

**CITY OF WATERTOWN
RESOLUTION NO. 2017-62**

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN
THE CITY OF WATERTOWN AND TOWNSHIP OF WATERTOWN
PURSUANT TO 2008 ORDERLY ANNEXATION AGREEMENT**

WHEREAS, the owner of the property identified by the PID No's. 100030400 and 100040700, Watertown Township, Minnesota, ("Petitioner") has requested the property be annexed to the City of Watertown for the purposes of connecting to the City of Watertown's public sewer and water; and

WHEREAS, the property is legally described on attached **Exhibit C** ("Property"); and

WHEREAS, the owner of the Property has filed a petition to annex the Property into the City of Watertown; and

WHEREAS, the City of Watertown and Township of Watertown adopted a joint resolution (Watertown 2008-03-04-1; Watertown Township 03-11-08) on March 4, 2008 ("Orderly Annexation Agreement" or "OAA") attached hereto and incorporated herein as **Exhibit A** with regard to the orderly annexation of the unincorporated property shown on the map attached thereto as **Exhibit A** and legally described on the attached **Exhibit B** ("Designated Area"); and

WHEREAS, paragraph 8(d) of the OAA provides that property within the Designated Area of the OAA may be annexed upon a petition for property to be annexed that is not part of a Platted or Unplatted Residential Subdivision and is signed by 100 percent of the owners of the property proposed to be annexed; and

WHEREAS, the Property is located within in the Designated Area of the OAA, is not part of a Platted or Unplatted Residential Subdivision and is signed by 100 percent of the owners of the property to be annexed; and

WHEREAS, on March 10, 2017 the Petitioner requested the Property be connected to public water and the City is able to and will serve the Property upon its annexation into the City without unreasonable expense on the part of the property owner; and

WHEREAS, paragraph 9 of the OAA sets forth the annexation procedures for annexing properties within the Designated Area into the City of Watertown; and

WHEREAS, pursuant to paragraphs 8(e) and 9(f) of the OAA the City may annex property within the designated area by approving an annexation petition by resolution at a public meeting along with the following: 1) notification to Watertown Township; 2) filing a resolution with the Office of Administrative Hearings, Municipal Boundary Adjustments within the Minnesota Department of Administration providing the legal description to be annexed, the

circumstances allowing the annexation under the OAA, and that no hearing is required; 3) receipt from Watertown Township of certification that the Property Tax Reimbursement has been paid to the Town per the OAA; and 4) the provision of the resolution to Watertown Township; and

WHEREAS, this resolution was considered by the City Council of Watertown at the April 25, 2017 City Council meeting, a public meeting; and

WHEREAS, on April 20, 2017, the City of Watertown received certification that the Property Tax Reimbursement has been paid to Watertown Township per the OAA.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Watertown makes the following:

1. That the land described on **Exhibit C** in Township of Watertown, County of Carver, Minnesota subject to OAA shall be immediately annexed to the City.
2. Pursuant to the OAA, no hearing by the Office of Administrative Hearings, Municipal Boundary Adjustments within the Minnesota Department of Administration is required to order the annexation.
3. Staff is directed to provide a copy of this Resolution to Petitioner and to Watertown Township.

Adopted by affirmative vote of the City Council of Watertown, this 25 day of April, 2017.

CITY OF WATERTOWN

By: 

Steve Washburn, Mayor

ATTEST:

By: 

Lynn Tschudi, Clerk/Treasurer

Approved this 25 day of April, 2017.

CONSENT/ACCEPTANCE BY PROPERTY OWNER:

Jennifer and Kenneth Tufte (the "Tuftes"), owners of the Property subject to this Agreement, PID Nos. 10.04007000 and 10.0030400, have reviewed this Agreement and accept the purpose and benefits stated herein.

By: Ken Tufte
Name: [Signature]
Date: 4/28/17

By: Jon Tufte
Name: [Signature]
Date: 4-26-17

EXHIBIT C

That part of the West Half of the Northwest Quarter of Section 3, Township, 117, Range 25, and that part of the Northeast Quarter of Section 4, Township 117, Range 25, described as follows:

Beginning at the northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 3; thence southerly along the east line of said Northwest Quarter of the Northwest Quarter to its intersection with the traveled center line of Watertown Township Road No. T-101 (now known as Mill Avenue); thence southwesterly and westerly along said center line to a point 247.55 feet westerly, as measured along the south line of the Northeast Quarter of said Section 4, of the intersection of said center line and the east line of the Southwest Quarter of the Northeast Quarter of said Section 4, said south line having an assumed bearing of East; thence, on a bearing of North, 179.40 feet; thence South 89 degrees 02 minutes 12 seconds West, 273.00 feet to the west line of the east 520.55 feet of the Southwest Quarter of the Northeast Quarter of said Section 4; thence northerly, along said west line to its intersection with the center line of the main channel of the Crow River; thence generally, northeasterly, along said center line to its intersection with the north line of the Northwest Quarter of said Section 3; thence easterly, along said north line, to the point of beginning.

Revised: 6/21/2017

Legal Description:

Commencing at the Northeast corner of the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section 3, Township 117 North, Range 25 West; thence South along the East line of said Northwest Quarter (1/4) of the Northwest Quarter (1/4) to a point at its intersection with the center line of Watertown Township Road Number T-101; thence Southwesterly along the center line of said Township Road to a point 247.55 feet West (as measured) along the South line of the Northeast Quarter (1/4), of the intersection of the center line of said Township Road and the East line of the Southwest Quarter (1/4) of the Northeast Quarter (1/4) of Section 4, Township 117, Range 25; thence North 00 degrees 08 minutes 57 seconds East a distance of 179.40 feet; thence South 89 degrees 11 minutes 09 seconds West a distance of 273.00 feet; thence North 00 degrees 89 minutes 57 seconds East to the middle of the main channel of the Crow River; thence generally Northeasterly along the middle of the main channel of the Crow River, on its most Westerly course past the mouth of Mapes Creek, and continuing generally Northeasterly on the middle of the main channel of the Crow River to a point where the middle of the Crow River intersects with the North line of the Northwest Quarter (1/4) of Section 3, Township 117 North, Range 25 West; thence Easterly along said North line of the Northwest Quarter (1/4) of Section 3, Township 117 North, Range 25 West, to the point of beginning, according to the United States Government Survey thereof and situate in Carver County, Minnesota.

Proposed Trail Easement Description:

An easement for trail purposes over and across the southerly and southeasterly 15.00 feet of that part of the property described as follows;

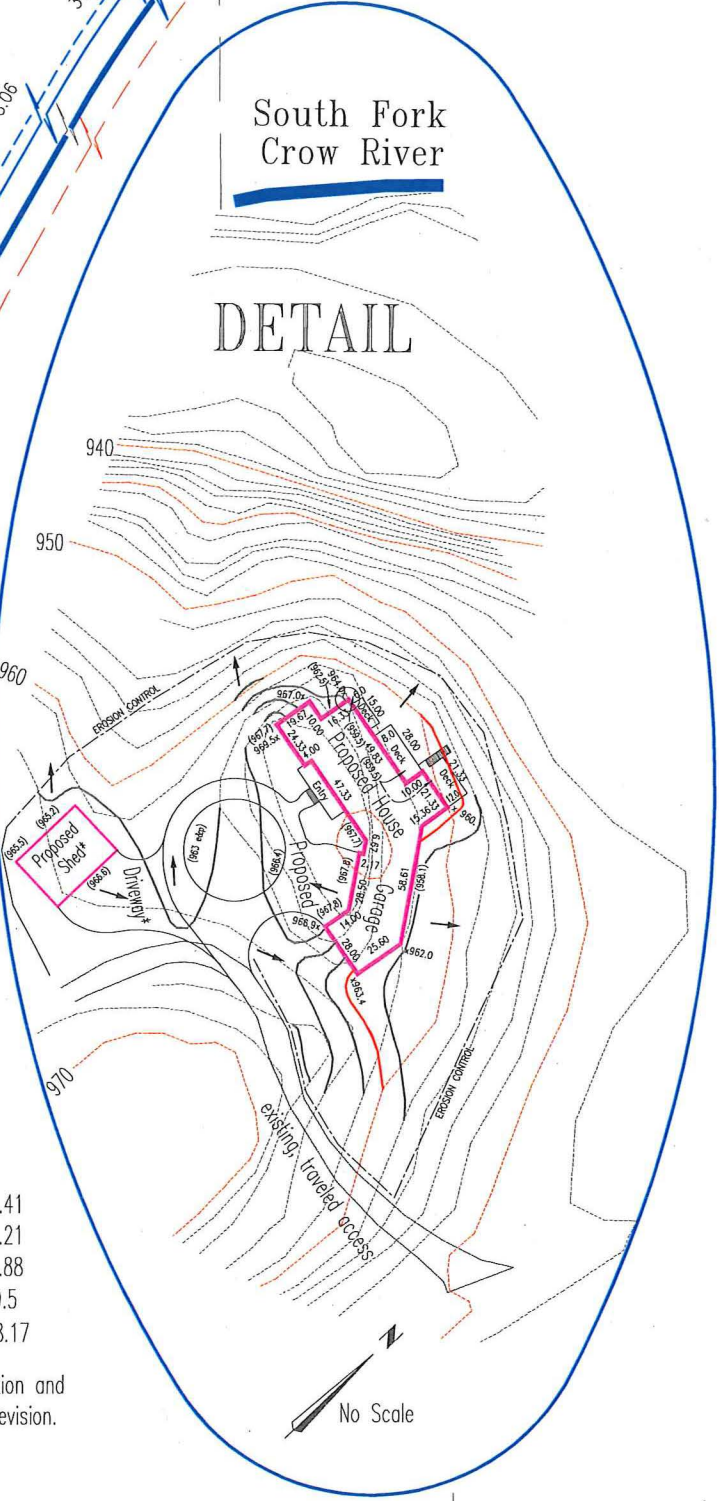
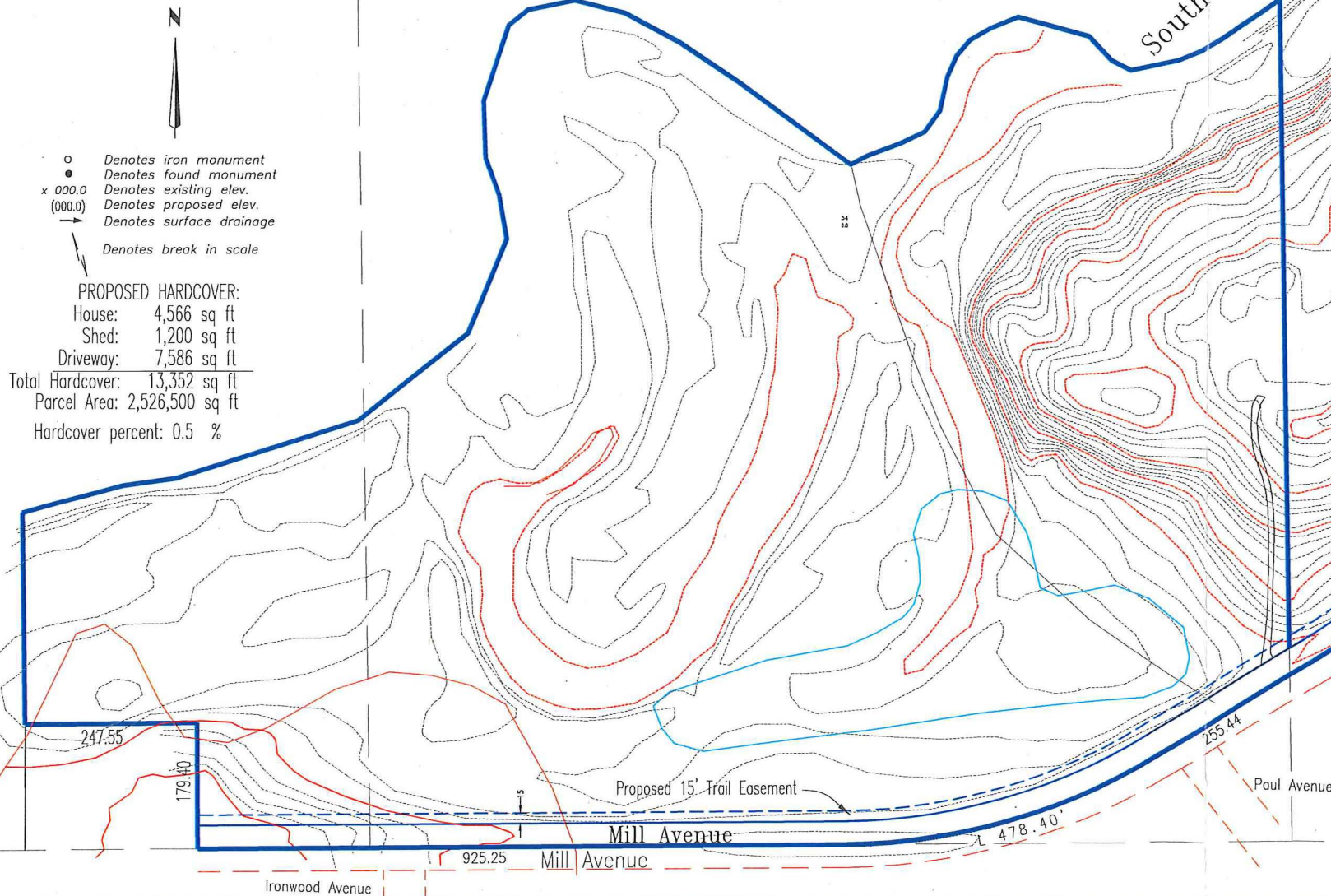
Commencing at the Northeast corner of the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section 3, Township 117 North, Range 25 West; thence South along the East line of said Northwest Quarter (1/4) of the Northwest Quarter (1/4) to a point at its intersection with the center line of Watertown Township Road Number T-101; thence Southwesterly along the center line of said Township Road to a point 247.55 feet West (as measured) along the South line of the Northeast Quarter (1/4), of the intersection of the center line of said Township Road and the East line of the Southwest Quarter (1/4) of the Northeast Quarter (1/4) of Section 4, Township 117, Range 25; thence North 00 degrees 08 minutes 57 seconds East a distance of 179.40 feet; thence South 89 degrees 11 minutes 09 seconds West a distance of 273.00 feet; thence North 00 degrees 89 minutes 57 seconds East to the middle of the main channel of the Crow River; thence generally Northeasterly along the middle of the main channel of the Crow River, on its most Westerly course past the mouth of Mapes Creek, and continuing generally Northeasterly on the middle of the main channel of the Crow River to a point where the middle of the Crow River intersects with the North line of the Northwest Quarter (1/4) of Section 3, Township 117 North, Range 25 West; thence Easterly along said North line of the Northwest Quarter (1/4) of Section 3, Township 117 North, Range 25 West, to the point of beginning, according to the United States Government Survey thereof and situate in Carver County, Minnesota.

Which lies easterly of the east line of the westerly 247.55 feet of the Southwest Quarter of the Northeast Quarter of said Section 4.

CERTIFICATE OF SURVEY

Prepared for:

KEN & JENNIFER TUFTE



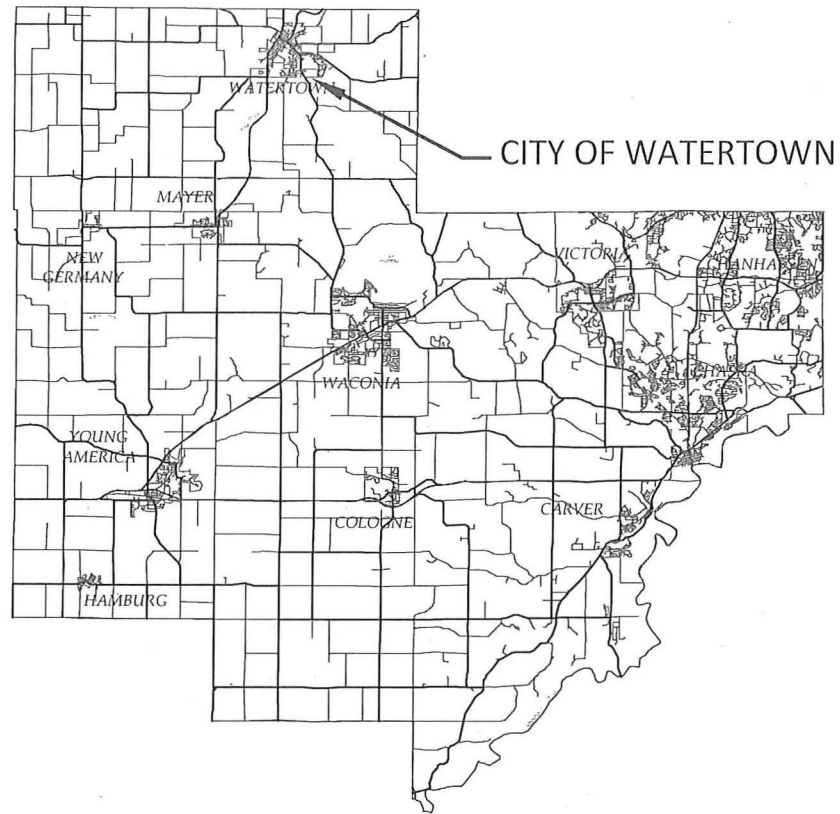
Proposed first floor elev.= 970.41
Proposed top of foundation elev.= 968.21
Proposed garage floor elev.= 967.88
Proposed basement walk-out elev.= 959.5
Proposed lowest floor elev.= 958.17

*Proposed shed, driveway size, configuration and location is preliminary and subject to revision.

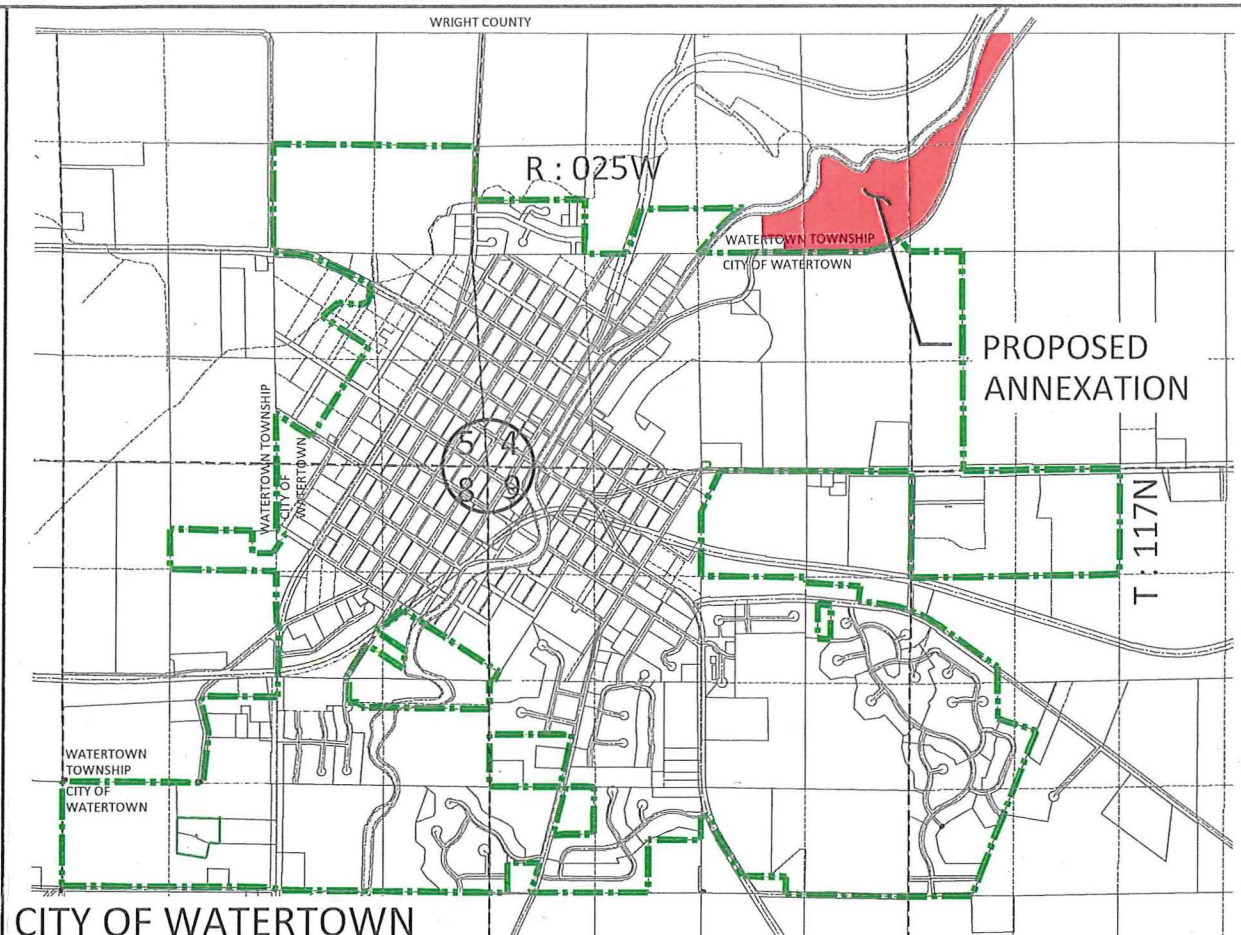
DEMARS-GABRIEL
LAND SURVEYORS, INC.
6875 WASHINGTON AVE. SO.
SUITE 209
Edina, MN 55439
Phone: (763) 559-0908
Fax: (952) 767-0490

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the Laws of the State of Minnesota.
As surveyed by me this 13th day of May, 2017.
David E. Crook
Minn. Reg. No. 22414

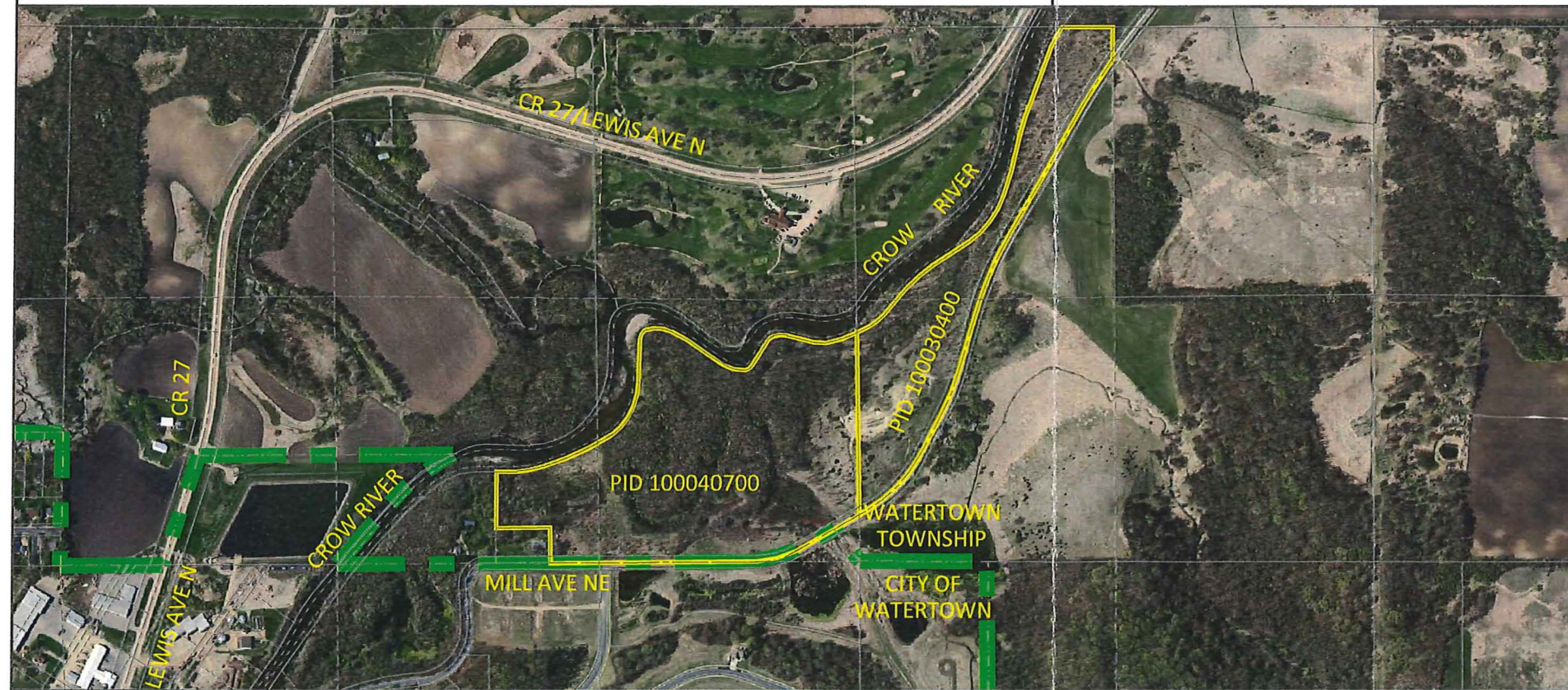
File No.	14476 D
Book-Page	
Scale	1"=100'



CARVER COUNTY



CITY OF WATERTOWN



PID 100040700
PID 100030400

WATERTOWN TOWNSHIP

CITY OF WATERTOWN
PROPOSED ANNEXATION



2638 SHADOW LANE, SUITE 200
CHASKA, MINNESOTA 55318
Phone: (952) 448-8838
Email: Chaska@bolton-menk.com
www.bolton-menk.com