

CITY OF MINNESOTA CITY RESOLUTION NUMBER 2022-1TOWNSHIP OF ROLLINGSTONE RESOLUTION NUMBER 2022-01STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARING

IN THE MATTER OF THE JOINT RESOLUTION
OF THE CITY OF MINNESOTA CITY AND THE
TOWNSHIP OF ROLLINGSTONE DESIGNATING
CERTAIN AREAS AS IN NEED OF ORDERLY
ANNEXATION PURSUANT TO MINNESOTA
STATUTES, SECTION 414.0325

**JOINT RESOLUTION
FOR ORDERLY
ANNEXATION**

WHEREAS, an individual property owner with property located within the Township of Rollingstone ("Township") and legally described in Exhibit A, which is attached hereto and incorporated herein by reference, petitioned the City of Minnesota City ("City") seeking annexation of that property to the City; and

WHEREAS, for ease of reference, the area of the Township proposed for annexation in accordance with this Joint Resolution and legally described in Exhibit A (hereinafter referred to as the "Subject Area") is shown on the map, **labeled as Parcel 5** on Exhibit B, which is also attached hereto and incorporated herein by reference; and

WHEREAS, the Township and City have agreed to work cooperatively to accomplish the orderly annexation of the Subject Area legally described in Exhibit A; and

WHEREAS, the City and Township agree that orderly annexation of the Subject Area is in the best interest of the property owners and would benefit the public health, safety, and welfare of the community; and

WHEREAS, the City and Township agree that the Subject Area legally described in Exhibit A is in need of immediate orderly annexation; and

WHEREAS, the City and Township desire to accomplish the immediate orderly annexation of the Subject Area without the need for any further hearing before the Office of Administrative Hearings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Minnesota City and the Board of Supervisors of the Township of Rollingstone as follows:

1. Designation of Subject Area. The Township and City hereby designate the Subject Area legally described in Exhibit A for immediate orderly annexation pursuant to Minnesota Statutes, Section 414.0325.
2. Acreage of Subject Area. The Subject Area is approximately 3.43 acres.

3. Map of Subject Area. A boundary map showing the Subject Area legally described in Exhibit A is attached hereto as Exhibit B and is hereby incorporated herein by reference.
4. Population of Subject Area. The population of the Subject Area is 0.
5. No Hearing Required/Review and Comment Jurisdiction Only. Pursuant to Minnesota Statutes, Section 414.0325, the Township and City agree that no alteration of the boundaries stated herein is appropriate, that all conditions for annexation of the Subject Area legally described in Exhibit A are contained in this Joint Resolution, and that no consideration by the State of Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments Unit is necessary. Upon the execution and filing of this Joint Resolution, the State of Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments Unit may review and comment hereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the Subject Area legally described in Exhibit A in accordance with the terms and conditions contained in this Joint Resolution.
6. Tax Reimbursement. Pursuant to Minnesota Statutes, Section 414.036, the City and Township agree that upon annexation of the area legally described in Exhibit A, the City shall reimburse the Township for the loss of taxes from the property so annexed in an amount equal to one hundred (100) percent of the property taxes distributed to the Township in regard to the annexed area in the last year that property taxes from the annexed area were payable to the Township for the period and in accordance with the following schedule: one time payment of \$ 400.00.
7. Notice of Intent Not Applicable. This Joint Resolution is not subject to the notice and publication requirements of Minn. Stat. § 414.0325, subd. 1b since this Joint Resolution designates the Subject Area for immediate annexation and all of the property owners of the Subject Area have petitioned the City to be annexed.
8. Termination. This Joint Resolution shall remain in full force and effect until completion of tax reimbursement to the Township in accordance with paragraph 6 of this Joint Resolution.
9. Governing Law. This Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.
10. Headings and Captions. Headings and captions are for convenience only and are not intended to alter any of the provisions of this Joint Resolution.
11. Entire Agreement. The terms, covenants, conditions and provisions of this Joint Resolution shall constitute the entire agreement between the parties hereto superseding all prior agreements and negotiations. This Joint Resolution shall be binding upon and inure to the benefit of the respective successors and assigns of the Township and City.

12. Legal Description and Mapping. The Township and City agree, in the event there are errors, omissions or any other problems with the legal description provided in Exhibit A or mapping provided in Exhibit B, in the judgment of the State of Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments Unit, to make such corrections and file any additional documentation, including a new Exhibit A or Exhibit B making the corrections requested or required by the State of Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments Unit as necessary to make effective the annexation of the Subject Area in accordance with the terms of this Joint Resolution.
13. Notice. Any notices required under the provisions of this Joint Resolution shall be in writing and sufficiently given if delivered in person or sent by U.S. mail, postage prepaid, as follows:
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|---|--|
| If to the City: | If to the Township: |
| City Clerk
Minnesota City, City Hall
149 Mill Street PO Box 102
Minnesota City, MN 55959 | Township Clerk
Rollingstone Township
PO Box 75
Minnesota City, MN 55959 |
14. Effective Date. This Joint Resolution shall be effective on the date that the last party hereto signs and dates said document.
15. Filing. The Township and City agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the State of Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments Unit and pay the required filing fee.

Passed, adopted, and approved by the Township Board of Supervisors of the Township of Rollingstone, Winona County, Minnesota, this 12 day of September, 2022.

ATTEST:

TOWNSHIP OF ROLLINGSTONE

By: Nikki Lux
NIKKI LUX, Township Clerk

By: Mark Clark
MARK CLARK, Chair

Passed, adopted, and approved by the City Council of the City of Minnesota City,
Winona County, Minnesota, this 2nd day of AUGUST, 2022.

ATTEST:

CITY OF MINNESOTA CITY

By: 
Tina Full, City Clerk

By: 
Don O'Neil, Mayor

EXHIBIT A
Legal Description (PARCEL 5)

The Subject Area to be annexed in the attached Joint Resolution is legally described as follows:

That part of the Southeast Quarter of the Southeast Quarter of Section 2, Township 107, Range 8, Winona County, Minnesota, described as follows:

Commencing at the east quarter corner of said Section 2; thence North 89 degrees 04 minutes 46 seconds West, oriented with the Winona County Coordinate System, NAD 1983 (HARN 1996 Adjustment), along the east-west quarter line of said Section 2, a distance of 1404.53 feet; thence South 00 degrees 10 minutes 22 seconds East, 1252.19 feet; thence South 66 degrees 15 minutes 43 seconds West, 24.16 feet; thence South 38 degrees 35 minutes 12 seconds West, 57.46 feet; thence South 48 degrees 44 minutes 18 seconds East, 95.16 feet; thence South 38 degrees 31 minutes 13 seconds East, 92.33 feet; thence South 27 degrees 02 minutes 20 seconds East, 187.93 feet; thence South 39 degrees 38 minutes 06 seconds East, 187.47 feet; thence South 14 degrees 35 minutes 21 seconds East, 43.76 feet to a point hereinafter referred to as Point D; thence North 87 degrees 32 minutes 51 seconds East, 142.27 feet to the westerly line of the property described in Document No. 488535, of record and on file in the office of the County Recorder in and for said Winona County, and the point of beginning of the land to be described; thence South 87 degrees 32 minutes 51 seconds West, 142.27 feet to said Point D; thence South 59 degrees 51 minutes 26 seconds West, 45.36 feet; thence South 80 degrees 57 minutes 26 seconds West, 132.52 feet to the east line of the property surveyed and platted as Minnesota City Map Showing Incorporated Limits and Streets, of record and on file in the office of the County Recorder in and for said Winona County; thence South 01 degrees 41 minutes 00 seconds West, along said east line, 176.82 feet; thence South 80 degrees 58 minutes 17 seconds West, 20.48 feet to the west line of said Southeast Quarter of the Southeast Quarter; thence South 00 degrees 10 minutes 21 seconds East, along said west line, 44 feet, more or less, to the center line of Garvin Brook; thence southeasterly along said center line to its intersection with said westerly line of the property described in Document No. 488535; thence North 10 degrees 23 minutes 19 seconds East, along said westerly line, 57 feet more or less, to a boundary corner on said westerly line; thence North 04 degrees 54 minutes 41 seconds West, along said westerly line, 221.00 feet; thence North 11 degrees 19 minutes 52 seconds West, along said westerly line, 207.45 feet to the point of beginning.

Subject to easements and restrictions of record.

PARCEL TO BE ANNEXED



MINNESOTA CITY
CITY LIMITS



0 300 600 900
1" = 300'

VICINITY MAP