

**DRESBACH TOWNSHIP
WINONA COUNTY, MINNESOTA
RESOLUTION 101**

**A RESOLUTION CANCELLING THE CHARGES AND ASSESSMENTS FOR THE
DRESBACH WASTEWATER SUBORDINATE SERVICE DISTRICT AND ESTABLISHING
INTENT TO REFUND AMOUNTS COLLECTED**

- WHEREAS,** The Board of Dresbach Township established a Subordinate Service District ("SSD") pursuant to Minn. Stat. Chap. 365A for wastewater services for certain properties within the Township by Resolution No. 12 entitled "Resolution to Establish Subordinate Service District" adopted on May 3, 2011 and by Resolution entitled "Resolution Defining the Dresbach Subordinate Service District" adopted on August 2, 2011;
- WHEREAS,** On October 17, 2017, the Town Board adopted a "Resolution Setting the Initial Charges for the Dresbach Wastewater Subordinate Service District" imposing charges of \$9,198.57 against the property owners in the SSD;
- WHEREAS,** The Town Board had the charges assessed against the properties to be collected by the County with property taxes over a 10 year period pursuant to Minn. Stat. Sec. 444.075;
- WHEREAS,** The County did not collect any payments toward the SSD charges in 2017. The County collected or expects to collect payments from the property owners in 2018 and 2019;
- WHEREAS,** Three property owners filed suit against the Township challenging the establishment of the SSD and the related charges. On April 22, 2019, the Court issued an Order declaring the SSD void and the charges legally invalid;
- WHEREAS,** The Township has refunded or partially refunded the payments made by the three property owners who filed suit (PIDs 01.000.2100, 01.000.1930, and 01.000.1440);
- WHEREAS,** The Township now desires to cancel all charges for the SSD, remove the charges from the property taxes beginning with taxes payable in 2020, and to refund payments made with taxes payable in 2018 and 2019.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DRESBACH TOWNSHIP, WINONA COUNTY, MINNESOTA as follows:

1. The recitals set forth above are incorporated herein.
2. All charges imposed by the "Resolution Setting the Initial Charges for the Dresbach Wastewater Subordinate Service District" adopted on October 17, 2017 against the properties identified in attached Exhibit A are hereby cancelled.
3. The Township requests that the County Auditor remove the charges and assessment from the property taxes of the properties identified in attached Exhibit A beginning with the taxes payable in 2020. All charges collected with taxes payable in 2018 and 2019 shall be paid by the property owners and remitted to the Township.

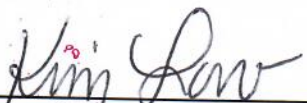
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4. The Township intends to refund the payments made by the property owners toward the SSD charges. The refund will consist of a payment to each property owner in the amount, as determined by the County Auditor, paid by the property owner toward the SSD charges with the 2018 and 2019 payable taxes. The Township intends to issue the refunds by December 31, 2019. No refund will be issued until the County Auditor has confirmed to the Township that the property owner has paid the 2018 and 2019 taxes in full.
5. If the ownership of any of the properties to be refunded has changed since payment of the SSD charges, the Township shall work with the prior and new property owners to determine appropriate repayment.
6. The Town Board Chairperson and the Town Clerk-Treasurer are hereby authorize to take such other actions and execute such documents as may be required to accomplish the purposes of this Resolution.

Passed and adopted by the Dresbach Township Board this 3 day of Sept, 2019


Town Board Chairperson

Attest: 
Town Clerk-Treasurer

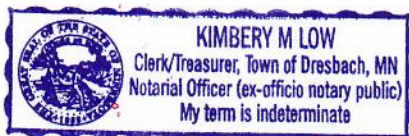


Exhibit A

Properties for Cancellation of Charges

PID	PID	PID
01.000.1060	01.000.1830	01.000.2270
01.000.1070	01.000.1831	01.000.2280
01.000.1080	01.000.1840	01.000.2290
01.000.1090	01.000.1850	01.101.0010
01.000.1100	01.000.1860	01.101.0020
01.000.1110	01.000.1880	01.101.0030
01.000.1230	01.000.1900	01.000.1821
01.000.1240	01.000.1910	
01.000.1290	01.000.1920	
01.000.1300	01.000.1930	
01.000.1310	01.000.1940	
01.000.1330	01.000.1950	
01.000.1340	01.000.1960	
01.000.1350	01.000.1970	
01.000.1370	01.000.1980	
01.000.1380	01.000.1990	
01.000.1390	01.000.2000	
01.000.1440	01.000.2010	
01.000.1441	01.000.2020	
01.000.1450	01.000.2030	
01.000.1451	01.000.2040	
01.000.1470	01.000.2050	
01.000.1501	01.000.2060	
01.000.1520	01.000.2070	
01.000.1530	01.000.2080	
01.000.1540	01.000.2090	
01.000.1560	01.000.2100	
01.000.1561	01.000.2110	
01.000.1570	01.000.2120	
01.000.1580	01.000.2130	
01.000.1680	01.000.2140	
01.000.1690	01.000.2150	
01.000.1710	01.000.2160	
01.000.1730	01.000.2170	
01.000.1740	01.000.2181	
01.000.1750	01.000.2190	
01.000.1760	01.000.2200	
01.000.1770	01.000.2230	
01.000.1810	01.000.2240	
01.000.1820	01.000.2250	
01.000.1822	01.000.2260	