

JOINT RESOLUTION

IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN
THE CITY OF EITZEN AND WINNEBAGO TOWNSHIP
PURSUANT TO MINNESOTA STATUTES § 414.0325

WHEREAS, the City of Eitzen and Winnebago Township designate for orderly annexation, the following described lands located within Winnebago Township, County of Houston, Minnesota:

Part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 101 North, Range 5 West, Houston County, Minnesota, described as follows:

Commencing at the South Quarter Corner of said Section 32; thence N00 degrees 48'42"E along the East line of said Southeast Quarter of the Southwest Quarter 249.00 feet to the point of beginning; thence continuing N00 degrees 48'42"E along said East line 1058.22 feet to the Northeast corner of said Southeast Quarter of the Southwest Quarter; thence N89 degrees 57'29"W along the North line thereof 550.00 feet; thence S00 degrees 48'42"W 8.00 feet; thence N89 degrees 57'29"W 141.11 feet to the centerline of Iowa Avenue; thence S10 degrees 07'24"W along said centerline 86.33 feet; thence S89 degrees 57'29"E 155.08 feet thence S00 degrees 48'42"W 145.00 feet thence N89 degrees 57'29"W 178.91 feet to said centerline of Iowa Avenue; thence S10 degrees 07'24"W along said centerline 121.59 feet; thence S89 degrees 57'29"E 198.59 feet; thence S00 degrees 48'42"W 243.00 feet thence N89 degrees 57'29"W 238.52 feet to said centerline of Iowa Avenue; thence S10 degrees 07'24"W along said centerline 461.85 feet to a point being N00 degrees 48'42"E 249.00 feet from the South line of said Southeast Quarter of the Southwest Quarter; thence S89 degrees 46'36"E parallel with said South line 863.23 feet to the point of beginning.

Subject to easements of record.

Containing 17.04 acres +/-

And

Beginning in the Northeast corner of the Southeast Quarter of Section 32, Township 101 North, of Range 5 West of the Fifth Principal Meridian, running thence South 120 feet thence West 120 feet, thence North 120 feet to the center of the public road, thence East 120 feet to the place of beginning.

Containing 0.33 acres +/-

and,

WHEREAS, the City of Eitzen and Winnebago Township are in agreement as to the orderly annexation of the unincorporated land described; that both believe it will be to their benefit and to the benefit of their respective residents; and

WHEREAS, Minnesota Statutes § 414.0325 provides a procedure whereby the City of Eitzen and Winnebago Township may agree on a process of orderly annexation of a designated area; and

WHEREAS, it was not required to publish the Notice of Intent to include property in an orderly annexation area pursuant to the requirements of Minnesota Statutes § 414.0325 Subd. 1b because the orderly annexation agreement designates for immediate annexation property for which all the property owners have petitioned to be annexed; and

WHEREAS, the City of Eitzen and Winnebago Township have agreed to all the terms and conditions for the annexation of the above-described lands within this document and the signatories hereto agree that no alteration of the designated area is appropriate and no consideration by the Chief Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Eitzen and the Township Board of Winnebago Township as follows:

1. **(Property.)** That the following described lands in Winnebago Township are subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate those areas for orderly annexation, to wit:

Part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 101 North, Range 5 West, Houston County, Minnesota, described as follows:

Commencing at the South Quarter Corner of said Section 32; thence N00 degrees 48'42"E along the East line of said Southeast Quarter of the Southwest Quarter 249.00 feet to the point of beginning; thence continuing N00 degrees 48'42"E along said East line 1058.22 feet to the Northeast corner of said Southeast Quarter of the Southwest Quarter; thence N89 degrees 57'29"W along the North line thereof 550.00 feet; thence S00 degrees 48'42"W 8.00 feet; thence N89 degrees 57'29"W 141.11 feet to the centerline of Iowa Avenue; thence S10 degrees 07'24"W along said centerline 86.33 feet; thence S89 degrees 57'29"E 155.08 feet thence S00 degrees 48'42"W 145.00 feet thence N89 degrees 57'29"W 178.91 feet to said centerline of Iowa Avenue; thence S10 degrees 07'24"W along said centerline 121.59 feet; thence S89 degrees 57'29"E 198.59 feet; thence S00 degrees 48'42"W 243.00 feet thence N89 degrees 57'29"W 238.52 feet to said centerline of Iowa Avenue; thence S10 degrees 07'24"W along said centerline 461.85 feet to a point being N00 degrees 48'42"E 249.00 feet from the South line of said Southeast Quarter of the Southwest Quarter; thence S89 degrees 46'36"E parallel with said South line 863.23 feet to the point of beginning.

Subject to easements of record.

Containing 17.04 acres +/-

And

Beginning in the Northeast corner of the Southeast Quarter of Section 32, Township 101 North, of Range 5 West of the Fifth Principal Meridian, running thence South 120 feet thence West 120 feet, thence North 120 feet to the center of the public road, thence East 120 feet to the place of beginning.

Containing 0.33 acres +/-

It is therefore agreed that the following property be immediately annexed to the City of Eitzen, to wit:

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Part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 101 North, Range 5 West, Houston County, Minnesota, described as follows:

Commencing at the South Quarter Corner of said Section 32; thence N00 degrees 48'42"E along the East line of said Southeast Quarter of the Southwest Quarter 249.00 feet to the point of beginning; thence continuing N00 degrees 48'42"E along said East line 1058.22 feet to the Northeast corner of said Southeast Quarter of the Southwest Quarter; thence N89 degrees 57'29"W along the North line thereof 550.00 feet; thence S00 degrees 48'42"W 8.00 feet; thence N89 degrees 57'29"W 141.11 feet to the centerline of Iowa Avenue; thence S10 degrees 07'24"W along said centerline 86.33 feet; thence S89 degrees 57'29"E 155.08 feet thence S00 degrees 48'42"W 145.00 feet thence N89 degrees 57'29"W 178.91 feet to said centerline of Iowa Avenue; thence S10 degrees 07'24"W along said centerline 121.59 feet; thence S89 degrees 57'29"E 198.59 feet; thence S00 degrees 48'42"W 243.00 feet thence N89 degrees 57'29"W 238.52 feet to said centerline of Iowa Avenue; thence S10 degrees 07'24"W along said centerline 461.85 feet to a point being N00 degrees 48'42"E 249.00 feet from the South line of said Southeast Quarter of the Southwest Quarter; thence S89 degrees 46'36"E parallel with said South line 863.23 feet to the point of beginning.

Subject to easements of record.

Containing 17.04 acres +/-

And

Beginning in the Northeast corner of the Southeast Quarter of Section 32, Township 101 North, of Range 5 West of the Fifth Principal Meridian, running thence South 120 feet thence West 120 feet, thence North 120 feet to the center of the public road, thence East 120 feet to the place of beginning.

Containing 0.33 acres +/-

2. **(Acreage/Population/Usage)** That the designated area consists of approximately 17.04 acres, the present population in the subject area is 0, and the proposed land use type is residential.

3. **(Jurisdiction)** That Winnebago Township and the City of Eitzen, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. **(Need)** That the above-described property is urban or suburban or about to become so, and since the City of Eitzen is capable of providing services to this area within a reasonable time, the annexation would be in the best interest of the area.

5. **(Conditions)** There are no conditions precedent to the annexation of the described property.

6. **(Planning)** Pursuant to Minnesota Statutes § 414.0325 Subd. 5 (as amended), the City of Eitzen and Winnebago Township agree the Eitzen city ordinances will govern the designated area.

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7. **(Municipal Reimbursement)** Pursuant to Minnesota Statutes § 414.036, the parties have agreed to no reimbursement for the annexed property.

8. **(Review and Comment)** The City of Eitzen and Winnebago Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

Adopted by affirmative vote of all the members of the Winnebago Township Board of Supervisors this 21st day of January 2010.

WINNEBAGO TOWNSHIP

By: Gordon Meyer
Chairperson
Board of Supervisor

ATTEST:

By: Joyce Staggemeier
Township Clerk

Adopted by affirmative vote of the City Council of Eitzen this 2nd day of February, 2010.

CITY OF EITZEN

By: Jeffrey R. Hanson
Mayor

ATTEST:

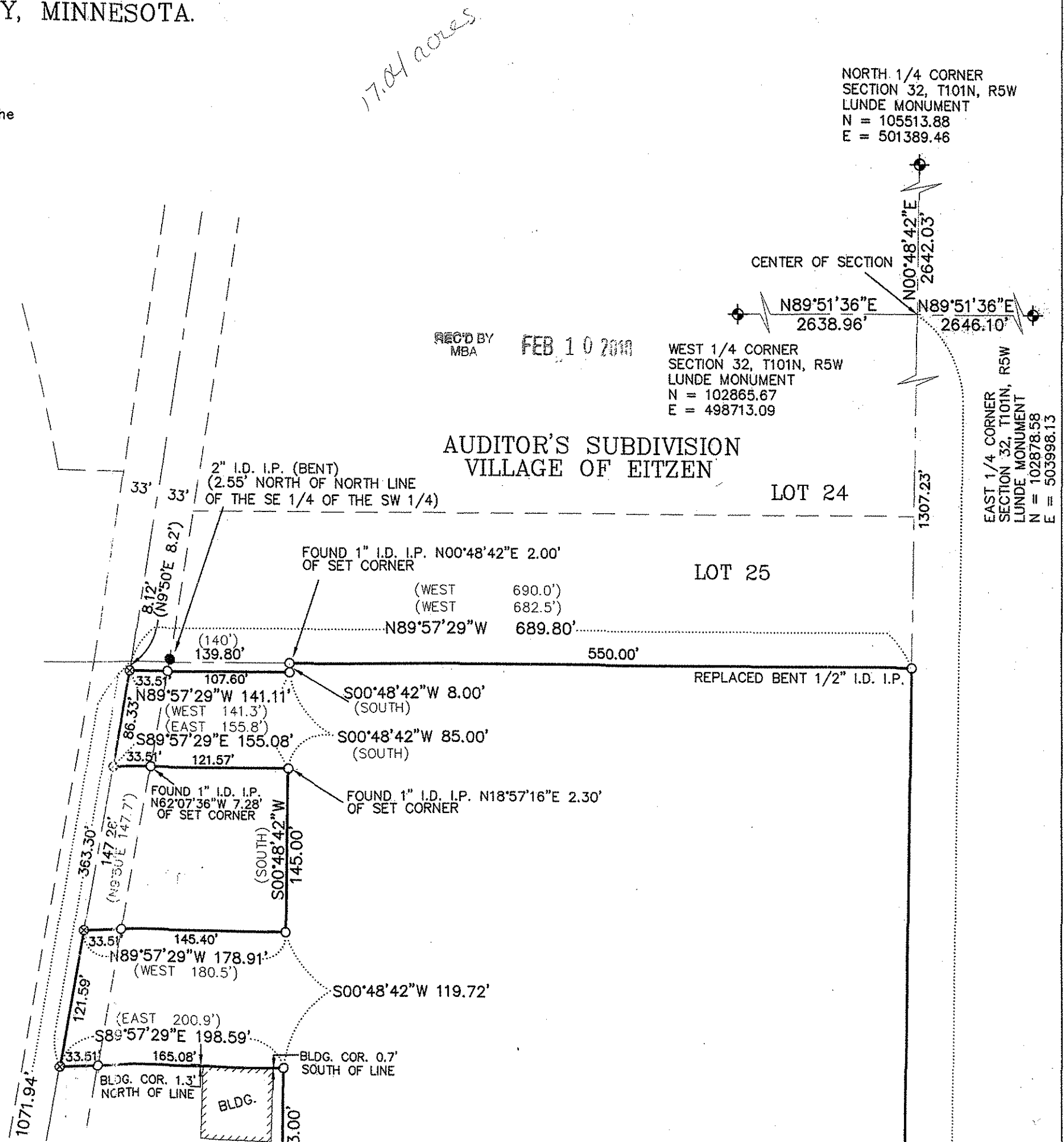
By: Rowland Cordes
City Administrator

Approved this _____ day of _____, 2010.

PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32,
TOWNSHIP 101 NORTH, RANGE 5 WEST, HOUSTON COUNTY, MINNESOTA.

Beginning at a point in the center of the public highway running from Iowa State line to Eitzen, MN, where the said highway crosses the South line of Section 32, T101N, R5W;
Thence North along center of said Highway to the North line of the S 1/2 SW 1/4 of said Section 32;
Thence East along said line to NE corner of the SE 1/4 SW 1/4 of said Section 32;
Thence South along the quarter line to the SE corner of the S 1/2 SW 1/4 of said Section 32;
Thence West along the South line of said Section 32 to the place of beginning.
EXCEPT the following 4 parcels:

- Subject to easements of record.
Containing 17.04 acres +/-



N00°48'

SE 1/4
SW 1/4

STATE TRUNK HIGH
CENTERLINE

IOWA AVENUE

EAST R/W IOWA AVE.
EAST LINE 50' SEWER AND WATER PIPELINE
EASEMENT AS DESCRIBED IN DOC. NO. 212282

205.01'
N89°57'29"W 238.52'
(WEST 238.33')

CENTERLINE
461.85'

33'
33'
50'

33.50'

374.71'

TREE LINE

S89°46'36"E 863.23'
(EAST)

455.02'

(SOUTH)
249.00'
(15 1/11 RODS)

ST. LUKE'S UNITED CHURCH
OF CHRIST CEMETERY PLAT

N89°46'36"W 2641.82'

SOUTHWEST CORNER
SECTION 32, T101N, R5W
BERNTSEN MONUMENT
N = 100268.23
E = 498673.20

SOUTH 1/4 CORNER
SECTION 32, T101N, R5W
BERNTSEN MONUMENT
N = 100257.93
E = 501315.00

LEGEND

- SET 3/4"x18" I.B./#47030
- ⊗ SET MAG NAIL
- FOUND MONUMENT (TYPE AND SIZE NOTED)
- () RECORDED DIRECTION AND DISTANCE

SURVEYED BY:
LA CROSSE ENGINEERING &
SURVEYING CO., INC
1212 S. 3RD ST
LA CROSSE, WI 54601

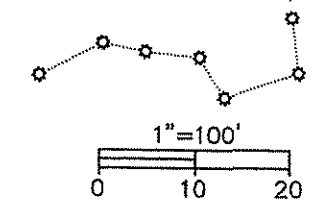
PREPARED FOR:
TOBY BURRICHTER
13110 COUNTY 17
CALEDONIA, MN 55921

I hereby certify that this survey was prepared by me,
or under my direct supervision, and that I am a duly
registered land surveyor under the laws of the State of
Minnesota.

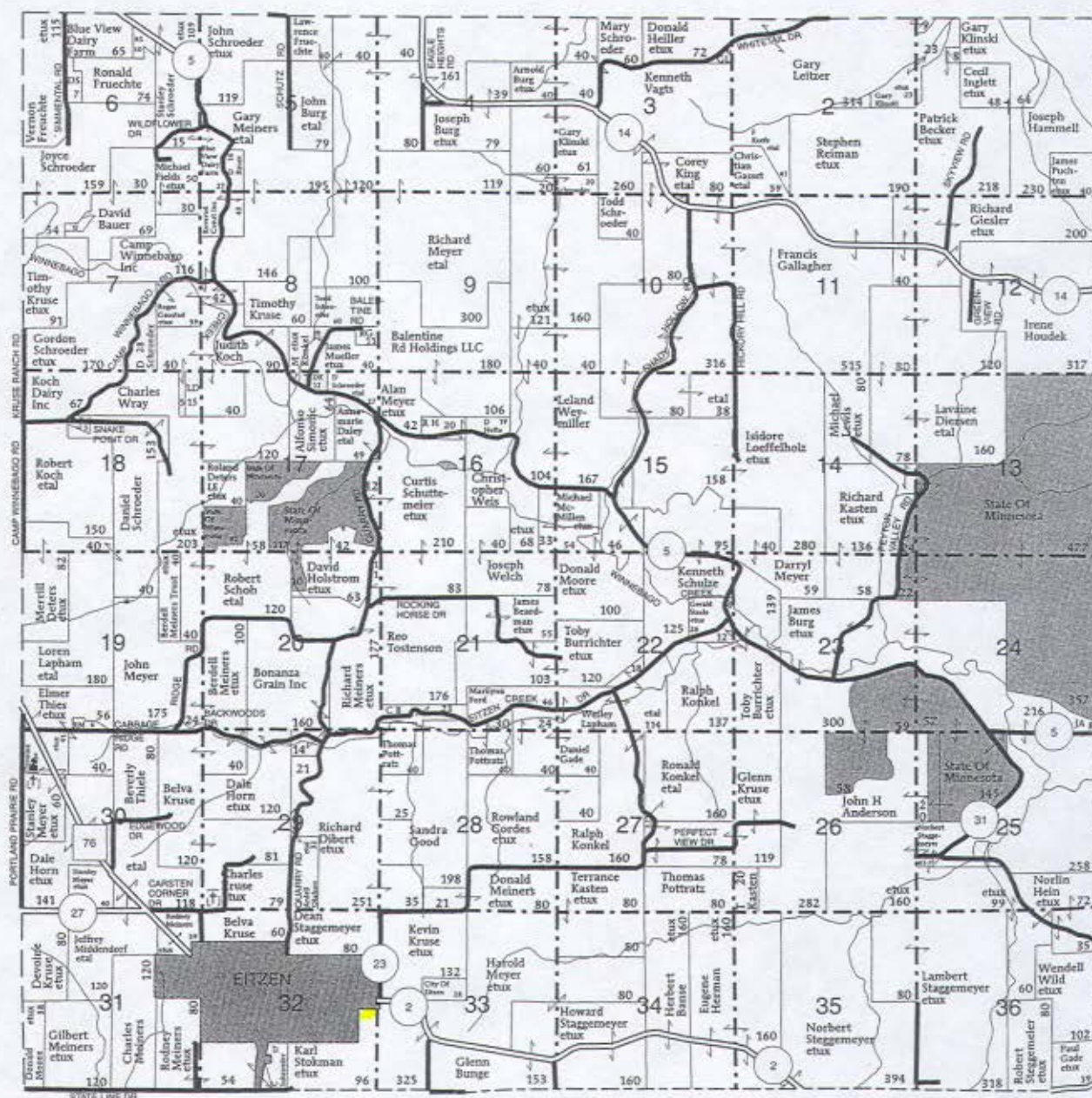
Andy M. Lyttchens
Andy M. Lyttchens

Date: 4/29/2009 Reg. No. 47030

BASIS OF BEARING
HOUSTON COUNTY
COORDINATE SYSTEM
HARN 96 ADJ.

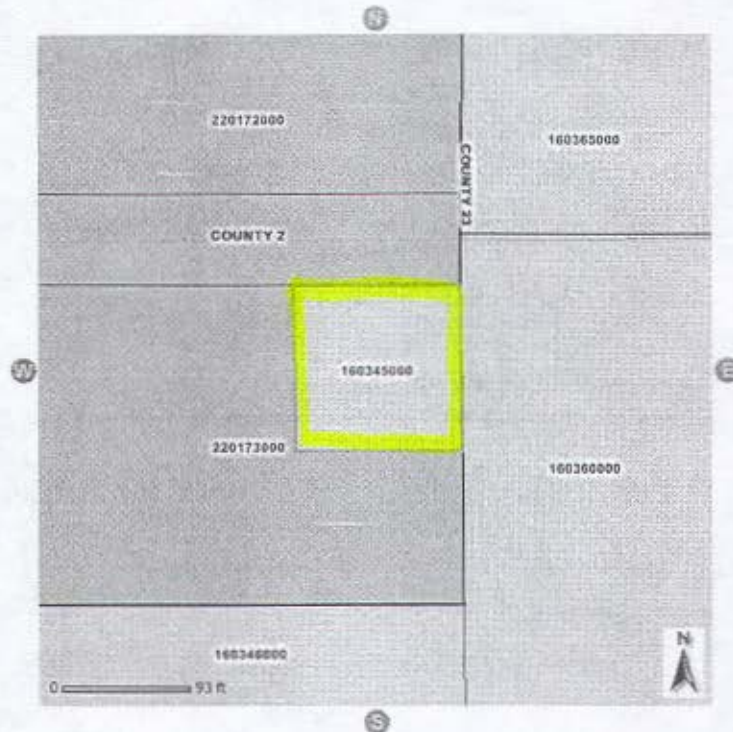


We Want You To Take Full Advantage Of Our Service!

R-5-W

FEB 10 2010

Map

REC'D BY
MEA

FEB 10 2010

Summary

Parcel ID 160345000
 Sec/Twp/Rng 32-101-5
 Property Address

Alternate ID N/A
 Class 233 - COMM LAND & BLDGS
 Acreage 0.33

Owner Name MYHRE CONSTRUCTION LLC
 Owner Address MYHRE CONSTRUCTION LLC

214 PORTLAND AVE
 EITZEN, MN 55931

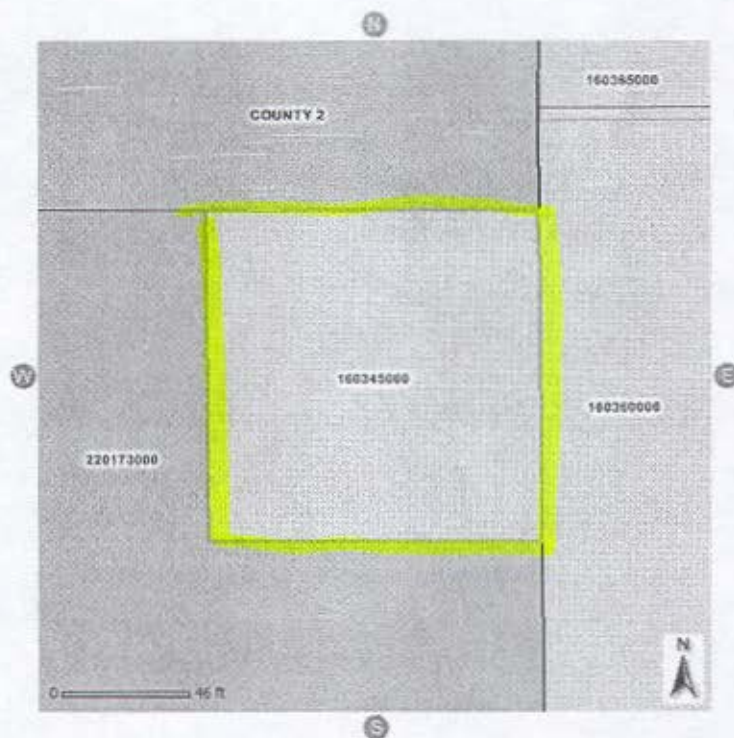
District

Brief Tax Description

Sect-32 Twp-101 Range-005 .33 AC 120 FT N & S X 120 FT E & W IN NE COR SE1/4 DOC #186415 & #249127 DOC 256331
 (Note: Not to be used on legal documents)

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Map

REC'D BY
MBA

FEB 10 2010

Summary

Parcel ID 160345000
Sec/Twp/Rng 32-101-5
Property Address

Alternate ID N/A
Class 233 - COMM LAND & BLDGS
Acreage 0.33

Owner Name MYHRE CONSTRUCTION LLC
Owner Address MYHRE CONSTRUCTION LLC

214 PORTLAND AVE
EITZEN, MN 55931

District

Brief Tax Description

Sect-32 Twp-101 Range-005 .33 AC 120 FT N & S X 120 FT E & W IN NE COR SE1/4 DOC #186415 & #243127 DOC 256331
(Note: Not to be used on legal documents)

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