

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. 2019-101

Township of Waconia Resolution Date: 04-19

**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 37.681 acres 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, pursuant to Minnesota Statutes §414.0325, Subd. 1b, a Notice of Intent to designate and include property in the orderly annexation area was published on April 11, 2019, in the *Waconia Patriot*, a newspaper with general circulation in both the City and Township, which was at least ten days before this Orderly Annexation Agreement was adopted.

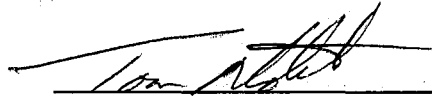
NOW, THEREFORE, pursuant to Minnesota Statutes §414.0325, be it **JOINTLY RESOLVED** and agreed by the City Council of the City of Waconia and the Board of Supervisors of the Township of Waconia, Carver County, Minnesota, as follows:

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 residential housing development.
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 \$ 18,750.00 will be made to the Township for the taxable property annexed by this Joint Resolution. 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 22 day of April, 2019.



Tom Notch, Chairman

ATTEST: Sue Goede/Clerk
Sue Goede, Clerk

Passed and adopted by the **City Council of the City of Waconia** this 6th day of May, 2019.



Kent Bloudek, Mayor

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

EXHIBIT A
Property Description

That part of the North 651.03 feet of the Northwest Quarter of the Southwest Quarter of Section 25, Township 116, Range 25 West of the 5th Principal Meridian, Carver County, Minnesota, EXCEPTING THEREFROM

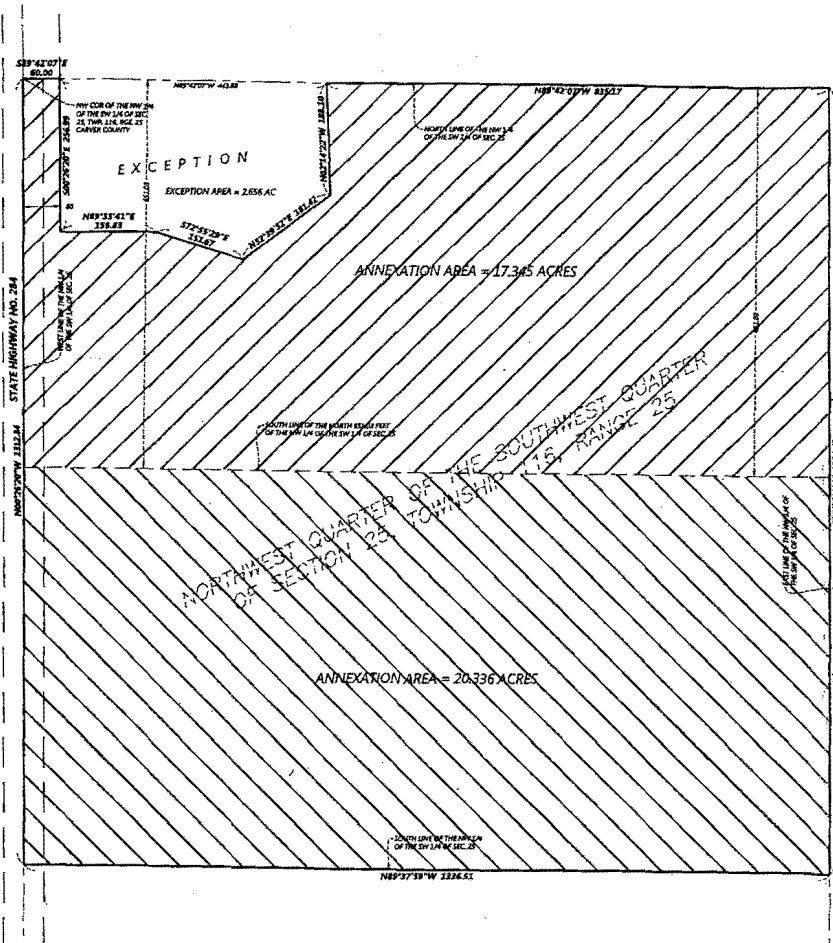
Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence South 89 degrees 42 minutes 07 seconds East, assumed bearing along the north line of said Northwest Quarter of the Southwest Quarter, a distance of 60.00 feet to a line drawn 60.00 feet easterly of and parallel with the west line of said Northwest Quarter of the Southwest Quarter and the point of beginning; thence South 00 degrees 26 minutes 20 seconds West, along said parallel line, a distance of 256.99 feet; thence North 89 degrees 33 minutes 41 seconds East, a distance of 159.83 feet; thence South 72 degrees 55 minutes 29 seconds East, a distance of 151.67 feet; thence North 52 degrees 39 minutes 52 seconds East, a distance of 181.42 feet; thence North 02 degrees 14 minutes 22 seconds West, a distance of 188.10 feet to said North line of the Northwest Quarter of the Southwest Quarter; thence North 89 degrees 42 minutes 07 seconds West, along said North line a distance of 443.68 feet to the point of beginning.

TOGETHER WITH

That part of the Northwest Quarter of the Southwest Quarter of Section 25, Township 116, Range 25 West of the 5th Principal Meridian, lying South of the North 651.03 feet thereof, Carver County, Minnesota.

Proposed Property Area = 1,641,383 sf or 37.681 acres

EXHIBIT B
Page 1 of 1



Existing Property Description:

Parcel 1:

That part of the Northwest Quarter of the Southwest Quarter of Section 25, Township 116, Range 25 West of the 5th Principal Meridian, lying South of the North 651.03 feet thereof, Carver County, Minnesota.

PID # 090250320

Parcel 2:

The North 651.03 feet of the Northwest Quarter of the Southwest Quarter of Section 25, Township 116, Range 25 West of the 5th Principal Meridian, Carver County, Minnesota.

PID # 090250310

Total Property Area = 1,757,061 sq ft or 40.337 acres

Proposed Annexation Property Description:

That part of the North 651.03 feet of the Northwest Quarter of the Southwest Quarter of Section 25, Township 116, Range 25 West of the 5th Principal Meridian, Carver County, Minnesota, EXCEPTING THEREFROM

Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter thence South 89 degrees 42 minutes 07 seconds East, assumed bearing along the north line of said Northwest Quarter of the Southwest Quarter, a distance of 60.00 feet to a line drawn 60.00 feet easterly of and parallel with the west line of said Northwest Quarter of the Southwest Quarter and the point of beginning; thence South 03 degrees 26 minutes 20 seconds West, along said parallel line, a distance of 256.91 feet; thence North 89 degrees 33 minutes 41 seconds East, a distance of 159.83 feet; thence South 72 degrees 55 minutes 29 seconds East, a distance of 151.87 feet; thence North 52 degrees 39 minutes 52 seconds East, a distance of 235.42 feet; thence North 02 degrees 34 minutes 22 seconds West, a distance of 188.10 feet to said North line of the Northwest Quarter of the Southwest Quarter; thence North 89 degrees 42 minutes 07 seconds West, along said North line a distance of 442.68 feet to the point of beginning.

TOGETHER WITH

That part of the Northwest Quarter of the Southwest Quarter of Section 25, Township 116, Range 25 West of the 5th Principal Meridian, lying South of the North 651.03 feet thereof, Carver County, Minnesota.

Proposed Property Area = 1,641,383 sq ft or 37.681

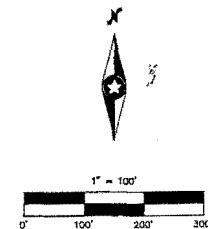


EXHIBIT B

Woodland Creek

DESIGNED: CDM
CHECKED: CDM
DRAWN: SLS
HORIZONTAL SCALE: 100'

INITIAL ISSUE: 03/15/2019
REVISIONS:
1. 4/24/2019 ADDED 80 FT RIGHT OF WAY
2. 4/28/2019 CHANGED A BEARING CALL

PREPARED FOR:

Hartman Communities
1750 Tower Boulevard, Suite 100
Victoria, MN 55388

Woodland Creek
Waconia, Minnesota

Westwood

Phone: (612) 857-8100 12791 Whitehaven Drive, Suite 2000
Fax: (612) 857-8100 12791 Whitehaven Drive, Suite 2000
Toll-free: (800) 957-8100 westwood@westwood.com
Westwood Professional Services, Inc.

Annexation Exhibit

SHEET NUMBER:

1 of 1

PROJECT NUMBER: 0021855.00

DATE: 03/15/2019

EXHIBIT C

WACONIA TOWNSHIP

RECEIPT FOR REIMBURSEMENT TO TOWNSHIP

FOR ANNEXATION OF TAXABLE PROPERTY

04-19, 2019

Pursuant to Minnesota Statutes Section 414.036, the Town of Waconia hereby acknowledges the receipt of a single payment of \$ 18,750.00 as reimbursement for all the taxable property being annexed to the City of Waconia as described on Exhibit A and depicted on 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



Tom Notch, Chairman