

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF WINONA

THE CITY OF WINONA DOES ORDAIN:

SECTION 1. That the real property described in Exhibit A, which is attached hereto and incorporated herein by reference, be rezoned from R-2 (Medium Density Residence District) and B-2 (Community Business District) to B-3 (General Business District).

SECTION 2. That the zoning map be amended accordingly.

SECTION 3. That this ordinance shall take effect upon its publication.

Passed by the City Council of the City of Winona, Minnesota, this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## **EXHIBIT A**

### **Legal Description**

#### **Parcel No. 32.320.7150**

That part of the Northeast Quarter of the Southeast Quarter of Section Thirty-five (35), Township One Hundred Seven (107) North, of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:

Commencing at the southwest corner of said Northeast Quarter of the Southeast Quarter; thence on an assumed bearing of North 1 degree 45 minutes 16 seconds West along the west line of said Northeast Quarter of the Southeast Quarter, 99.58 feet; thence North 32 degrees 53 minutes 40 seconds East, 137.24 feet to a one-half inch iron pipe monument; thence continuing North 32 degrees 53 minutes 40 seconds East along a line hereinafter known as "Line A" and "along a fence line" described as running along the southeasterly line of the property described third in record Deed Document No. 211821, a distance of 163.82 feet to a one-half inch iron pipe monument for the point of beginning of the land to be described; thence South 54 degrees 31 minutes 17 seconds East, along a fence line marking the southwesterly line of the property described first in said record Deed Document No. 211821, a distance of 119.00 feet to a two-inch iron pipe monument at "a fence corner" describing the most southerly corner of said property described first in said record Deed Document No. 211821; thence North 47 degrees 40 minutes 43 seconds East and "along a fence line" described as running along the southeasterly line of said property described first in said record Deed Document No. 211821, a distance of 120.83 feet to a two-inch iron pipe monument at "a fence corner" describing the most easterly corner of said property described first in said record Deed Document No. 211821 and on the westerly right-of-way line of County Highway No. 105 and East Burns Valley Road; thence southeasterly along the westerly right-of-way line of said roads, 188.50 feet to a one-half iron pipe monument; thence South 78 degrees 46 minutes 48 seconds West, 288.68 feet to a one-half inch iron pipe monument; thence continuing South 78 degrees 46 minutes 48 seconds West, 50 feet, more or less, to the center of East Burns Valley Creek; thence northwesterly along the center of said creek, 65 feet, more or less, to the intersection with the southwesterly extension of said "Line A"; thence North 32 degrees 53 minutes 40 seconds East along said intersected line and said "Line A", 199 feet, more or less, to the point beginning.

Except that portion of the above described property described below:

That part of Lot 15, record plat of the Subdivision of the South Half of Section 35, and the South Half of the Northeast Quarter of Section 35, Township 107, Range 7 West, Winona County, Minnesota, described as follows;

Commencing at the southwest corner of the Northeast Quarter of the Southeast Quarter

of Section 35, Township 107, Range 7, said Winona County; thence on an assumed bearing of North 1 degree 45 minutes 16 seconds West, along the west line of said Northeast Quarter of the Southeast Quarter, 95.46 feet to a point herein after referred to as "POINT A"; thence North 73 degrees 46 minutes 26 seconds East, 80.54 feet, more or less, to the center of Burns Valley Creek and the point of beginning of the land to be described; thence continue North 73 degrees 46 minutes 26 seconds East, 45.16 feet, more or less to a one-half inch iron pipe monument distant 125.70 feet northeasterly from said "POINT A"; thence continue North 73 degrees 46 minutes 26 seconds East, 135.45 feet to a one-half inch iron pipe monument; thence North 82 degrees 57 minutes 36 seconds East, 154.16 feet to the westerly line of East Burns Valley Road; thence South 11 degrees 14 minutes 07 seconds East, along said westerly line of East Burns Valley Road, 171.75 feet; thence South 24 degrees 19 minutes 49 seconds East, along said westerly line of East Burns Valley Road, 39.21 feet, more or less, to said center of Burns Valley Creek; thence westerly and northwesterly along said center of Burns Valley Creek to the point of beginning.

**Parcel No. 32.320.7180**

That part of Lot 15, record plat of the Subdivision of the South Half of Section 35, and the South Half of the Northeast Quarter of Section 35, Township 107, Range 7 West, Winona County, Minnesota, described as follows:

Commencing at the southwest corner of the Northeast Quarter of the Southeast Quarter of Section 35, Township 107, Range 7, said Winona County; thence on an assumed bearing of North 1 degree 45 minutes 16 seconds West, along the west line of said Northeast Quarter of the Southeast Quarter, 95.46 feet to a point herein after referred to as "POINT A", thence North 73 degrees 46 minutes 26-seconds East, 80.54 feet, more or less, to the center of Burns Valley Creek and the point of beginning of the land to be described; thence continue North 73 degrees 46 minutes 26 seconds East, 45.16 feet, more or less to a one-half inch iron pipe monument distant 125.70 feet northeasterly from said "POINT A"; thence continue North 73 degrees 46 minutes 26 seconds East, 135.45 feet to a one-half inch iron pipe monument; thence North 82 degrees 57 minutes 36 seconds East, 154.16 feet to the westerly line of East Burns Valley Road; thence South 11 degrees 14 minutes 07 seconds East, along said westerly line of East Burns Valley Road, 171.75 feet; thence South 24 degrees 19 minutes 49 seconds East, along said westerly line or East Burns Valley Road, 39.21 feet, more or less, to said center of Burns Valley Creek; thence westerly and northwesterly along said center of Burns Valley Creek to the point of beginning.

**Parcel No. 32.320.7190**

That part of Tract A described below:

Tract A. Those parts of Lot Fifteen (15) and Lot Seventeen (17), Plat of

Subdivision of the South Half (S½) of Section Thirty-five (35), and the South Half of the Northeast Quarter (S½ of NE¼) of Section Thirty-five (35), Township One Hundred Seven (107) North, of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:

Commencing at the Southeast corner of said Section 35; thence North along the East line of said Section 35 a distance of 732.6 feet; thence West a distance of 792 feet; thence North 67° 30' 00" West a distance of 246.84 feet; thence North 27° 20' 00" East a distance of 457.55 feet; thence North 13° 50' 00" West a distance of 441.44 feet; thence North 28° 35' 00" West a distance of 194.98 feet, more or less, to the Southerly right of way of Trunk Highway No. 43; thence South 80° 20' 00" West along said Southerly right of way of said Trunk Highway No. 43 a distance of 43.25 feet to the point of beginning for the land herein described; thence South 22° 15' 00" West a distance of 138.13 feet; thence South 29° 06' 00" West a distance of 54.17 feet; thence North 53° 59' 00" West a distance of 8 feet; thence North 48° 47' 30" West a distance of 34.42 feet; thence North 7° 40' 00" East a distance of 131.6 feet, more or less, to said Southerly right of way of said Trunk Highway 43; thence North 80° 20' 00" East along said Southerly right of way of said Trunk Highway No. 43 a distance of 93 feet to the point of beginning, and there terminating.

Also, Those parts of Lot Fifteen (15), Lot Seventeen (17) and Lot Thirty (30), Plat of Subdivision of the South Half (S½) of Section Thirty-five (35), and of the South Half of the Northeast Quarter (S½ of NE¼) of Section Thirty-five (35), Township One Hundred Seven (107) North, of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:

Commencing at the Southeast corner of said Section 35; thence North along the East line of said Section 35 a distance of 732.6 feet; thence West a distance of 792 feet; thence North 67° 30' 00" West a distance of 246.84 feet; thence North 27° 20' 00" East a distance of 457.55 feet; thence North 13° 50' 00" West a distance of 441.44 feet; thence North 28° 35' 00" West a distance of 194.98 feet, more or less, to the Southerly right of way of Trunk Highway No. 43; thence South 80° 20' 00" West along said Southerly right of way of said Trunk Highway No. 43 a distance of 136.25 feet to the point of beginning for the land herein described; thence continuing South 80° 20' 00" West along said Southerly right of way of said Trunk Highway No. 43 a distance of 266 feet to a fence corner; thence South 2° 20' 00" West along fence line a distance of 32.5 feet to a fence corner; thence continuing South 2° 20' 00" West a distance of 37.5 feet to the center of Burns Valley Creek; thence continuing along the approximate center of said Burns Valley Creek on the following bearings and distances:

- (a) South 57° 19' 00" East a distance of 62 feet;
- (b) South 39° 36' 00" East a distance of 53 feet;
- (c) South 32° 08' 00" East a distance of 51 feet;

- (d) South 25° 43' 00" East a distance of 35 feet; and
- (e) South 20° 49' 00" East a distance of 59.7 feet;

Thence North 36° 41' 00" East a distance of 43.4 feet to a fence corner; thence continuing North 36° 41' 00" East along a fence line a distance of 164.0 feet; thence North 48° 47' 30" West a distance of 34.42 feet; thence North 7° 40' 00" East along a fence line a distance of 131.6 feet, more or less, to said Southerly right of way line of said Trunk Highway No. 43, to the point of beginning, and there terminating;

which lies Southerly of Line 1 described below:

Line 1. Beginning at a point on the North and South Quarter line of said Section 35, distance 1532.62 feet North of the South Quarter corner thereof, which point is shown as right of way boundary corner B411 on Minnesota Department of Transportation Right of Way Plat No. 85-15 on file and of record in the office of the County Recorder in and for said Winona County; thence Easterly on an azimuth of 81° 35' 42" (azimuth oriented to Minnesota State Plane Coordinate System, South Zone) 619.55 feet to Right of Way Boundary Corner B34 as shown on said Plat No. 85-15; thence on an azimuth of 78° 57' 02" along the Southerly boundary of said Plat No. 85-15 for 642.12 feet to the Right of Way Boundary Corner B33 on said plat no. 85-15; thence on an azimuth of 76° 05' 17" along the Southerly boundary of said Plat No. 85-15 for 300.38 feet to Right of Way Boundary Corner B32 on said Plat No. 85-15; thence on an azimuth of 81° 04' 25" along the Southerly boundary of said Plat No. 85-15 for 70.60 feet to Right of Way Boundary Corner B31 on said Plat No. 85-15 and there terminating.

Also, That part of Lot Sixteen (16) Plat of Subdivision of the South half (S½) of Section Thirty-five (35) and of the South half of the Northeast Quarter (S½ of NE¼) of Section Thirty-five (35), Township One Hundred Seven (107) North, of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:

Commencing at the Southeast corner of said Section 35; thence North along the East line of said Section 35 a distance of 732.6 feet; thence West a distance of 792 feet; thence North 67° 30' West a distance of 246.84 feet; thence North 27° 20' East a distance of 457.55 feet; thence North 13° 50' West a distance of 441.44 feet; thence North 28° 35' West a distance of 194.98 feet, more or less, to the Southerly right of way line of Trunk Highway No. 43; thence South 80° 20' West along said Southerly right of way line of said Trunk Highway No. 43 a distance of 43.25 feet to the point of beginning for the land herein described; thence South 22° 15' West a distance of 138.13 feet; thence South 29° 06' West a distance of 54.17 feet; thence South 53° 59' East a distance of 107 feet; to a fence corner; thence North 48° 13' East along a fence line a distance of 118 feet to a fence corner; thence North 28° 35' West along a fence line a

distance of 75.50 feet; thence continuing North 28° 35' West along the projection of said fence line a distance of 107.71 feet, more or less, to said Southerly right of way line of said Trunk Highway No. 43; thence South 80° 20' West along said Southerly right of way line of said Trunk Highway No. 43 a distance of 8.37 feet to the point of beginning and there terminating.

Subject to right of way of Trunk Highway No. 43.