

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. 2022-114

Township of Waconia Resolution Date: 4/11/2022

**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 15.204 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

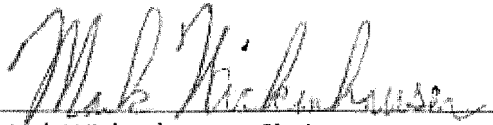
WHEREAS, it is deemed appropriate and in the best interests of both the City and the Township that said area be designated as in need of orderly annexation and be immediately annexed to the City, and

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 alterations 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 \$ \$ 7602.00 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. 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 11th day of Apr., 2022.


Mark Wickenhauser, Chairman

ATTEST: Sue Goede - Clerk
Sue Goede, Clerk

Passed and adopted by the City Council of the City of Waconia this 18th day of April, 2022.


Kent Bloudek, Mayor


ATTEST: 
Shane Fineran, City Administrator

EXHIBIT A

Property Description

That part of the following described property:

That part of the Southwest Quarter of the Southwest Quarter of Section 25, Township 116 North, Range 25 West of the 5th Principal Meridian, which lies Westerly of the following described line:

Commencing at the southwest corner of said Southwest Quarter of the Southwest Quarter; thence East along the South line of said Southwest Quarter of the Southwest Quarter a distance of 700 feet to the point of beginning of the line being described; thence deflecting left 90 degrees a distance of 230 feet; thence Northeasterly to a point on North line of said Southwest Quarter of the Southwest Quarter distant 150 feet Westerly, as measured along said North line, from the Northeast corner of said Southwest Quarter of the Southwest Quarter, and said line there ending.

And lying northerly of the following described line:

Commencing at the southwest corner of said Southwest Quarter of the Southwest Quarter; thence South 89 degrees 33 minutes 49 seconds East, assumed bearing along the south line of said Southwest Quarter of the Southwest Quarter a distance of 700.00 feet; thence North 00 degrees 26 minutes 11 seconds East, a distance of 230.00 feet; thence North 23 degrees 43 minutes 01 seconds East, a distance of 616.05 feet to the point of beginning of the line to be described; thence South 65 degrees 37 minutes 45 seconds West, a distance of 395.52 feet; thence South 89 degrees 33 minutes 40 seconds West, a distance of 341.04 feet; thence North 54 degrees 28 minutes 40 seconds West, a distance of 312.54 feet to the west line of said Southwest Quarter of the Southwest Quarter and said line there terminating.

PROPOSED ANNEXATION AREA: 662,285 sf or 15.204 acres.

EXISTING PROPERTY DESCRIPTION

Commencing at the southwest corner of said Southwest Quarter of the Southwest Quarter; thence East along the South line of said Southwest Quarter of the Southwest Quarter a distance of 700 feet to the point of beginning of the line being described; thence deflecting left 90 degrees a distance of 230 feet; thence Northeasterly to a point on North line of said Southwest Quarter of the Southwest Quarter distant 150 feet Westerly, as measured along said North line, from the Northeast corner of said Southwest Quarter of the Southwest Quarter, and said line there ending.

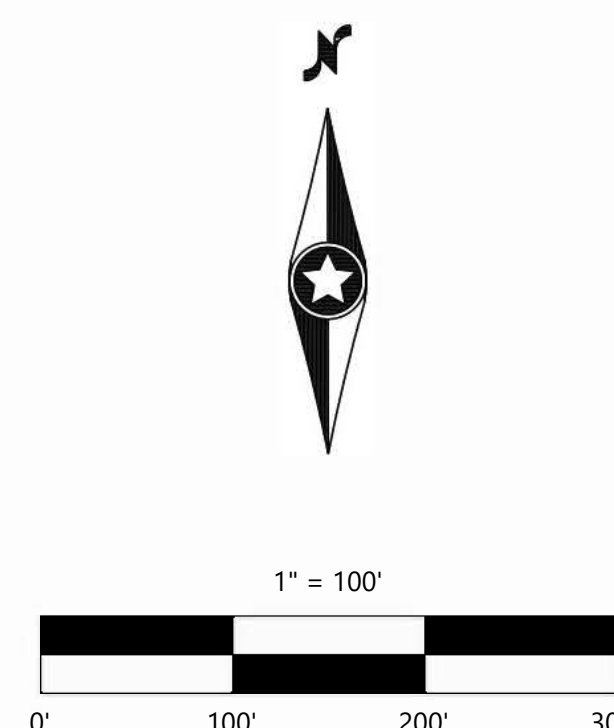
AREA: 1,185,073 sq. ft. or 27.206 acres

PROPOSED ANNEXATION PROPERTY DESCRIPTION:

Commencing at the southwest corner of said Southwest Quarter of the Southwest Quarter; thence East along the South line of said Southwest Quarter of the Southwest Quarter a distance of 700 feet to the point of beginning of the line being described; thence deflecting left 90 degrees a distance of 230 feet; thence Northeasterly to a point on North line of said Southwest Quarter of the Southwest Quarter distant 150 feet Westerly, as measured along said North line, from the Northeast corner of said Southwest Quarter of the Southwest Quarter, and said line there ending.

Commencing at the southwest corner of said Southwest Quarter of the Southwest Quarter; thence South 89 degrees 33 minutes 49 seconds East, assumed bearing along the south line of said Southwest Quarter of the Southwest Quarter a distance of 700.00 feet; thence North 00 degrees 26 minutes 11 seconds East, a distance of 230.00 feet; thence North 23 degrees 43 minutes 01 seconds West, a distance of 616.05 feet to the point of beginning of the line to be described; thence South 65 degrees 37 minutes 45 seconds West, a distance of 395.52 feet; thence South 89 degrees 33 minutes 40 seconds West, a distance of 341.04 feet; thence North 54 degrees 28 minutes 40 seconds West, a distance of 312.54 feet to the west line of said Southwest Quarter of the Southwest Quarter and said line there terminating.

PROPOSED ANNEXATION AREA: 662,285 sf or 15.204 acres



NOT FOR CONSTRUCTION



EXHIBIT C

Form of Receipt

WACONIA TOWNSHIP

RECEIPT FOR REIMBURSEMENT TO TOWNSHIP

FOR ANNEXATION OF TAXABLE PROPERTY

Apr 11th, 2022

Pursuant to Minnesota Statutes Section 414.036, the Township of Waconia (the "Township") hereby acknowledges the receipt of a single payment of \$ 7602.00 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 the 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