

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. 2021-66

Township of Waconia Resolution Date: 2-22-2021

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 44.744 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

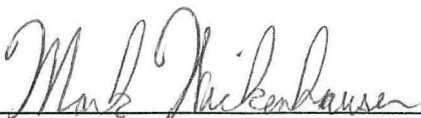
WHEREAS, it is deemed appropriate and in the best interests of both the City and the Township that said area be designated as in need of orderly annexation and be immediately annexed to the City, and

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:

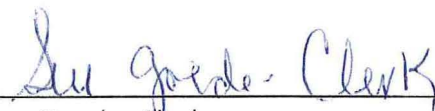
1. The area subject to this Joint Resolution and designated for orderly and immediate annexation is legally described on attached **Exhibit A** and depicted with cross-hatching on the map attached as **Exhibit B** (the "Land").
2. The area is in need of orderly annexation and is for the purpose of residential 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 \$ 22,372.00 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 Feb, 2021.




Mark Wickenhauser, Chairman

ATTEST: 

Sue Goede, Clerk

Passed and adopted by the City Council of the City of Waconia this 1st day of March, 2021.



Kent Bloudek, Mayor

ATTEST: 

Jackie Schulze, Interim City Administrator/City Clerk

EXHIBIT A
Legal Description of Property to be Annexed

That part of the South Half of the Northeast Quarter of Section 22, Township 116, Range 25, Carver County, Minnesota, which lies easterly of the following described line, except the South 40.00 feet thereof:

Commencing at the southeast corner of said Northeast Quarter; thence South 89 degrees 29 minutes 02 seconds West, along the south line of said Northeast Quarter, a distance of 1495.23 feet to the point of beginning of the line to be described; thence North 00 degrees 00 minutes 00 seconds East a distance of 1293.66 feet, more or less, to the south line of said north 26.40 feet of the South Half of the Northeast Quarter and there terminating.

EXHIBIT B
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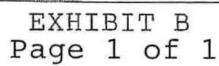


EXHIBIT C

WACONIA TOWNSHIP

RECEIPT FOR REIMBURSEMENT TO TOWNSHIP

FOR ANNEXATION OF TAXABLE PROPERTY

Feb. 22 of _____ 2021

Pursuant to Minnesota Statutes Section 414.036, the Town of Waconia hereby acknowledges the receipt of a single payment of \$ 22,372.00 as reimbursement for all the taxable property being annexed to the City of Waconia as described on Exhibit A and depicted on Exhibit B of the attached Joint Resolution 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

Mark Wickenhauser
Mark Wickenhauser, Chairman

Map of Land to be Annexed to the City of Waconia
(Burandt Property)

