beginning.

That part of the East Half of the Northwest Quarter of Section 12, Township 108 North, Range 15 West, Olmsted County, Minnesota, described as follows:

Commencing for a place of beginning at the northeast corner of the Northwest Quarter of said Section 12 and running thence West along the north line of said Northwest Quarter a distance of 921.1 feet to a point in the northerly right-of-way line of U.S. Trunk Highway Number 52; thence southeasterly along said northerly right-of-way line a distance of 1264.65 feet to the east line of said Northwest Quarter thence North along the east line of said Northwest Quarter a distance of 871.6 feet to the place of beginning.

Parcel 'E'

The North one-half of the Northwest Quarter ( $NW\frac{1}{2} NW\frac{1}{4}$ ) of Section 1, Township 108 North, Range 15 West, except that part of the Northwest Quarter of the Northwest Quarter ( $NW\frac{1}{4} NW\frac{1}{4}$ ) lying southwesterly of the center of Township Road running south to north in a generally northwesterly direction.

REC'D BY  
M M B

JUN 17 2008

Oronoco TWP  
Parcel.

### Exhibit A

The following described Property (parcels A and B) containing 355.09 acres more or less:

#### Parcel 'A'

The East Half of the Northwest Quarter and the East Half of the Southwest Quarter of the Northwest Quarter of Section 6, Township 108 North, Range 14 West, Olmsted County, Minnesota.

The Northwest Quarter of the Northwest Quarter of Section 6, Township 108 North, Range 14 West, Olmsted County, Minnesota.

The North Half of the Northwest Quarter of Section 7, Township 108 North, Range 14 West, Olmsted County, Minnesota.

The South Half of the Southwest Quarter of the Northwest Quarter of Section 7, Township 108 North, Range 14 West, Olmsted County, Minnesota.

The Southwest Quarter of the Northeast Quarter of Section 7, Township 108 North, Range 14 West, Olmsted County, Minnesota.

#### EXCEPTING THEREFROM THE FOLLOWING TWO DESCRIBED PARCELS:

- 1) That part of the Southwest Quarter of the Northwest Quarter of Section 7, Township 108 North, Range 14 West, described as follows:

Commencing at a Surveyor's monument located at the southwest corner of the Southwest Quarter of the Northwest Quarter of said Section 7; thence on an assumed bearing of the North 1°24'13" West a distance of 188.00 feet along the West line of said Southwest Quarter of the Northwest Quarter; thence South 32°52'02" East 221.13 feet to the South line of said Southwest Quarter of the Northwest Quarter; thence South 88°54'04" West 115.42 feet to the point of beginning.

- 2) The North Half of the Northwest Quarter of Section 7, Township 108 North, Range 14 West, Olmsted County, Minnesota.

#### Parcel 'B'

The West Half of the Southwest Quarter of the Northwest Quarter and the West Half of the Northwest Quarter of the Southwest Quarter of Section 6, Township 108 North, Range 14 West, Olmsted County, Minnesota.

The North 5 acres of the Southwest Quarter of the Southeast Quarter lying west of the St. Paul and Elliot Road in Section 6, Township 108 North, Range 14 West, Olmsted County, Minnesota.



The Southeast Quarter of the Southwest Quarter of Section 6, Township 108 North, Range 14 West, Olmsted County, Minnesota.

The Southwest Quarter of the Southwest Quarter of Section 6, Township 108 North, Range 14 West, Olmsted County, Minnesota.

The Southeast Quarter of the Northwest Quarter and the North Half of the Southwest Quarter of the Northwest Quarter of Section 7, Township 108 North, Range 14 West, Olmsted County, Minnesota.

EXCEPTING THEREFROM THE FOLLOWING TWO DESCRIBED PARCELS:

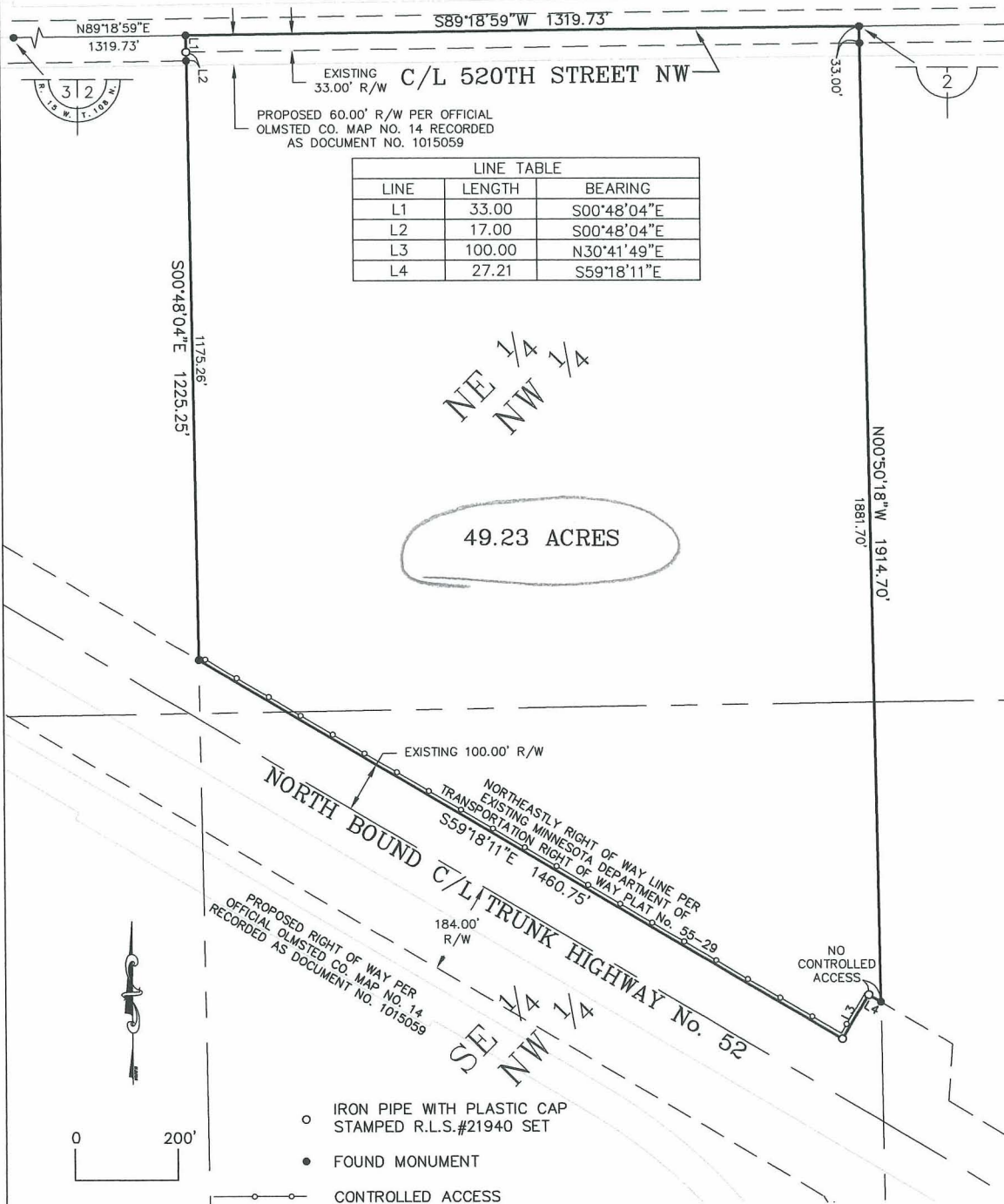
- 1) The south 250.00 feet of the Southeast Quarter of the Southwest Quarter of Section 6, Township 108 North, Range 14 West, Olmsted County, Minnesota.
- 2) The south 250.00 feet of the Southwest Quarter of the Southwest Quarter of Section 6, Township 108 North, Range 14 West, Olmsted County, Minnesota.

# CERTIFICATE OF SURVEY

SECTION 2  
T. 108 N., R. 15 W.

REC'D BY  
MMB

APR 29 2008



## LEGAL DESCRIPTION

That part of the East Half of the Northwest Quarter of Section 2, Township 108 North, Range 15 West, described as follows:  
Beginning at the northeast corner of said East Half of the Northwest Quarter; thence on an assumed bearing of South 89°18'59" West 1319.73 feet to the northwest corner of said East Half of the Northwest Quarter; thence South 00°48'04" East along the west line of said East Half of the Northwest Quarter 1225.25 feet to the northeasterly right of way line of Trunk Highway Number 52; thence South 59°18'11" East along said northeasterly right of way line 1460.75 feet; thence North 30°41'49" East along said northeasterly right of way line 100.00 feet; thence South 59°18'11" East along said northeasterly right of way line 27.21 feet to the east line of said East Half of the Northwest Quarter; thence North 00°50'18" West 1914.70 feet to the point of beginning, containing 49.23 acres and is subject to any easements, covenants, and restrictions of record.

SHEET 1 OF 1

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

Geoffrey G. Griffin  
DATE \_\_\_\_\_ REG. NO. 21940

**G G G INC.**  
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Chatfield, MN 55923

Engineering  
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DATE OF SURVEY: 12-8-06  
Prepared For:  
Tower Investments, LLC  
250 W. Main St., Suite 101  
Woodland, CA 95695  
FILE NO. 06-128-CERT-A

