

**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. 2022-61

Township of Waconia Resolution Date: 1-24-2022

**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 28.409 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 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 \$ 14,204.50 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. If the Minnesota Department of Transportation or the Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments requests technical corrections to the legal description attached as **Exhibit A** or the map attached as **Exhibit B**, then: i) City staff may make the requested corrections and attach revised exhibits to this Joint Resolution without further action of the City or Township; and ii) the Joint Resolution, with corrected exhibits, shall remain effective, valid, and enforceable.
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 24<sup>th</sup> day of January, 2022.

Mark Wickenhauser  
Mark Wickenhauser, Chairman

ATTEST: Sue Goede - Clerk  
Sue Goede, Clerk

Passed and adopted by the **City Council of the City of Waconia** this 22<sup>nd</sup> day of February, 2022.

Nicole Waldron  
Nicole Waldron, Acting Mayor

ATTEST: Jackie Schulze  
Jackie Schulze, City Clerk

Exhibit A  
Property Description

ANNEXATION PARCEL DESCRIPTION:

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

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.

Excepting therefrom the following described tracts:

Tract 1:

Beginning at the center of said Section 22, running thence east on the east and west quarter line of said Section about 2005 feet to the intersection of said Waconia and New Germany Road with said quarter line; running thence north one rod; running thence west parallel with said quarter line to the north and south quarter line of said section, running thence south one rod to the place of beginning, as recorded in Book 26 of Deeds, page 131, Carver County, Minnesota.

Tract 2:

That part of the Northeast Quarter of Section 22, Township 116, Range 25, Carver County, Minnesota lying northwesterly of a line "A" described below, and lying southwesterly of a line 40.00 feet southwesterly of (as measured radially to and parallel with) the following described line:

Commencing at the northwest corner of said Northeast Quarter of Section 22, thence south along the west line of said Northeast Quarter, a distance of 1815.92 feet to the point of beginning; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 90 degrees 59 minutes 18 seconds, a distance of 1299.83 feet to a point on the south line of said Northeast Quarter, distant 832.75 feet easterly of the southwest corner of said Northeast Quarter and there terminating.

Line "A" being described as follows: Commencing at the northwest corner of said Northeast Quarter of Section 22; thence south along the west line of said Northeast Quarter, a distance of 1815.92 feet; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 45 degrees 51 minutes 36 seconds, a distance of 655.14 feet to the point of beginning; thence southwesterly to the southwest corner of the Northeast Quarter of Section 22 and there terminating.

Together with and subject to a 33.0 foot highway easement, the centerline of said easement is Line "A" above described, per District Court Co. No. 16073.

Tract 3:

That part of the Northeast Quarter of Section 22, Township 116, Range 25, Carver County, Minnesota lying southeasterly of a line "A" described below, and lying southwesterly of a line 40.00 feet southwesterly of (as measured radially to and parallel with) the following described line:

Commencing at the northwest corner of said Northeast Quarter of Section 22, thence south along the west line of said Northeast quarter, a distance of 1815.92 feet to the point of beginning; thence Southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 90 degrees 59 minutes 18 seconds, a distance of 1299.83 feet to a point on the south line of said Northeast Quarter, distant 832.75 feet easterly of the southwest corner of said Northeast Quarter and there terminating.

Line "A" being described as follows; Commencing at the northwest corner of said Northeast Quarter of Section 22; thence south along the west line of said Northeast Quarter, a distance of 1815.92 feet; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 45 degrees 51 minutes 36 seconds a distance of 655.14 feet to the point of beginning; thence southwesterly to the southwest corner of the Northeast Quarter of said Section 22 and there terminating.

Together with and subject to a 33.0 foot highway easement, the centerline of said easement is Line "A" above described, per District Court Co. No. 16073.

#### Tract 4:

That part of the West 541 feet of the South 353 feet of the Northeast Quarter of Section 22, Township 116 North, Range 25 West Carver County, Minnesota, lying northeasterly of the line 40.00 feet northeasterly of (as measured radially to and parallel with) the following described line: Commencing at the northwest corner of said Northeast Quarter of Section 22; thence south along the west line of said Northeast Quarter a distance of 1815.92 feet to a point of beginning of the line to be described; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 90 degrees 59 minutes 18 seconds, a distance of 1299.83 feet to a point on the south line of said Northeast Quarter, distant 832.75 feet easterly of the Southwest corner of said Northeast Quarter, and said line there terminating, said line being the Northeasterly right-of-way line of Carver County Highway No. 32.

#### Tract 5:

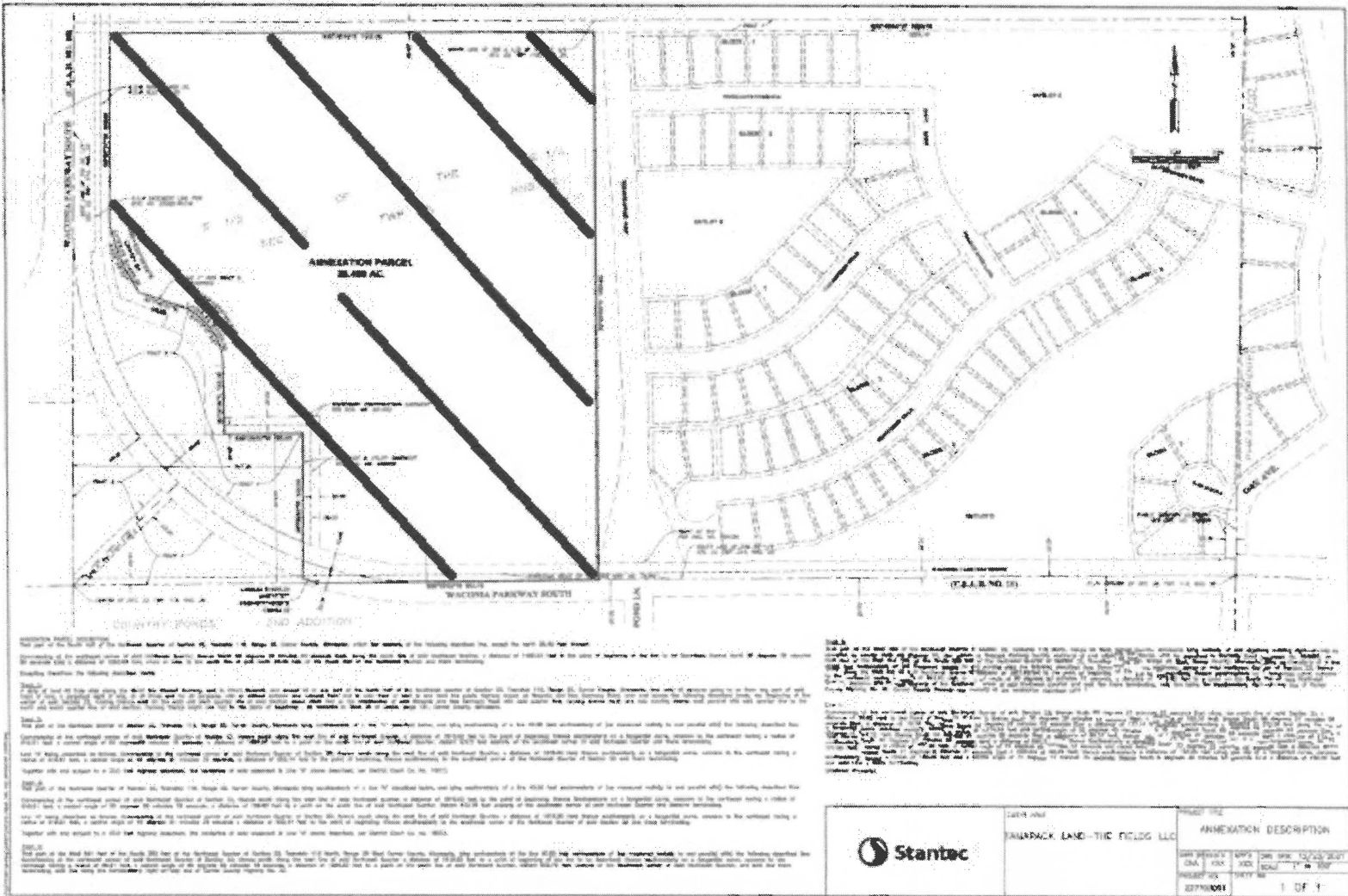
That part of the West Half of the Northeast Quarter of Section 22, Township 116 North, Range 25 West, Carver County, Minnesota lying easterly of and adjoining existing right-of-way as occupied by County State Aid Highway 10, also Known as Waconia Parkway South), northerly of and adjoining the Warren land as described in Warranty Deed Document No. 606693; as that part of the West 541 feet of the South 353 feet of the Northeast Quarter of Section 22, Township 116 North, Range 25 West, Carver County, Minnesota, lying northeasterly of a line 40.00 feet northeasterly of (as measured radially to and parallel with) the following described line: Commencing at the northwest corner of said Northeast Quarter of Section 22; thence South along the West line of said Northeast Quarter a distance of 1815.92 feet to the point of beginning of the line to be described; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 90 degrees 59 minutes 18 seconds, a distance of 1299.83 feet to a point on the South line of said Northeast Quarter, distance 832.75 feet easterly of the Southwest corner of said Northeast Quarter and said line there terminating, said line being the Northeasterly right-of-way line of Carver County Highway No. 32, Carver County Records and westerly of the hereinafter described Line 1:

Line 1:

Commencing at the northwest corner of said Northeast Quarter of said Section 22; thence North 88 degrees 57 minutes 26 seconds East along the north line of said Section 22 a distance of 50.02 feet to the Point of Beginning of Line 1; thence South 00 degrees 29 minutes 42 seconds West, a distance of 185.38 feet; thence South 86 degrees 07 minutes 08 seconds West, a distance of 10.76 feet; thence South 03 degrees 52 minutes 52 seconds East a distance of 177.14 feet; thence southeasterly a distance of 372.00 feet along the arc of a tangential curve, concave westerly, having a radius of 7,714.44 feet and central angle of 02 degrees 45 minutes 45 seconds; thence South 09 degrees 32 minutes 04 seconds East, a distance of 247.32 feet; thence South 00 degrees 27 minutes 56 seconds West an distance of 86.57 feet; thence South 10 degrees 27 minutes 56 seconds West a distance of 172.76 feet; thence South 00 degrees 27 minutes 56 seconds West a distance of 560.35 feet; thence Southeasterly a distance of 178.76 feet along the arc of a non-tangential curve, concave northeasterly, having a radius of 450.00 feet, a central angle of 22 degrees 45 minutes 37 seconds and chord bearing South 22 degrees 33 minutes 05 seconds East a distance of 177.59 feet; thence South 71 degrees 8 minutes 31 seconds East a distance of 98.29 feet; thence southeasterly a distance of 186.64 feet along the arc of a tangential curve, concave southwesterly, having a radius of 150.00 feet and a central angle of 71 degrees 17 minutes 34 seconds; thence South 0 degrees 30 minutes 58 seconds East a distance of 165.00 feet and said Line 1 there terminating.

(Abstract Property)

Also excepting that part of said South Half of the Northeast Quarter of Section 22 lying within the existing right-of-way as occupied by County State Aid Highway 10, also known as Waconia Parkway South and excepting that land previously annexed by the City of Waconia.



**EXHIBIT C**  
**Form of Receipt**

WACONIA TOWNSHIP

RECEIPT FOR REIMBURSEMENT TO TOWNSHIP

FOR ANNEXATION OF TAXABLE PROPERTY

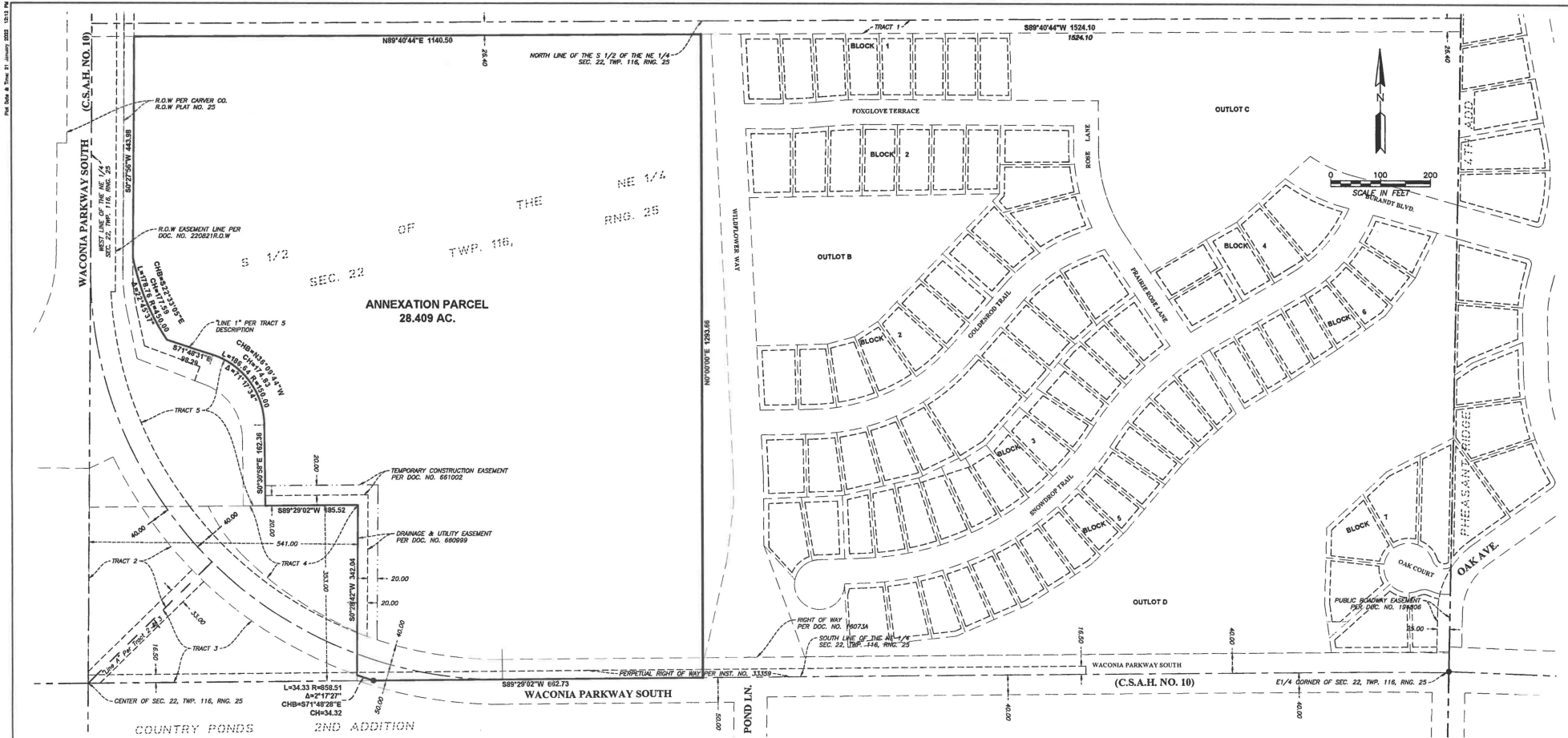
Jan. 24<sup>th</sup>, 2022

Pursuant to Minnesota Statutes Section 414.036, the Town of Waconia hereby acknowledges the receipt of a single payment of \$ 14,204.50 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

Mark Wickenhauser  
Mark Wickenhauser, Chairman





ANNEXATION PARCEL DESCRIPTION

That part of the South Half of the Northeast Quarter of Section 22, Township 116, Range 25, Corner County, Minnesota, which lies westerly of the following described line, except the north 28.40 feet thereof:

Commencing at the southeast corner of said Northeast Quarter; thence South 89 degrees 29 minutes 03 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 1293.06 feet, more or less, to the south line of said north 28.40 feet of the South Half of the Northeast Quarter and there terminating.

Excepting therefrom the following described tracts:

Tract 1:

A strip of land 40.00 feet wide along the North line thereof formerly sold to Albert Burdett, and except all or any part of the North Half of the Southwest quarter of Section 22, Township 116, Range 25, Corner County, Minnesota, and unto all persons going to or from any part of said tract of land, a perpetual right of way, at all times and for all purposes, with or without vehicles and animals from and to said tract of land to and from the public highway known as Wagona and New Germany Road, over and across the following described lands, viz: Beginning at the center of said Section 22, running thence east on the east and west quarter line of said Section about 2005 feet to the intersection of said Wagona and New Germany Road with said quarter line; running thence north one rod; running thence west parallel with said quarter line to the north and south quarter line of said section, running thence south one rod to the place of beginning, as recorded in Book 28 of Deeds, page 131, Corner County, Minnesota.

Tract 2:

That part of the Northeast Quarter of Section 22, Township 116, Range 25, Corner County, Minnesota lying northerly of a line "A" described below, and lying southeasterly of a line 40.00 feet southeasterly of (as measured radially to and parallel with) the following described line:

Commencing at the northwest corner of said Northeast Quarter of Section 22, thence south along the west line of said Northeast Quarter, a distance of 1815.92 feet to the point of beginning; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 90 degrees 59 minutes 18 seconds, a distance of 1299.83 feet to a point on the south line of said Northeast Quarter, distant 832.75 feet easterly of the southwest corner of said Northeast Quarter and there terminating.

Line "A" being described as follows: Commencing at the northwest corner of said Northeast Quarter of Section 22; thence south along the west line of said Northeast Quarter, a distance of 1815.92 feet; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 45 degrees 51 minutes 36 seconds, a distance of 855.14 feet to the point of beginning; thence southeasterly to the southwest corner of the Northeast Quarter of Section 22 and there terminating.

Together with and subject to a 33.0 foot highway easement, the centerline of said easement is Line "A" above described, per District Court Co. No. 16073.

Tract 3:

That part of the Northeast Quarter of Section 22, Township 116, Range 25, Corner County, Minnesota lying southeasterly of a line "A" described below, and lying southeasterly of a line 40.00 feet southeasterly of (as measured radially to and parallel with) the following described line:

Commencing at the southeast corner of said Northeast Quarter of Section 22, thence south along the west line of said Northeast Quarter, a distance of 1815.92 feet to the point of beginning; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 90 degrees 59 minutes 18 seconds, a distance of 1299.83 feet to a point on the south line of said Northeast Quarter, distant 832.75 feet easterly of the southwest corner of said Northeast Quarter and there terminating.

Line "A" being described as follows: Commencing at the northwest corner of said Northeast Quarter of Section 22; thence south along the west line of said Northeast Quarter, a distance of 1815.92 feet; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 45 degrees 51 minutes 36 seconds, a distance of 855.14 feet to the point of beginning; thence southeasterly to the southwest corner of the Northeast Quarter of said Section 22 and there terminating.

Together with and subject to a 33.0 foot highway easement, the centerline of said easement is Line "A" above described, per District Court Co. No. 16073.

Tract 4:

That part of the West 541 feet of the South 353 feet of the Northeast Quarter of Section 22, Township 116, Range 25, West Corner County, Minnesota, lying northerly of (as measured radially to and parallel with) the following described line: Commencing at the northwest corner of said Northeast Quarter of Section 22; thence south along the west line of said Northeast Quarter a distance of 1815.92 feet to a point of beginning of the line to be described; thence southeasterly on a tangential curve, concave to the northeast having a radius of 86.51 feet, a central angle of 90 degrees 59 minutes 18 seconds, a distance of 1299.83 feet to a point on the south line of said Northeast Quarter, distant 832.75 feet easterly of the Southwest corner of said Northeast Quarter, and said line there terminating, said line being the Northerly right-of-way line of Corner County Highway No. 32.

Tract 5:

That part of the West Half of the Northeast Quarter of Section 22, Township 116 North, Range 25 West, Corner County, Minnesota lying easterly of and adjoining existing right-of-way on occupied by county State Aid Highway 10, also known as Wagona Parkway South, northerly of and adjoining the Warren land as described in Warranty Deed Document No. 009683 as that part of the West 541 feet of the South 353 feet of the Northeast Quarter of Section 22, Township 116 North, Range 25 West, Corner County, Minnesota, lying northerly of a line 40.00 feet northerly of (as measured radially to and parallel with) the following described line: Commencing at the northwest corner of said Northeast Quarter of Section 22; thence South along the West line of said Northeast Quarter a distance of 1815.92 feet to the point of beginning of the line to be described; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 90 degrees 59 minutes 18 seconds, a distance of 1299.83 feet to a point on the South line of said Northeast Quarter, distant 832.75 feet easterly of the Southwest corner of said Northeast Quarter and said line there terminating, said line being the Northerly right-of-way line of Corner County Highway No. 32, Corner County Records and westerly of the hereinafter described Line 1:

Line 1:

Commencing at the northeast corner of said Northeast Quarter of said Section 22; thence North 88 degrees 57 minutes 28 seconds East along the north line of said Section 22 a distance of 50.02 feet to the Point of Beginning of Line 1; thence South 00 degrees 29 minutes 42 seconds West, a distance of 183.39 feet; thence South 88 degrees 07 minutes 08 seconds West, a distance of 10.76 feet; thence South 03 degrees 52 minutes 52 seconds East a distance of 177.14 feet; thence southeasterly a distance of 372.00 feet along the arc of a tangential curve, concave westerly, having a radius of 7,714.44 feet and central angle of 02 degrees 45 minutes 45 seconds; thence South 09 degrees 35 minutes 04 seconds East, a distance of 247.32 feet; thence South 00 degrees 27 minutes 56 seconds West a distance of 88.57 feet; thence South 10 degrees 27 minutes 56 seconds West a distance of 172.76 feet; thence South 00 degrees 27 minutes 56 seconds West a distance of 286.35 feet; thence Southeasterly a distance of 176.78 feet along the arc of a non-tangential curve, concave northerly, having a radius of 480.00 feet, a central angle of 22 degrees 45 minutes 37 seconds and chord bearing South 22 degrees 33 minutes 05 seconds East a distance of 177.59 feet; thence South 71 degrees 8 minutes 31 seconds East a distance of 18.29 feet; thence southeasterly a distance of 186.64 feet along the arc of a tangential curve, concave southeasterly, having a radius of 150.00 feet and a central angle of 71 degrees 17 minutes 34 seconds; thence South 0 degrees 30 minutes 58 seconds East a distance of 165.00 feet and said Line 1 there terminating.

(Abstract Property)

CLIENT NAME				PROJECT TITLE			
TAMARACK LAND—THE FIELDS LLC				ANNEXATION DESCRIPTION			
DWN BY	CHK'D	APP'D	DWG DATE	DWN BY	CHK'D	APP'D	DWG DATE
CNA	XXX	XXX	12/20/2021	CNA	XXX	XXX	12/20/2021
PROJECT NO.				SHEET NO.			
227702091				1 OF 1			



## Map of Land to be Annexed to the City of Waconia

(Burandt Property – Phase 2)

