

CITY OF WINONA RESOLUTION NUMBER 2018-47

TOWNSHIP OF WILSON RESOLUTION NUMBER \_\_\_\_\_

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARING

IN THE MATTER OF THE JOINT RESOLUTION  
OF THE CITY OF WINONA AND THE  
TOWNSHIP OF WILSON DESIGNATING  
CERTAIN AREAS AS IN NEED OF ORDERLY  
ANNEXATION PURSUANT TO MINNESOTA  
STATUTES, SECTION 414.0325

**JOINT RESOLUTION FOR  
ORDERLY ANNEXATION**

WHEREAS, an individual property owner with property located within the Township of Wilson ("Township") and legally described in Exhibit A, which is attached hereto and incorporated herein by reference, petitioned the City of Winona ("City") seeking annexation of that property to the City; and

WHEREAS, for ease of reference, the area of the Township proposed for annexation in accordance with this Joint Resolution and legally described in Exhibit A (hereinafter referred to as the "Subject Area") is shown on the map, Exhibit B, which is also attached hereto and incorporated herein by reference; and

WHEREAS, the Township and City have agreed to work cooperatively to accomplish the orderly annexation of the Subject Area legally described in Exhibit A; and

WHEREAS, the City and Township agree that orderly annexation of the Subject Area is in the best interest of the property owners and would benefit the public health, safety, and welfare of the community; and

WHEREAS, the City and Township agree that the Subject Area legally described in Exhibit A is in need of immediate orderly annexation; and

WHEREAS, the City and Township desire to accomplish the immediate orderly annexation of the Subject Area without the need for any further hearing before the Office of Administrative Hearings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winona and the Board of Supervisors of the Township of Wilson as follows:

1. Designation of Subject Area. The Township and City hereby designate the Subject Area legally described in Exhibit A for immediate orderly annexation pursuant to Minnesota Statutes, Section 414.0325.
2. Acreage of Subject Area. The Subject Area is approximately .39 acres.

3. Map of Subject Area. A boundary map showing the Subject Area legally described in Exhibit A is attached hereto as Exhibit B and is hereby incorporated herein by reference.
4. Population of Subject Area. The population of the Subject Area is 0.
5. No Hearing Required/Review and Comment Jurisdiction Only. Pursuant to Minnesota Statutes, Section 414.0325, the Township and City agree that no alteration of the boundaries stated herein is appropriate, that all conditions for annexation of the Subject Area legally described in Exhibit A are contained in this Joint Resolution, and that no consideration by the State of Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments Unit is necessary. Upon the execution and filing of this Joint Resolution, the State of Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments Unit may review and comment hereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the Subject Area legally described in Exhibit A in accordance with the terms and conditions contained in this Joint Resolution.
6. Tax Reimbursement. Pursuant to Minnesota Statutes, Section 414.036, the City and Township agree that upon annexation of the area legally described in Exhibit A, the City shall reimburse the Township for the loss of taxes from the property so annexed in an amount equal to one hundred (100) percent of the property taxes distributed to the Township in regard to the annexed area in the last year that property taxes from the annexed area were payable to the Township for the period and in accordance with the following schedule: (a) In the first year following the year the City could first levy on the annexed area, an amount equal to \$25.
7. Notice of Intent Not Applicable. This Joint Resolution is not subject to the notice and publication requirements of Minn. Stat. § 414.0325, subd. 1b since this Joint Resolution designates the Subject Area for immediate annexation and all of the property owners of the Subject Area have petitioned the City to be annexed.
8. Termination. This Joint Resolution shall remain in full force and effect until completion of tax reimbursement to the Township in accordance with paragraph 6 of this Joint Resolution.
9. Governing Law. This Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.
10. Headings and Captions. Headings and captions are for convenience only and are not intended to alter any of the provisions of this Joint Resolution.
11. Entire Agreement. The terms, covenants, conditions and provisions of this Joint Resolution shall constitute the entire agreement between the parties hereto superseding all prior agreements and negotiations. This Joint Resolution shall be binding upon and inure to the benefit of the respective successors and assigns of the Township and City.

12. Legal Description and Mapping. The Township and City agree, in the event there are errors, omissions or any other problems with the legal description provided in Exhibit A or mapping provided in Exhibit B, in the judgment of the State of Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments Unit, to make such corrections and file any additional documentation, including a new Exhibit A or Exhibit B making the corrections requested or required by the State of Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments Unit as necessary to make effective the annexation of the Subject Area in accordance with the terms of this Joint Resolution.
13. Notice. Any notices required under the provisions of this Joint Resolution shall be in writing and sufficiently given if delivered in person or sent by U.S. mail, postage prepaid, as follows:
- |   |  |
|---|--|
| <p>If to the City:</p> <p>City Clerk<br/>Winona City Hall</p> | <p>If to the Township:</p> <p>Township Clerk<br/>Wilson Township</p> |
|---|--|
14. Effective Date. This Joint Resolution shall be effective on the date that the last party hereto signs and dates said document.
15. Filing. The Township and City agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the State of Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments Unit and pay the required filing fee.

Passed, adopted, and approved by the Township Board of Supervisors of the Township of Wilson, Winona County, Minnesota, this 14 day of May, 2018.

ATTEST:

TOWNSHIP OF WILSON

By: Hobin Gaudt  
\_\_\_\_\_, Township Clerk

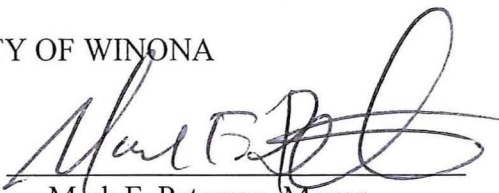
By: Levi Bourne  
\_\_\_\_\_, Chair

Passed, adopted, and approved by the City Council of the City of Winona, Winona County, Minnesota, this 21<sup>st</sup> day of May, 2018.

ATTEST:

CITY OF WINONA

By: Tina Stanton  
Tina Stanton,  
Acting City Clerk

By:   
Mark F. Peterson, Mayor

**EXHIBIT A**  
**Legal Description**

The Subject Area to be annexed in the attached Joint Resolution is legally described as follows:



# **JOHNSON & SCOFIELD INC.**

## **SURVEYING AND ENGINEERING**

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1203 Main Street • Red Wing, MN 55066 • Telephone: Red Wing (651) 388-1558 • Fax: (651) 388-1559  
626 Jefferson Ave • Wabasha, MN 55981 • Telephone: Wabasha (651) 565-3244 • Fax: (651) 565-4394  
1112 Highway 55, Suite 201 • Hastings, MN 55033 • Telephone: Hastings (651) 438-0000 • Fax: (651) 438-9005  
4240 West 5th Street • Winona, MN 55987 • Telephone: Winona (507) 454-4134 • Fax: (507) 454-2544

**David A. Johnson**  
Minnesota and Wisconsin  
Licensed Land Surveyor  
Wabasha County Surveyor

**Alan K. Scofield**  
Minnesota Licensed  
Land Surveyor

**Marcus S. Johnson**  
Minnesota and Wisconsin  
Licensed Land Surveyor

**Mitchell A. Scofield**  
Minnesota Licensed  
Land Surveyor

**Brian K. Wodele**  
Minnesota and Wisconsin  
Licensed Land Surveyor

**Steven P. Voigt**  
Minnesota Licensed  
Professional Engineer

**Tony A. Blumentritt**  
Minnesota and Wisconsin  
Licensed Land Surveyor

January 18, 2018

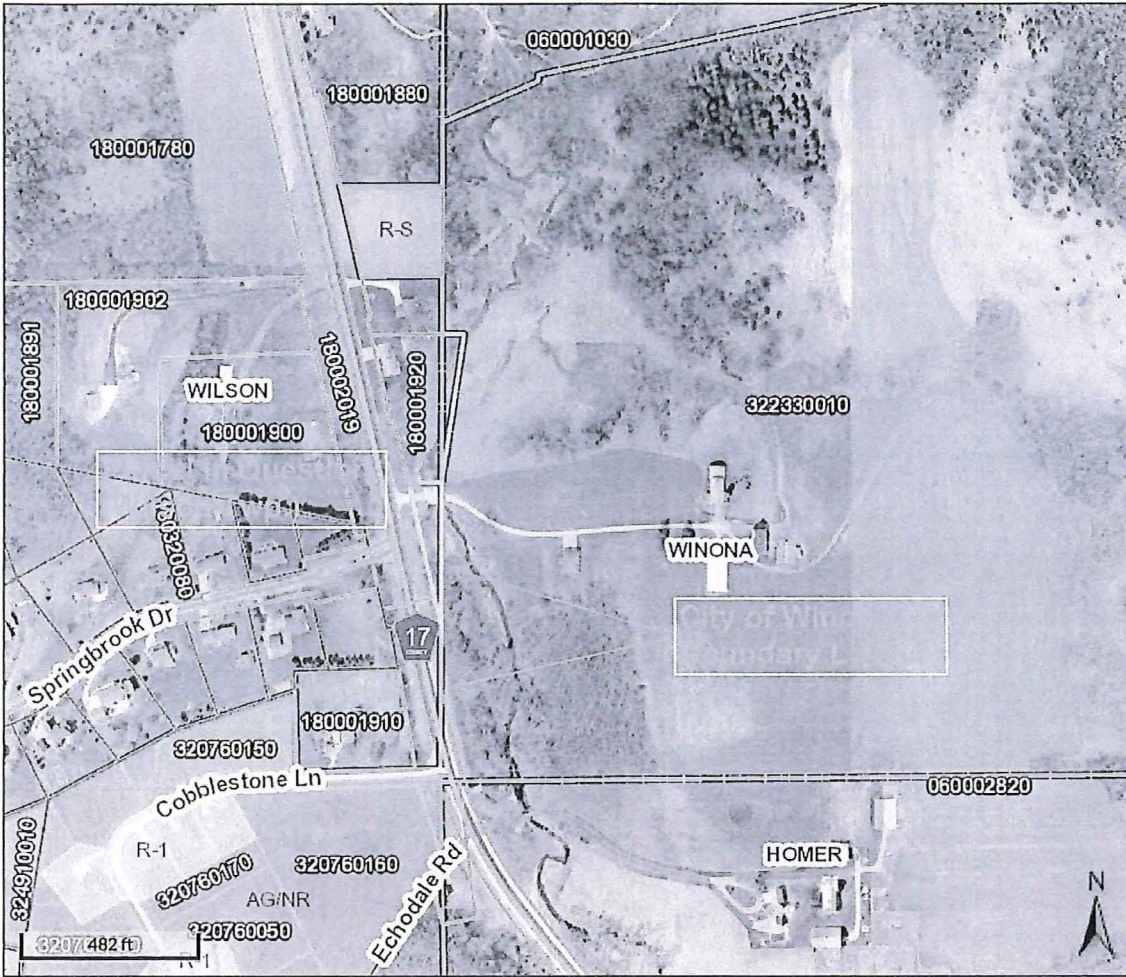
### PROPOSED ANNEXATION DESCRIPTION PREPARED FOR BERNHARD BRENNER

That part of the Southeast Quarter of the Southeast Quarter of Section 12, Township 106, Range 7, Winona County, Minnesota, lying easterly of the easterly line of Winona County Highway No. 17, and lying southerly of the following described line and its extensions:

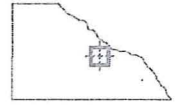
Commencing at the southeast corner of said Section 12; thence North 00 degrees 11 minutes 37 seconds East, along the east line of the Southeast Quarter of said Section 12, a distance of 780.22 feet to the point of beginning of the line to be herein described; thence North 88 degrees 19 minutes 19 seconds West, 88.95 feet to said easterly line of Winona County Highway No. 17, and said herein described line there terminating. Containing 0.39 acres, more or less.

**EXHIBIT B**  
**Boundary Map**

The municipal boundary map referenced in the attached Joint Resolution, showing the current City of Winona and its relation to the Subject Area to be annexed, legally described in Exhibit A, is attached hereto.



Overview



Legend

Zoning

- AG/NR
- B-1
- B-2
- B-3
- L-1
- L-2
- MU-DC
- MU-DF
- MU-N
- R-1
- R-1.5
- R-2
- R-3
- R-R
- R-S
- Unzoned

Municipalities

- Winona Boundary

Roads

- Other
- Interstate
- US/State Highway
- City Streets
- County Road
- Township Road
- Private Drive

Parcel

Boundary Lines

- <all other values>
- Auditors
- Combination
- Parcels
- Platted Lot
- ROW
- Subdivisions

Parcel ID 180001921

Alternate ID n/a

Owner Address n/a



JACOB L. VIROCK &  
TERRE L. VIROCK  
DOC. NO. 341568

EXCEPTION  
JACOB L. VIROCK & TERRE L. VIROCK

SE 1/4, SE 1/4

SPRING  
LOT 1 | OUTLOT B B3  
BLOCK 2 BROOK  
SPRING BROOK DRIVE  
SUBDIVISION  
LOT 1 | OUTLOT A  
BLOCK 1

SE COR., SE 1/4, SE 1/4  
SE COR., SEC. 12, T106, R7

COBBLESTONE LANE

OUTLOT B

SW COR., SEC. 7, T106, R6

B45 B46  
N88°19'19"W 156.13  
N00°11'37"E 389.78  
S08°43'42"W 394.15  
SIX LINE, R/W  
FAT NO 1017  
FORMER CENTER LINE  
(SITE 1232)  
PRESENT INTEREST LINE

(SOUTH 104 RODS)

LORRAINE A. GRIESEL AND  
BERNHARD J. BRENNER  
DOC. NO. 552490  
DOC. NO. 603335  
LORRAINE A. GRIESEL, AS  
TRUSTEE OF THE LORRAINE  
A. GRIESEL REVOCABLE TRUST  
OF 2012 DOC. NO. 568690  
DOC. NO. 603336

(NORTH) 1170

N00°11'37"E 780.22  
S00°11'37"W 780.22  
WEST LINE SW 1/4 SEC. 7



# Brenner - Griesel Annexation 23862 County Road 17

- Brenner - Griesel Property
- Existing Corporate Limits
- Parcel Boundary



This map was compiled from a variety of sources. This information is provided with the understanding that conclusions drawn from such information are solely the responsibility of the user. The GIS data is not a legal representation of any of the features depicted, and any assumptions of the legal status of this map is hereby disclaimed. July 2018

0 200 400 800 Feet