

RESOLUTION NO. 0813

**JOINT RESOLUTION OF THE CITY OF GOODVIEW
AND THE TOWNSHIP OF ROLLINGSTONE AS TO THE
ORDERLY ANNEXATION OF PROPERTY**

WHEREAS, the Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments has jurisdiction over certain annexation and orderly annexation issues; and

WHEREAS, the City of Goodview, Winona County, State of Minnesota ("Goodview") and the Township of Rollingstone, Winona County, State of Minnesota ("Township") desire to enter into an agreement allowing for the orderly annexation of certain property, pursuant to Minnesota Statute 414.0325; and

WHEREAS, Goodview and the Township are in agreement as to the orderly annexation of certain lands described herein for the purpose of orderly, planned growth; and

WHEREAS, Goodview makes potable water and wastewater treatment services available to its residents and Goodview is able and willing to provide the necessary governmental services to that portion of the Township to be annexed; and

WHEREAS, Goodview seeks to avoid future environmental problems by developing comprehensive land use planning and controls for that area of the Township to be annexed, so that a long-term environmentally sound solution can be implemented for providing municipal sanitary sewer services and other needed services to that area of the Township to be annexed in a cost effective manner; and

WHEREAS, the area to be annexed is now or is about to become urban or suburban in character; and

WHEREAS, it is in the best interest of Goodview, the Township, and their respective residents to agree to an orderly annexation in furtherance of orderly growth and for the protection of the public health, safety, and welfare; and

WHEREAS, the parties hereto desire to set forth the terms and conditions of such orderly annexation by means of this resolution;

NOW, THEREFORE, BE IT RESOLVED by Goodview and Township as follows:

1. That upon approval by the respective governing bodies of Goodview and the Township, this joint resolution and agreement shall confer jurisdiction upon the Office of Administrative Hearings/Municipal Boundary Adjustments so as to accomplish the orderly annexation of the lands described in the attached Exhibit "A" in accordance with the terms of this joint resolution and agreement.

2. The following described lands will hereinafter be described as the annexation area and said property is properly subject to orderly annexation pursuant to Minnesota Statute Section 414.0325. The parties hereto do hereby designate this area as in need of orderly annexation as provided by statute; this area consists of approximately 1.96 ± acres and is legally described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

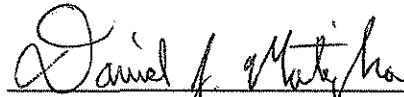
3. Goodview and Township mutually state that no alteration by the Office of Administrative Hearings/Municipal Boundary Adjustments to the area boundaries as described in Exhibit "A" (the "orderly annexation area") is appropriate or permitted.
4. The parties acknowledge that Goodview is capable of providing municipal services, such as sanitary sewer and water to said orderly annexation area.
5. For all property annexed to Goodview pursuant to this resolution, the property tax rate for said property will be as determined by Goodview's tax rate beginning with taxes payable in 2010, and taxes collected from the orderly annexation area for the year 2010 and all future years shall be paid to Goodview. All taxes collected from the orderly annexation area for the year 2009 and all prior years shall be paid to Township.
6. The Township and Goodview agree that all debt of the Township, whether bonded indebtedness, certificates of indebtedness or contractual debt shall remain with the remainder of the Township, and that Goodview assumes no liabilities whatsoever of the Township. The Township, its successors and assigns, agree to hold Goodview harmless from any claims any third parties may have against Goodview relating to said debt.
7. The Township, its successors and assigns also agree to indemnify Goodview for any claims which may be made against Goodview which arise as a result of Township action or inaction within the orderly annexation area prior to the finalization of the annexation of the orderly annexation area.
8. Each party shall be responsible for the expenses and costs they have incurred for preparation and submission of this Joint Resolution.
9. The parties agree that Goodview shall pay the Township \$400.00 on or before December 31, 2009, and \$400.00 on or before December 31, 2010, for reimbursement as provided in Minnesota Statute Section 414.036.

10. Having designated the area described in Exhibit "A" as in need of orderly annexation, and having provided for all of the conditions of its annexation within this document, the parties to this agreement agree that no consideration by the Office of Administrative Hearings/Municipal Boundary Adjustments is necessary. As such, the Office of Administrative Hearings/Municipal Boundary Adjustments may review and comment, but shall, within thirty (30) days of the date of receipt of this Joint Resolution for Orderly Annexation, order the annexation of lands described in Exhibit "A" in accordance with the terms of this Joint Resolution.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF GOODVIEW THIS 9TH DAY OF FEBRUARY, 2009.

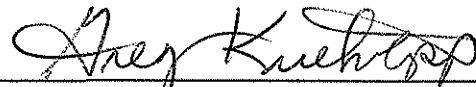


Richard Ledebuhr, Acting Mayor

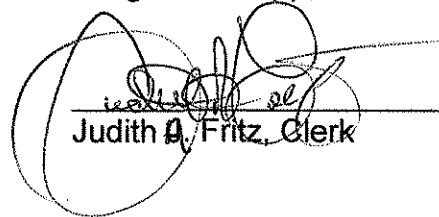


Daniel J. Matejka, City Administrator

ADOPTED BY THE ROLLINGSTONE TOWNSHIP BOARD THIS 9TH DAY OF FEBRUARY, 2009.



Greg Kuehntopp, Chairman



Judith A. Fritz, Clerk

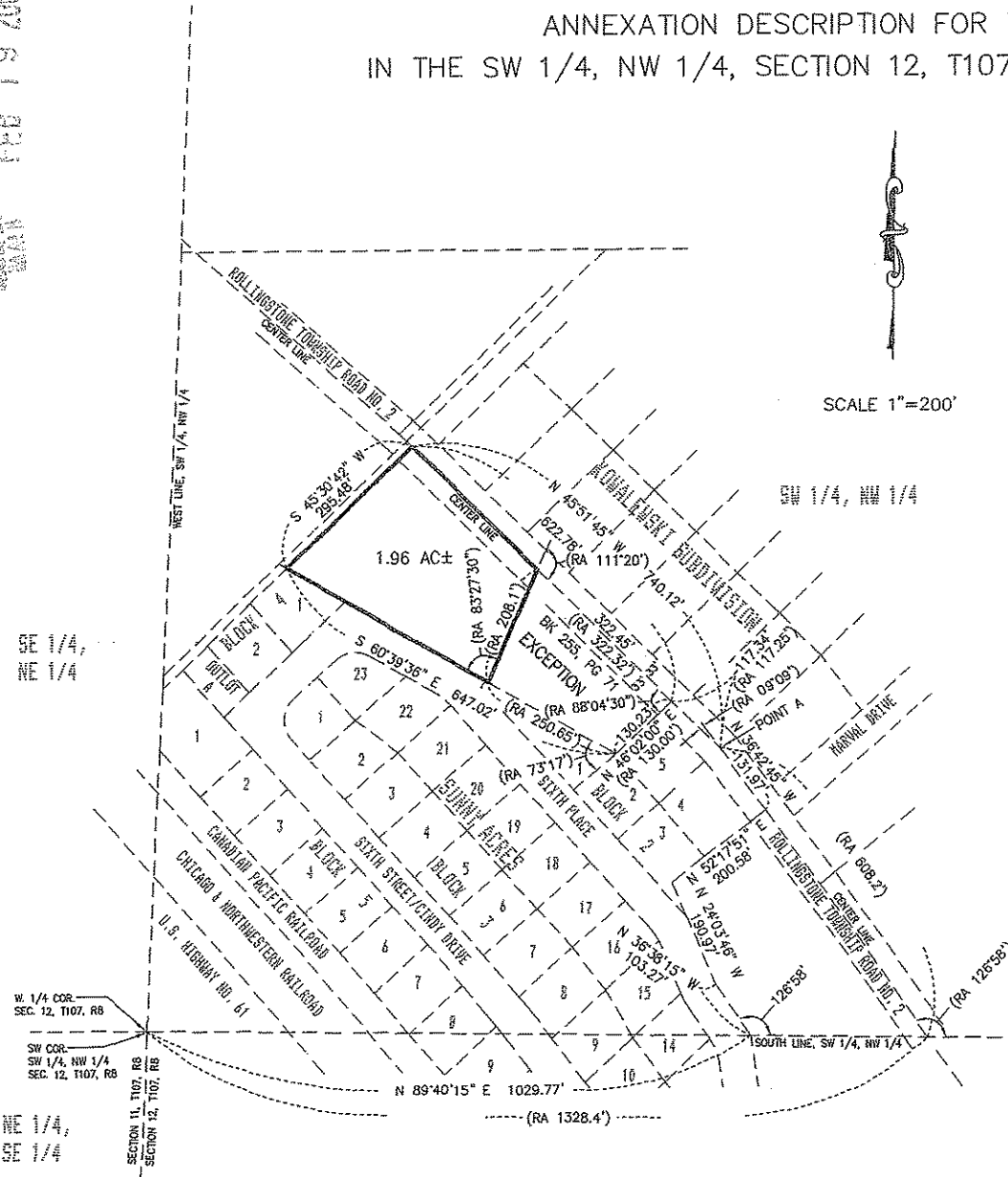
EXHIBIT "A"

That part of the Southwest Quarter of the Northwest Quarter of Section 12, Township 107, Range 8, Winona County, Minnesota, described as follows:

Commencing at the southwest corner of the said Southwest Quarter of the Northwest Quarter; thence on an assumed bearing of South 89 degrees 40 minutes 15 seconds East, along the south line of said Southwest Quarter of the Northwest Quarter, 1029.77 feet; thence northwesterly deflecting to the left 126 degrees 58 minutes, a distance of 103.27 feet along a line which bears North 36 degrees 38 minutes 15 seconds West; thence North 24 degrees 03 minutes 46 seconds West, 190.97 feet; thence North 52 degrees 17 minutes 51 seconds East, 200.58 feet to the center line of Rollingstone Township Road No. 2; thence North 36 degrees 42 minutes 45 seconds West, along said center line, a distance of 131.97 feet to a point hereinafter referred to as Point A; thence North 45 degrees 51 minutes 45 seconds West, along said center line, 117.34 feet to a boundary corner of Sunny Acres, according to the recorded plat thereof, said Winona County, and the point of beginning of the land to be described; thence continue North 45 degrees 51 minutes 45 seconds West, along said center line, to a point distant 740.12 feet northwesterly of said Point A; thence South 45 degrees 30 minutes 42 seconds West, 295.48 feet to the most northerly corner of Lot 1, Block 4, said Sunny Acres; thence South 60 degrees 39 minutes 36 seconds East, along the northeasterly line of said Sunny Acres, 647.02 feet to the most westerly corner of Lot 5, Block 2, said Sunny Acres; thence North 46 degrees 02 minutes 00 seconds East, along said northeasterly line of Sunny Acres, 130.23 feet to the point of beginning.

Excepting therefrom all that part thereof lying within the corporate limits of the City of Goodview, Minnesota.

ANNEXATION DESCRIPTION FOR THE CITY OF GOODVIEW IN THE SW 1/4, NW 1/4, SECTION 12, T107, R8, WINONA COUNTY MINNESOTA.



SCALE 1"=200'

SW 1/4, NW 1/4

PROPOSED ANNEXATION DESCRIPTION

That part of the Southwest Quarter of the Northwest Quarter of Section 12, Township 107, Range 8, Winona County, Minnesota, described as follows:

Commencing at the southwest corner of said Southwest Quarter of the Northwest Quarter; thence on an assumed bearing of South 89 degrees 40 minutes 15 seconds East, along the south line of said Southwest Quarter of the Northwest Quarter, 1029.77 feet; thence northwesterly deflecting to the left 126 degrees 58 minutes, a distance of 103.27 feet along a line which bears North 36 degrees 38 minutes 15 seconds West; thence North 24 degrees 03 minutes 46 seconds West, 190.97 feet; thence North 52 degrees 17 minutes 51 seconds East, 200.58 feet to the center line of Rollingstone Township Road No. 2; thence North 36 degrees 42 minutes 45 seconds West, along said center line, a distance of 131.97 feet to a point hereinafter referred to as Point A; thence North 45 degrees 51 minutes 45 seconds West, along said center line, 117.34 feet to a boundary corner of Sunny Acres, according to the recorded plat thereof, said Winona County, and the point of beginning of the land to be described; thence continue North 45 degrees 51 minutes 45 seconds West, along said center line, to a point distant 740.12 feet northwesterly of said Point A; thence South 45 degrees 30 minutes 42 seconds West, 295.48 feet to the most northerly corner of Lot 1, Block 4, said Sunny Acres; thence South 60 degrees 39 minutes 36 seconds East, along the northeasterly line of said Sunny Acres, 647.02 feet to the most westerly corner of Lot 5, Block 2, said Sunny Acres; thence North 46 degrees 02 minutes 00 seconds East, along said northeasterly line of Sunny Acres, 130.23 feet to the point of beginning.

Excepting therefrom all that part thereof lying within the corporate limits of the City of Goodview, Minnesota.

(RA) DENOTES RECORDED AS

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.

Tony A. Blumentritt
TONY A. BLUMENTRITT, LAND SURVEYOR
MINNESOTA LICENSE NO. 18886

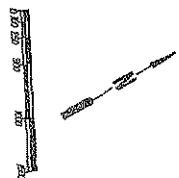
DATE: September 29, 2008

PREPARED BY:
BLUMENTRITT LAND SURVEYING, P.C.
4240 WEST FIFTH ST.
WINONA, MN 55987
(507) 454-4134

DATE: 09/22/2008
FILE NO. 08127

CITY OF
GOODVIEW

Ruth Mrozek
Property



APPROVED
MAR 19 2009

