

RESOLUTION NO. 0923

**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 is legally described as follows, to-wit:


SEE ATTACHED EXHIBIT "A"
(Containing Parcels A, B and C)

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 2014, and taxes collected from the orderly annexation area for the year 2014 and all future years shall be paid to Goodview. All taxes collected from the orderly annexation area for the year 2013 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 \$1,200.00 on or before December 31, 2014, for reimbursement as provided in Minnesota Statute Section 414.036.

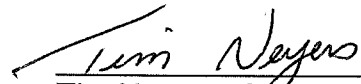
10. Having designated the area described in Exhibit "A" as in need of orderly annexation, and having provided for all of the conditions of its annexation within this document, the parties to this agreement agree that no consideration by the Office of Administrative Hearings/Municipal Boundary Adjustments 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 SEPTEMBER, 2013.


Steve Baumgart, Mayor


Daniel J. Matejka, City Administrator

ADOPTED BY THE ROLLINGSTONE TOWNSHIP BOARD THIS 9 DAY OF
SEPTEMBER, 2013.


Tim Neyers, Chairman


, Clerk

PARCEL A

Beginning at a point on the East line of said Section 13 which is the Northeast corner of the property conveyed by Charles P. Biesanz and Maude Biesanz, his wife, to Andrew T. Buggs and Joyce Buggs, husband and wife, and recorded in the office of the County Recorder, Winona County, Minnesota, as Document No. 198706; thence Northwesterly along the North line of the property described in said Document No. 198706 to the Northwest corner thereof; thence continuing Northwesterly along the North line of the property conveyed by Charles P. Biesanz and Maude Biesanz, husband and wife, to Andrew T. Buggs and Joyce Buggs, husband and wife, which property is described in Document No. 197585 in the office of the County Recorder, Winona County, Minnesota, to the Northwest corner thereof; thence Southwesterly along the West line of the property described in Deed Document No. 197585 and the Southwesterly extension thereof to the center line of the east bound lane of Trunk Highway No. 61; thence Southeasterly along the center line of the East bound lane of Trunk Highway No. 61 to the East line of Section 13; thence Northerly along the East line of said Section 13 to the place of beginning. Being in section 13-107-08.

PARCEL B

That part of Government Lot Four (4), Section Thirteen (13), Township One Hundred Seven (107), Range Eight (8), described as follows: Commencing at the East quarter corner to Section Thirteen (13), Township One Hundred Seven (107), Range Eight (8), thence in a Westerly direction and along the North line of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Thirteen (13), a distance of 1,643.9 feet to a point on the center line of the Township road which is a point of beginning; thence deflect 127°54' left and along the center line of the road a distance of 187.5 feet; thence deflect 1°34' right a distance of 12.5 feet; thence deflect 95°04' right a distance of 308.43 feet; thence deflect 86°41' right a distance of 386.18 feet more or less to the North line of Government Lot Four (4); thence in an Easterly direction and along the North line of Government Lot Four (4) a distance of 360 feet more or less to the point of beginning, according to the plat thereof on file and of record in the office of the Register of Deeds in and for the County of Winona, State of Minnesota.

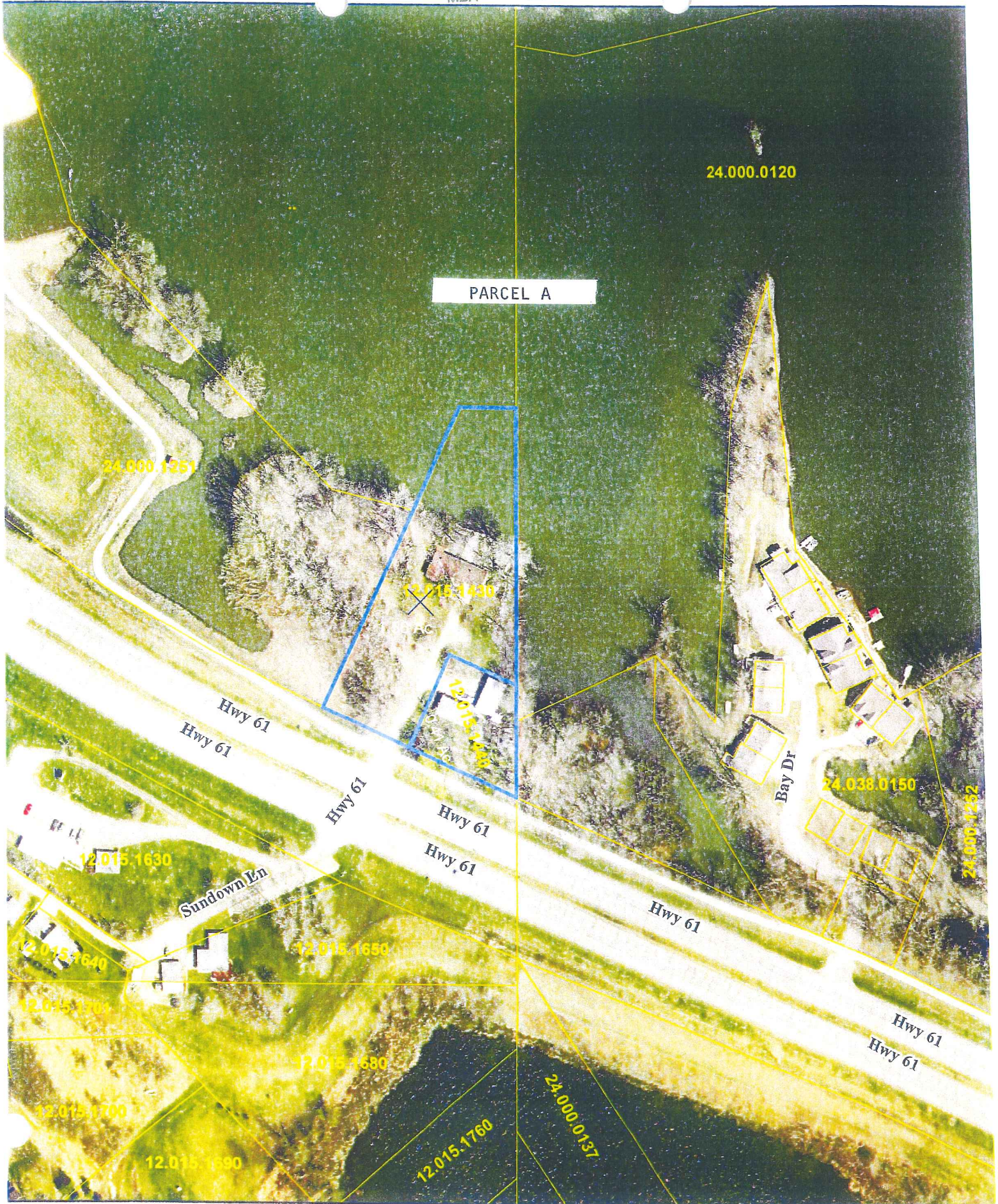
Also, that part of Government Lot Four (4), Section Thirteen (13), Township One Hundred Seven (107) North, of Range Eight (8), West of the Fifth Principal Meridian, described as follows:

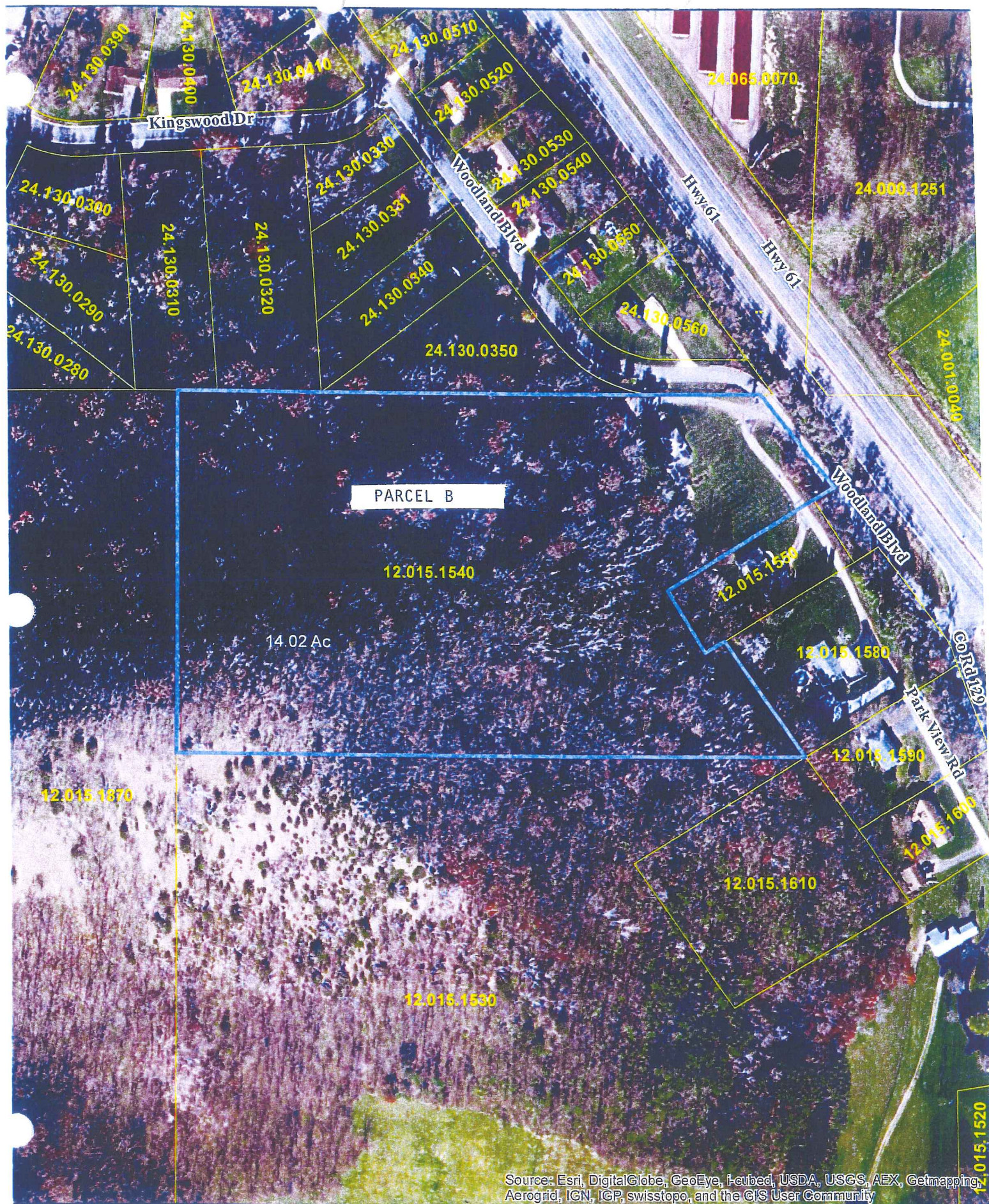
Commencing at the East Quarter corner of Section Thirteen (13), Township One Hundred Seven (107) North, Range Eight (8), West of the Fifth Principal Meridian, thence in a Westerly direction and along the North line of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Thirteen (13), a distance of 1643.9 feet to a point on the center line of the Township road; thence deflect 127°54' left and along the center line of the road a distance of 187.5 feet; thence deflect 1°34' right a distance of 346 feet; thence deflect 16°52 $\frac{1}{2}$ ' right a distance of 33 feet; thence deflect 78°11 $\frac{1}{2}$ ' right a distance of 309.7 feet for a point of beginning; thence Westerly and parallel to the North line of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirteen (13) to the West line of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Thirteen being also the Westerly line of Government Lot Four (4) in said Section Thirteen (13), thence Northerly and along the Westerly line of said Southeast Quarter (SE $\frac{1}{4}$) of Section Thirteen (13) to the center of said Section Thirteen (13); thence Easterly along the Northerly line of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Thirteen (13) to a point thereon 360 feet Westerly from a point on the center line of the township road where the same intersects the Northerly line of said Southeast Quarter (SE $\frac{1}{4}$) of said Section Thirteen (13); thence Southeasterly a distance of 751.3 feet to the point of beginning.

PARCEL C

All that part of the right of way of said Trunk Highway No. 61 located in the Southeast Quarter of Section 13, Township 107, Range 8, Winona County, Minnesota. Excepting therefrom all that part of said right of way contained in hereinabove described Parcels A and B.







Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

KINGSWOOD DRIVE

REC'D BY
MBA

SEP 24 2013

NOTES:

THIS IS NOT A SURVEY. This drawing was compiled from:
Information contained in the documents listed hereon; the
Minnesota Department of Transportation; the Winona
County Surveyor's Office; and property surveys done prior
to the date of this drawing. No field work was done with
the preparation of this drawing. This drawing is intended
for use as reference in depicting the approximate location
of the boundary lines described hereon.

The proposed annexation contains approximately 25.56
acres including highway right of way.

WOODHAVEN ESTATES

GOV'T LOT 3,
SECTION 13, T107, R8

WOODLAND BOULEVARD

NORTH LINE, SE 1/4, SEC. 13, T107, R8
EAST-WEST QUARTER LINE, SEC. 13, T107, R8EXCEPTION 3,
DOC. NO. 301041OLD MEANDERED
LAKE BED SECTION
13, T107, R8PARCEL 3
DOC. NO. 301041CITY OF GOODVIEW
MIKE LACANNE, MUNICIPAL PARK
PARCEL 1, EXHIBIT A
DOC. NO. 393693LAKE GOODVIEW
(LAKE LACANNE)GOV'T LOT 4,
SECTION 18, T107, R7

EAST LINE, SEC. 13, T107, R8

SECTION 13, T107, R8
SECTION 18, T107, R7

APPROXIMATE EDGE OF WATER

PARCEL C

TRUNK

HIGHWAY

S'LY LINE, T.H. NO. 61

COUNTY HIGHWAY NO. 129

GOV'T LOT 4,
SECTION 13, T107, R8GOV'T LOT 5,
SECTION 13, T107, R8

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: May 1, 2013

BLUMENTRITT LAND SURVEYING P.C.
MINNESOTA AND WISCONSIN
4240 WEST FIFTH STREET, WINONA, MINNESOTA 55987
(507) 454-4134

PROPOSED ANNEXATION LAYOUT

CITY OF GOODVIEW
IN GOVERNMENT LOTS 1 AND 4, AND
PART OF THE OLD MEANDERED LAKEBED
ALL IN SEC. 13, T107, R8
WINONA COUNTY, MINNESOTA

SCALE: 1" = 100'
DATE: MAY 1, 2013
BK. PG. FILE NO. 13008

PROPOSED LEGAL DESCRIPTION

PARCEL A

Beginning at a point on the East line of said Section 13 which is the Northeast corner of the property conveyed by Charles P. Biesanz and Maude Biesanz, his wife, to Andrew T. Buggs and Joyce Buggs, husband and wife, and recorded in the office of the County Recorder, Winona County, Minnesota, as Document No. 198706; thence Northwestward along the North line of the property described in said Document No. 198706 to the Northwest corner thereof; thence continuing Northwestward along the North line of the property conveyed by Charles P. Biesanz and Maude Biesanz, husband and wife, to Andrew T. Buggs and Joyce Buggs, husband and wife, which property is described in Document No. 197585 in the office of the County Recorder, Winona County, Minnesota, to the Northwest corner thereof; thence Southward along the West line of the property described in said Document No. 197585 and the Southward extension thereof to the center line of the east bound lane of Trunk Highway No. 61; thence Southeastward along the center line of the East bound lane of Trunk Highway No. 61 to the East line of said Section 13; thence Northerly along the East line of said Section 13 to the place of beginning. Being in section 13-107-08.

PARCEL B

That part of Government Lot Four (4), Section Thirteen (13), Township One Hundred Seven (107), Range Eight (8), described as follows: Commencing at the East quarter corner to Section Thirteen (13), Township One Hundred Seven (107), Range Eight (8), thence in a Westerly direction and along the North line of the Southeast Quarter (SE1/4) of said Section Thirteen (13), a distance of 1,643.9 feet to a point on the center line of the Township road which is a point of beginning; thence deflect 127°54' left and along the center line of the road a distance of 187.5 feet; thence deflect 1°34' right a distance of 12.5 feet; thence deflect 95°04' right a distance of 308.43 feet; thence deflect 88°41' right a distance of 386.18 feet more or less to the North line of Government Lot Four (4); thence in an Easterly direction and along the North line of Government Lot Four (4) a distance of 360 feet more or less to the point of beginning, according to the plat thereof on file and of record in the office of the Register of Deeds in and for the County of Winona, State of Minnesota.

Also, that part of Government Lot Four (4), Section Thirteen (13), Township One Hundred Seven (107) North, of Range Eight (8), West of the Fifth Principal Meridian, described as follows:
Commencing at the East Quarter corner of Section Thirteen (13), Township One Hundred Seven (107) North, Range Eight (8), West of the Fifth Principal Meridian, thence in a Westerly direction and along the North line of the Southeast Quarter (SE1/4) of said Section Thirteen (13), a distance of 1643.9 feet to a point on the center line of the Township road; thence deflect 127°54' left and along the center line of the road a distance of 187.5 feet; thence deflect 1°34' right a distance of 346 feet; thence deflect 16°52' right a distance of 33 feet; thence deflect 78°11 1/2' right a distance of 309.7 feet for a point of beginning; thence Westerly and parallel to the North line of the Southeast Quarter (SE1/4) of Section Thirteen (13) to the West line of the Southeast Quarter (SE1/4) of said Section Thirteen (13) being also the Westerly line of Government Lot Four (4) in said Section Thirteen (13), thence Northerly and along the Westerly line of said Southeast Quarter (SE1/4) of Section Thirteen (13) to the center of said Section Thirteen (13); thence Easterly along the Northerly line of the Southeast Quarter (SE1/4) of said Section Thirteen (13) to a point thereon 360 feet Westerly from a point on the center line of the township road where the same intersects the Northerly line of said Southeast Quarter (SE1/4) of said Section Thirteen (13); thence Southeastward a distance of 751.3 feet to the point of beginning.

PARCEL C

All that part of the right of way of said Trunk Highway No. 61 located in the Southeast Quarter of Section 13, Township 107, Range 8, Winona County, Minnesota. Excepting therefrom all that part of said right of way contained in hereinabove described Parcels A and B.

SW 1/4, SE 1/4,
SECTION 13, T107, R8