

REC'D. BY JUL 29 1997
MMB

IN THE MATTER OF THE PETITION OF
DAVID R. SCREATON PARTNERSHIP, OAKGREEN FARMS, INC., A
MINNESOTA CORPORATION, BETTY SMITH, LOW & ASSOCIATES, INC.,
A.L.K. PARTNERSHIP, FREDERICK KEMPER, CALVIN J. BROOKMAN,
AND BERNARD W. NASS AND LOELLA NASS,
FOR ANNEXATION OF UNINCORPORATED ADJOINING
PROPERTY TO THE CITY OF OAK PARK HEIGHTS, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.031

TO: Minnesota Municipal Board
Suite 225 Bandana Square
1021 Bandana Blvd. East
St. Paul, MN 55108

The Minnesota Municipal Board is hereby requested to hold a
public hearing on the question of annexing certain property to
the City of Oak Park Heights, Minnesota.

The petitioner for annexation is:

_____ The City of _____; or,

_____ The Township of _____; or,

 X 20% of the property owners or 100 property owners,
whichever is less, in the area to be annexed.
There are 24 property owners in the area proposed
for annexation. The number of owners who have
signed this petition is 8. The number of
petitioners required by M.S. 414.031 to commence a
proceeding is 20% of the property owners or 100
property owners, whichever is less, in the area to
be annexed.

The area proposed for annexation is described as follows:

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See attached Exhibit "A".

1. The petitioners have submitted a copy of this petition to the affected Township of Baytown on April 22, 1997.
2. The area proposed for annexation abuts the city on the city's West boundary thereof, and none of it is presently a part of any incorporated city or in an area designated for orderly annexation.
3. The total acreage of the area proposed for annexation is:
240.
4. The petitioners believe that all of this property is or is about to become urban or suburban in character.
5. The reason for requesting the annexation is: The property needs extension of sewer and water services which cannot be provided by Baytown Township.
6. Parties entitled to notice under Minnesota Statutes 414.09 are: See attached Exhibit "B".
7. If this petition is by property owners, a copy of a resolution from the City of Oak Park Heights, the annexing municipality, supporting the annexation is attached hereto.

Dated: April 22, 1997 1997.

DAVID R. SCREATON PARTNERSHIP

By David R. Screaton
David R. Screaton, Partner

By Judith Screaton
Judith Screaton, Partner

OAKGREEN FARMS, INC., a
Minnesota Corporation

By David R. Screaton
Its President

Betty Smith
Betty Smith

LOW & ASSOCIATES, INC.

By [Signature]
Its PRES.

A.L.K. PARTNERSHIP

By Frederick L. Kemper
Its Partner

Frederick L. Kemper
Frederick Kemper

Calvin J. Brookman
Calvin J. Brookman

REC'D. BY
MMB JUL 29 1997

Dated: 5-22-97, 1997.


Bernard W. Nass


Loella Nass

EXHIBIT "A"

All that part of Section 6, Township 29 North, Range 20 West
lying westerly of the centerline of Stillwater Blvd. also known
as State Highway 5, Washington County, Minnesota.

EXHIBIT "B"

TOWN OF BAYTOWN ✓
Patricia L. St. Claire, Clerk
14949 - 30th Street North
Stillwater, Minnesota 55082

CITY OF LAKE ELMO ✓
Mary Kueffner, Administrator
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042

STILLWATER TOWNSHIP ✓
Pat Bantli, Clerk
13636 - 90th Street North
Stillwater, Minnesota 55082

CITY OF STILLWATER ✓
Nile L. Kriesel, Administrator
216 North 4th Street
Stillwater, Minnesota 55082

WASHINGTON COUNTY ✓
James Schug, Administrator
14900 - 61st Street North
Stillwater, Minnesota 55082

WASHINGTON COUNTY PLANNING COMMISSION ✓
Brian McGinnis, Chairman
14900 - 61st Street North
Stillwater, Minnesota 55082

BAYTOWN PLANNING COMMISSION ✓
Dennis Trenda, Chairman
14105 North 45th Street
Stillwater, Minnesota 55082

METROPOLITAN COUNCIL ✓
Kurt Johnson, Chairman
230 East Fifth Street
St. Paul, Minnesota 55101

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RESOLUTION NO. 97- 07-26
CITY OF OAK PARK HEIGHTS
WASHINGTON COUNTY, MINNESOTA

A RESOLUTION SUPPORTING THE PETITION OF
DAVID R. SCRETON PARTNERSHIP, OAKGREEN FARMS, INC.,
A MINNESOTA CORPORATION, BETTY SMITH, LOW & ASSOCIATES, INC.,
A.L.K. PARTNERSHIP, FREDERICK KEMPER, CALVIN J. BROOKMAN,
AND BERNARD W. NASS AND LOELLA NASS,
FOR ANNEXATION OF UNINCORPORATED ADJOINING PROPERTY
TO THE CITY OF OAK PARK HEIGHTS, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.031

WHEREAS, the City of Oak Park Heights is a city incorporated under the general laws of the State of Minnesota, and has more than 3,776 inhabitants and, the present territory included in the city limits contains 1,679 acres;

WHEREAS, there is adjacent to the City of Oak Park Heights a tract of land containing approximately 240 acres, of which more than 20% of the owners have petitioned the City of Oak Park Heights for annexation of said property to the City of Oak Park Heights;

WHEREAS, the boundaries of said territory proposed for annexation are described as:

All that part of Section 6, Township 29 North, Range 20 West lying westerly of the centerline of Stillwater Blvd. also known as State Highway 5, Washington County;

WHEREAS, the names of all parties entitled to notice under section 414.09 are included in Exhibit "A" hereto attached;

WHEREAS, the City of Oak Park Heights and petitioning property owners recognize that the area continues to develop as an urban industrial/commercial area with the potential for commercial and

suburban residential development, and that the city of Oak Park Heights will need additional land in the near future to accommodate commercial, industrial, single family and multiple family development;

WHEREAS, the City of Oak Park Heights and the petitioning property owners contend that a municipal form of government will best protect the public health, safety, and welfare in that the City has capacity to provide municipal water and sanitary sewer service which are not currently provided by the Township.

WHEREAS, the City of Oak Park Heights has its own police force adequately equipped to serve the subject area as opposed to the Township which now relies on the Washington County Sheriff's Department for police protection;

WHEREAS, the City of Oak Park Heights and petitioning property owners agree that the area would best be served under the jurisdiction of Oak Park Heights. The area, with its high visibility and access off of State Highways 36 and 5, is appropriate for mixed land use of commercial, light industrial, and single/multiple family development at urban standards;

WHEREAS, the City of Oak Park Heights invited Baytown Township Officials to confer and negotiate with the City about the possibility of pursuing an orderly annexation to the benefit of both the Township and the City of Oak Park Heights affecting the property under consideration for annexation; and,

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WHEREAS, it appears that Baytown Township is not interested in negotiating an orderly annexation of the subject property to address the interests of affected property owners of the Township and the City.

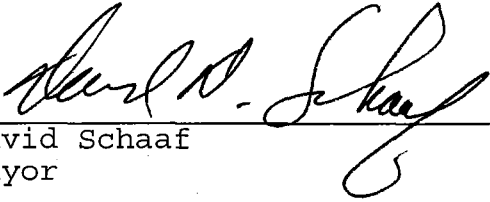
NOW THEREFORE, IT IS RESOLVED, by the City Council of the City of Oak Park Heights that the boundaries of the City of Oak Park Heights, State of Minnesota, be extended so as to include and incorporate within the city limits of the City of Oak Park Heights the above described property, the same being a logical extension of the City of Oak Park Heights for the purposes of land use control, planning, providing municipal services, and assuring orderly development.

NOW THEREFORE, IT IS FURTHER RESOLVED, that the City of Oak Park Heights hereby support~~s~~ the petition of property owners seeking annexation of the affected lands as described above to the City of Oak Park Heights.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the City of Oak Park Heights commits to continue to be willing to consider orderly annexation agreements and invites Baytown Township to join in an orderly annexation agreement as it affects the subject property and other lands within Baytown Township adjacent to Oak Park Heights municipal boarders.


REC'D. BY
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Passed by the City Council for the City of Oak Park Heights
this 22nd day of July, 1997.



David Schaaf
Mayor

ATTEST:



Michael J. Robertson
City Administrator

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EXHIBIT

A

TOWN OF BAYTOWN
Patricia L. St. Claire, Clerk
14949 - 30th Street North
Stillwater, Minnesota 55082

CITY OF LAKE ELMO
Mary Kueffner, Administrator
3800 Laverne Avenue North
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Pat Bantli, Clerk
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Nile L. Kriesel, Administrator
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WASHINGTON COUNTY
James Schug, Administrator
14900 - 61st Street North
Stillwater, Minnesota 55082

WASHINGTON COUNTY PLANNING COMMISSION
Brian McGinnis, Chairman
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Dennis Trenda, Chairman
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230 East Fifth Street
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AFFIDAVIT OF SERVICE BY MAIL

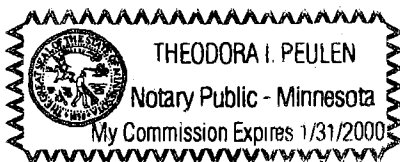
STATE OF MINNESOTA)
) ss.
COUNTY OF WASHINGTON)

Maura A. Severin of the City of Lake Elmo, County of Washington in the State of Minnesota, being duly sworn, says that on the 29th day of July, 1997, she served the annexed Petition for Annexation and Resolution of Oak Park Heights on the County of Washington, by mailing a copy thereof, enclosed in an envelope, postage prepaid, and by depositing same in the post office at Lake Elmo, Minnesota, directed to said Washington County, c/o James Schug, Administrator, 14900 61st Street North, Stillwater, Minnesota 55082, its last known business address.

Maura A. Severin
Maura A. Severin

Subscribed and sworn to before
me this 29th day of July, 1997.

Theodora I. Peulen
Notary Public



AFFIDAVIT OF SERVICE BY MAIL

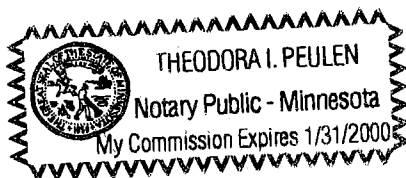
STATE OF MINNESOTA)
) ss.
COUNTY OF WASHINGTON)

Maura A. Severin of the City of Lake Elmo, County of Washington in the State of Minnesota, being duly sworn, says that on the 29th day of July, 1997, she served the annexed Petition for Annexation and Resolution of Oak Park Heights on the Town of Baytown, by mailing a copy thereof, enclosed in an envelope, postage prepaid, and by depositing same in the post office at Lake Elmo, Minnesota, directed to said Town of Baytown, c/o Patricia L. St. Claire, Clerk, 14949 30th Street North, Stillwater, Minnesota 55082, its last known business address.

Maura A. Severin
Maura A. Severin

Subscribed and sworn to before
me this 29th day of July, 1997.

Theodora I. Peulen
Notary Public



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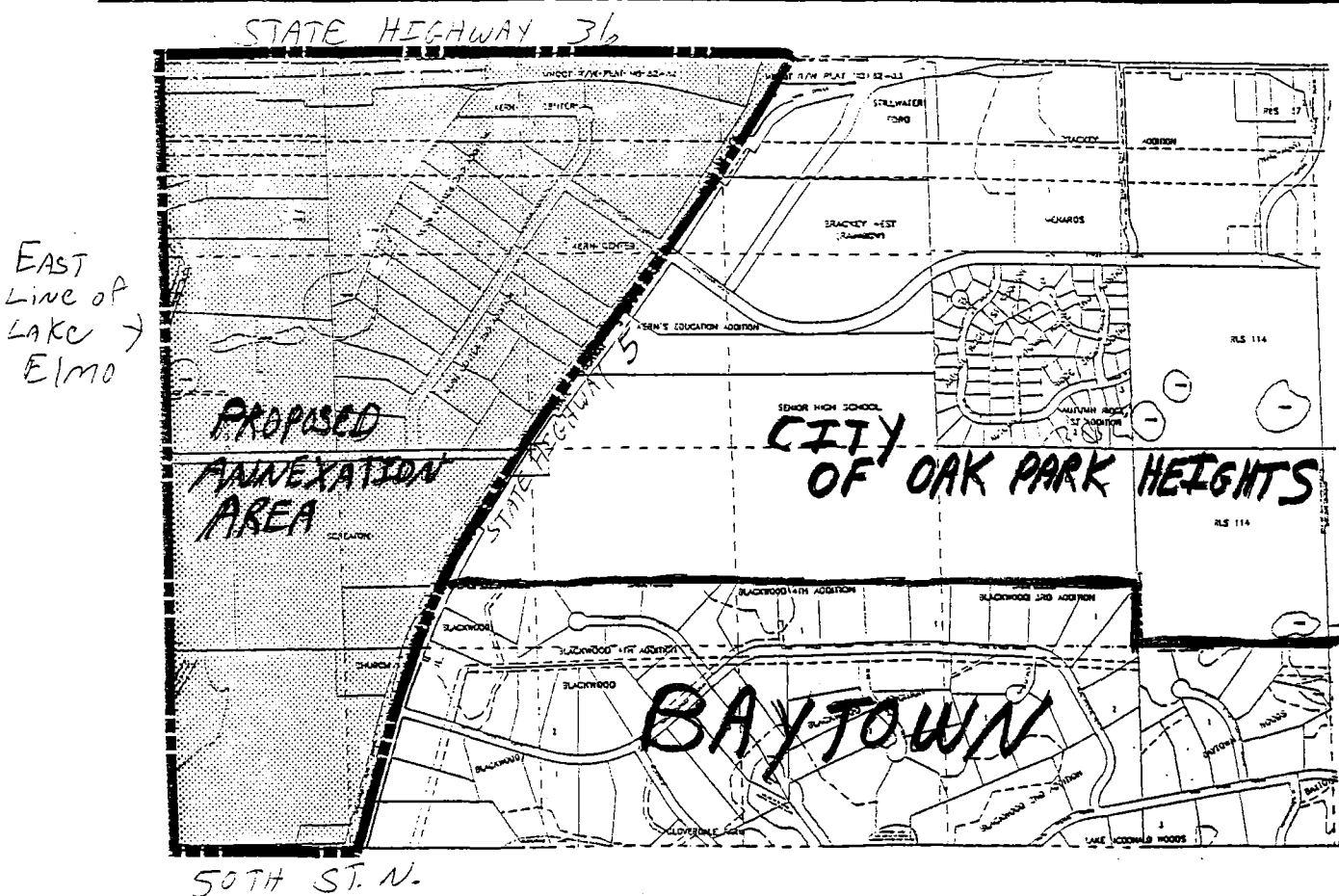


CITY OF OAK PARK HEIGHTS

Screaton / Kern Annexation Study

Analysis and Conclusions

22 July 1997



NORTHWEST ASSOCIATED CONSULTANTS

COMMUNITY PLANNING - DESIGN - MARKET RESEARCH