

RESOLUTION NO. 1112

**JOINT RESOLUTION OF THE CITY OF GOODVIEW
AND THE TOWNSHIP OF ROLLINGSTONE AS TO THE
ORDERLY ANNEXATION OF PROPERTY OF
SUNDOWN INVESTMENTS, LLC
27844 SUNDOWN LANE, MINNESOTA CITY, MN 55959**

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 has fire, police and other regulatory governmental 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 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.

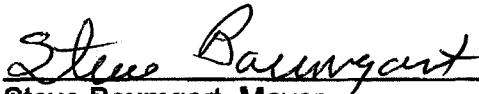
2. The following described land will hereinafter be described as the annexation area and said property is properly subject to orderly annexation pursuant to Minnesota Statute Section 414.0325. The parties hereto do hereby designate this area as in need of orderly annexation as provided by statute; this area is legally described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"
Tax Parcel ID# 12.015.1660

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 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 2020, and taxes collected from the orderly annexation area for the year 2020 and all future years shall be paid to Goodview. All taxes collected from the orderly annexation area for the year 2019 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 \$400.00 on or before December 31, 2019, 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 7th DAY OF OCTOBER, 2019.


Steve Baumgart, Mayor


Daniel J. Matejka, City Administrator

ADOPTED BY THE ROLLINGSTONE TOWNSHIP BOARD THIS 10-14-19 DAY OF OCTOBER, 2019.


, Chairman



, Clerk

exhibit A

That part of Government Lot 4, Section 13, Township 107, Range 8, Winona County, Minnesota, described as follows:

Commencing at the south quarter corner of said Section 13; thence North 00 degrees 20 minutes 39 seconds East, oriented with the Winona County Coordinate System, NAD 1983, 1996 adjustment (HARN), along the north-south quarter line of said Section 13, a distance of 1358.81 feet; thence South 89 degrees 39 minutes 21 seconds East, 2142.76 feet to an iron pipe; thence North 66 degrees 30 minutes 20 seconds East, 283.48 feet to the southerly line of U.S. Highway No. 61 and the point of beginning of the land to be described; thence South 66 degrees 30 minutes 20 seconds West, 283.48 feet to said hereinabove described iron pipe; thence continue South 66 degrees 30 minutes 20 seconds West, 29.10 feet; thence North 55 degrees 17 minutes 34 seconds West, 151.30 feet to an iron rod; thence North 55 degrees 36 minutes 22 seconds West, 184.33 feet to an iron pipe; thence South 56 degrees 14 minutes 18 seconds West, 96.35 feet to the easterly line of Winona County Highway Right of Way Plat No. 3129, according to the recorded plat thereof, said Winona County; thence northerly along said easterly line, 224.18 feet along the arc of a non-tangential curve, concave westerly, having a radius of 2003.00 feet, a central angle of 06 degrees 24 minutes 58 seconds and a chord which bears North 25 degrees 33 minutes 11 seconds West and measures 224.18 feet; thence North 28 degrees 45 minutes 40 seconds West, along said easterly line, 257.87 feet; thence North 87 degrees 36 minutes 45 seconds East, 34.22 feet to an iron pipe; thence southeasterly 768.68 feet along the arc of a non-tangential curve, concave northeasterly, having a radius of 1960.08 feet, a central angle of 22 degrees 28 minutes 10 seconds, and a chord which bears South 60 degrees 16 minutes 12 seconds East and measures 763.76 feet to an iron pipe; thence North 18 degrees 29 minutes 43 seconds East, 11.92 feet to said southerly line of U.S. Highway No. 61; thence southeasterly along said southerly line, 179.02 feet to the point of beginning.

EXCEPT the following described parcel:

Property Description of Record, Doc. No. 593481:

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, Winona County, Minnesota, and more particularly described as follows:

Commencing at the Southeast corner of Section Thirteen (13), Township One Hundred Seven (107) North, Range Eight (8); thence North along the East line of said Section Thirteen (13) a distance of One Thousand Four Hundred Thirty-seven and Nine Tenths (1,437.9) feet to the center line of the Eastbound lane of U.S. Highway No. 61; thence Northwesterly along the center line of the Eastbound lane of U.S. Highway No. 61, a distance of One Hundred Fifty-nine and Two Tenths (159.2) feet; thence at a deflection angle to the left forty-seven degrees fifty-eight minutes (47°58') a distance of One Hundred and Four Tenths (100.4) feet to the place of beginning; this point also being the South right of way line of U.S. Highway No. 61; thence

continuing Southwesterly and along the last described line a distance of Two Hundred Eighty-four and Six Tenths (284.6) feet; thence at a deflection angle to the right of fifty-eight degrees nine minutes ($58^{\circ}09'$) a distance of Three Hundred Forty-one and Five Tenths (341.5) feet; thence at a deflection angle to the right of eighty-two degrees fifty-seven minutes ($82^{\circ}57'$) a distance of One Hundred Eighty-six (186) feet to the South right of way line of U.S. Highway No. 61; thence Southeasterly along the South right of way line of U.S. Highway No. 61 a distance of Five Hundred Eighteen (518) feet more or less to the place of beginning; subject, however, to an easement in favor of the State of Minnesota as granted by instrument dated February 27, 1948, and recorded in Book 205 of Deeds at Page 547 in the office of the Register of Deeds in and for said county, and further, subject to that certain right of way 35 feet in width along the southeasterly side of said land from the northeasterly line of said land to the southwesterly line thereof, as reserved to the Grantors in that Deed from Fred W. Krage and Louise Marie Krage, husband and wife, Grantors, to Andrew T. Buggs and Joyce Buggs, husband and wife, Grantees, dated December 31, 1959, filed for record January 2, 1960 in the office of the Register of Deeds at Book 242 of Deeds, Page 504.



Overview



Legend

- Roads**
-  Other
 -  Interstate
 -  US/State Highway
 -  City Streets
 -  County Road
 -  Township Road
 -  Private Drive
- Municipalities**
-  Winona Boundary
 -  Parcel
- Parcel Acres**

Parcel ID	120151660	Alternate ID	n/a	Owner Address	SUNDOWN INVESTMENTS LLC
Sec/Twp/Rng	13-107-008	Class	201 - RESIDENTIAL		626 2ND ST E
Property Address	27844 SUNDOWN LN	Acreege	n/a		WINONA, MN 55987
	MINNESOTA CITY				
District	ROLLINGSTONE TWP				
Brief Tax Description	Sect-13 Twp-107 Range-008 Lot-004 PARCEL PER MF #213975 EX: 0.70 AC HWY ROW 3129				
	(Note: Not to be used on legal documents)				

Note: This map is created from data contained in Winona County GIS and is for reference purposes only. While significant effort has been invested to depict boundary extents as accurately as possible per existing records, this map should not be considered a replacement for professional land survey.

Date created: 9/23/2019
 Last Data Uploaded: 9/23/2019 5:09:45 AM

Developed by  Schneider GEOSPATIAL

PROPOSED LEGAL DESCRIPTION

That part of Government Lot 4, Section 13, Township 107, Range 8, Winona County, Minnesota, described as follows:

Commencing at the south quarter corner of said Section 13; thence North 00 degrees 20 minutes 39 seconds East, oriented with the Winona County Coordinate System, NAD 1983, 1996 adjustment (HARN), along the north-south quarter line of said Section 13, a distance of 1358.81 feet; thence South 89 degrees 39 minutes 21 seconds East, 2142.76 feet to an iron pipe; thence North 66 degrees 30 minutes 20 seconds East, 283.48 feet to the southerly line of U.S. Highway No. 61 and the point of beginning of the land to be described; thence South 66 degrees 30 minutes 20 seconds West, 283.48 feet to said hereinabove described iron pipe; thence continue South 66 degrees 30 minutes 20 seconds West, 29.10 feet; thence North 55 degrees 17 minutes 34 seconds West, 151.30 feet to an iron rod; thence North 55 degrees 36 minutes 22 seconds West, 184.33 feet to an iron pipe; thence South 56 degrees 14 minutes 18 seconds West, 96.35 feet to the easterly line of Winona County Highway Right of Way Plat No. 3129, according to the recorded plat thereof, said Winona County; thence northerly along said easterly line, 224.18 feet along the arc of a non-tangential curve, concave westerly, having a radius of 2003.00 feet, a central angle of 06 degrees 24 minutes 58 seconds and a chord which bears North 25 degrees 33 minutes 11 seconds West and measures 224.18 feet; thence North 28 degrees 45 minutes 40 seconds West, along said easterly line, 257.87 feet; thence North 87 degrees 36 minutes 45 seconds East, 34.22 feet to an iron pipe; thence southeasterly 768.68 feet along the arc of a non-tangential curve, concave northeasterly, having a radius of 1960.08 feet, a central angle of 22 degrees 28 minutes 10 seconds, and a chord which bears South 60 degrees 16 minutes 12 seconds East and measures 763.76 feet to an iron pipe; thence North 18 degrees 29 minutes 43 seconds East, 11.92 feet to said southerly line of U.S. Highway No. 61; thence southeasterly along said southerly line, 179.02 feet to the point of beginning.

NOTES:

The proposed legal description shown hereon was prepared for pending corrective legal action.

The southerly line of the Chicago Great Western Railroad is shown as determined from center line alignment information shown on the Chicago-Great Western Railroad map, railroad land tie information shown on the plat of Davis' Subdivision, and from railroad bed remnants in the Northeast Quarter of the Northwest Quarter of Section 12, T107, R8, which was located by previous survey.

Boundary lines of the Gerner property and the Rogacki property are shown hereon based on found monuments. The northerly line of the Sundown Investments property described in Document No. 615592 was retraced from information contained in the legal description and found monuments.

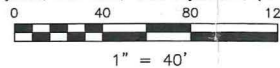
The southerly line of U.S. Highway No. 61 was retraced from alignment and right of way information obtained from the MN DOT Surveys Department, Rochester, MN.

The property surveyed contains 3.22 acres, more or less.

Legend

- Denotes a placed 1"x18" iron pipe with plastic cap bearing license number 18886.
 - Denotes a found iron monument (1/2" iron pipe unless noted).
 - ⊕ Denotes a monument in place at a Winona County Public Land Survey corner.
 - R= Denotes radius of curve
 - A= Denotes central angle of curve
 - L= Denotes length of curve
 - C= Denotes chord distance of curve
 - CB= Denotes chord bearing of curve
 - T= Denotes spiral angle of spiral curve
 - Denotes right of access line.
 - MHE - MHE - Denotes boundary of highway easement described in Parcel 15, Bk. 205 of Deeds, Pg. 547 except the property described in Doc. No. 608527.
- Dimensions and labels in parentheses () are recorded.

The bearings and coordinates shown here are based on the Winona County Coordinate System, NAD 1983, 1996 adjustment, (HARN).



CERTIFICATE OF SURVEY FOR:
Sundown Investments, LLC
 JOHNSON & SCOFIELD INC.
 SURVEYING AND ENGINEERING
 4240 West 5th Street, Winona, MN 55987
 (507)454-4134, FAX(507)454-2544
 brianw@jstsmail.com

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
 Minnesota License No. 18886
 Date: March 21, 2019

BK. NA	PG. NA	W.O.#	DRAWING NUMBER
SHEET 1 OF 1 SHEETS	19-251	S-8042	

X:\107-8\13\GOVT LOT 4\SUNDOWN INVESTMENTS WD 19-251\SUNDOWN INVESTMENTS 19-251.DWG

