

**JOINT RESOLUTION OF THE CITY OF WACONIA AND THE TOWNSHIP OF WACONIA PURSUANT TO MINNESOTA STATUTES §414.0325, DESIGNATING AN UNINCORPORATED AREA IN NEED OF ORDERLY ANNEXATION, CONFERRING JURISDICTION OF THE AREA ON THE CHIEF ADMINISTRATOR LAW JUDGE OF THE MINNESOTA STATE OFFICE OF ADMINISTRATIVE HEARINGS, AND AGREEING TO IMMEDIATE ANNEXATION OF THE AREA TO THE CITY OF WACONIA.**

City of Waconia Resolution No. 2018-151

Township of Waconia Resolution Date: July 23, 2018

**TO: Chief Administrative Law Judge  
State Office of Administrative Hearings  
Municipal Boundary Adjustments Unit  
P.O. Box 64620  
St. Paul, MN 55164-0620**

WHEREAS, the City of Waconia (the "City") and the Township of Waconia (the "Township") desire to enter into this Joint Resolution for Orderly Annexation to designate an area of the Township in need of orderly and immediate annexation for the purpose of bringing such area into the city limits, and

WHEREAS, the area to be annexed contains 7.109 acres plus approximately 1.00 acre of Township Road and adjoins the City, is urban or suburban in character, and the City is capable of providing services, if any, required by the area within a reasonable time, and

WHEREAS, it is deemed appropriate and in the best interests of both the City and the Township that said area be designated as in need of orderly annexation and be immediately annexed to the City, and

WHEREAS, all of the property owners have petitioned the City to have the area annexed and, therefore, the Notice of Intent to designate an area pursuant to Minnesota Statutes §414.0325, Subd. 1b., is waived.

NOW, THEREFORE, pursuant to Minnesota Statutes §414.0325, be it **JOINTLY RESOLVED** and agreed by the City Council of the City of Waconia and the Board of Supervisors of the Township of Waconia, Carver County, Minnesota, as follows:

1. The area subject to this Joint Resolution and designated for orderly and immediate annexation is legally described on attached **Exhibit A** and depicted with cross-hatching on the map attached as **Exhibit B** (the "Land").

2. The area is in need of orderly annexation and is for the purpose of construction of a school bus garage to serve Waconia and the surrounding area.
3. This Joint Resolution confers jurisdiction on the chief administrative law judge over the annexation area and over the various provisions of this Joint Resolution.
4. This Joint Resolution provides for the conditions of annexation. No alteration of the stated boundaries are appropriate and no consideration by the chief administrative law judge is necessary. The chief administrative law judge may review and comment, but shall, within 30 days, order the annexation in accordance with the terms of this resolution.
5. There will be no change in the electric service or cost resulting from the annexation.
6. That for purposes of real estate taxation, if the annexation becomes effective on or before August 1 of a levy year, the City of Waconia may levy on the annexed area beginning with the same levy year. If the annexation becomes effective after August 1 of a levy year, Waconia Township may continue to levy on the annexed area for that levy year, and the City of Waconia may not levy on the annexation area until the following levy year.
7. There are no special assessments assigned by the Township to the Land and no debt incurred by the Township prior to the annexation and attributable to the Land need to be reimbursed.
8. To the extent, if any, that the annexation area contains streets or roadways, the City shall be solely responsible for any maintenance or improvements after the annexation has been ordered.
9. Tax Reimbursement. Pursuant to Minnesota Statutes §414.036, the City and the Township acknowledge that the reimbursement for taxable property has been satisfied. The Developer and Township have agreed that a single payment of \$ 3500.00 will be made to the Township for the taxable property annexed by this Ordinance. The payment has already been made and a copy of the Township's receipt acknowledging payment is attached as **Exhibit C** (the "Receipt").
10. The City and Township agree that in the event there are errors, omissions or any other problems with the legal descriptions provided in **Exhibit A** or mapping provided in **Exhibit B**, in the judgment of the Office of Administrative Hearings/Municipal Boundary Adjustments, the City and Township agree to make such corrections and file any additional documentation, including new exhibits making the corrections requested or required by the Office of Administrative Hearings/Municipal Boundary Adjustments as necessary to make effective the annexation of the Land in accordance with the terms of this Joint Resolution.

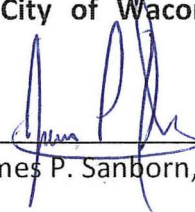
11. This Joint Resolution is effective upon approval and adoption by both the City Council of the City of Waconia and the Board of Supervisors of the Township of Waconia.

Passed and adopted by the **Board of Supervisors of the Township of Waconia** this 23 day of July, 2018.

  
Tom Notch, Chairman

ATTEST: Sue Goede  
Sue Goede, Clerk

Passed and adopted by the **City Council of the City of Waconia** this 6<sup>th</sup> day of August, 2018.

  
James P. Sanborn, Mayor

ATTEST: Susan MH Arntz  
Susan MH Arntz, City Administrator/City Clerk



EXHIBIT A  
Legal Description

Parcel 1:

That part of the East Half of the Northwest Quarter of Section 27, Township 116 North, Range 25 West, EXCEPTING therefrom the right of way of the Minneapolis and St. Louis Railway Company, and EXCEPTING that part of the East Half of the Northwest Quarter of Section 27, Township 116 North, Range 25 West lying south of the southerly right of way line of the Minneapolis and St. Louis Railway Company described as follows:

Beginning at the northwest corner of said East Half of the Northwest Quarter of Section 27; thence North 89 degrees 31 minutes 23 seconds East, assumed bearing along the North line of said East Half of the Northwest Quarter of Section 27, a distance of 569.68 feet; thence South 00 degrees 53 minutes 25 seconds West, a distance of 640.48 feet; thence North 89 degrees 06 minutes 35 seconds West, a distance of 555.91 feet to the west line of said East Half of the Northwest Quarter of Section 27; thence North 00 degrees 21 minutes 10 seconds West along said west line of the East Half of Section 27, a distance of 627.03 feet to the point of beginning.

ALSO EXCEPTING therefrom the right of way of County State Aid Highway No. 10, Carver County Right of Way Plat No. 23 and 94<sup>th</sup> Street.

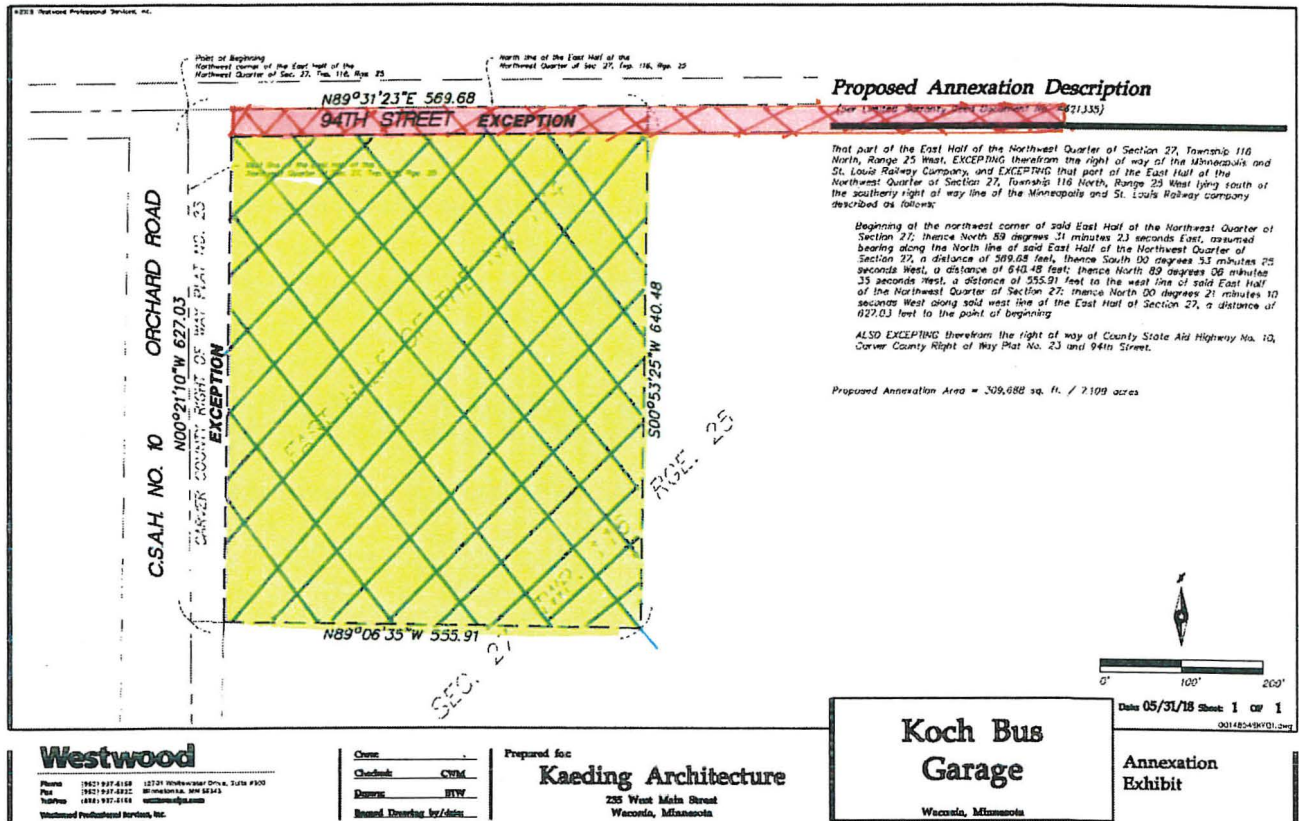
Area = 309,688 sq. ft./7.109 acres

Parcel 2:

That part of 94<sup>th</sup> Street lying easterly of its intersection with Old Orchard Road, EXCEPTING therefrom that part previously annexed to and lying within the city limits of Waconia.

Area = approximately 1 acre (part of Township Road)

# EXHIBIT B



## City of Waconia Map Showing Land to be Annexed



EXHIBIT C

WACONIA TOWNSHIP

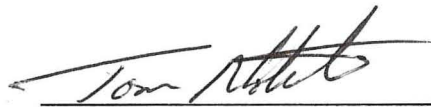
RECEIPT FOR REIMBURSEMENT TO TOWNSHIP

FOR ANNEXATION OF TAXABLE PROPERTY

July 23, 2018

Pursuant to Minnesota Statutes Section 414.036, the Town of Waconia hereby acknowledges the receipt of a single payment of \$ 3500.00 as reimbursement for all the taxable property being annexed to the City of Waconia as described on Exhibit A and Exhibit B attached hereto and approves the annexation of such land. There are no special assessments assigned by Waconia Township to the annexed property and no debt incurred by the Township prior to the annexation attributable to the property annexed.

Waconia Township

  
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