

ST. LOUIS PARK RESOLUTION NO. 94-32

A JOINT RESOLUTION OF THE CITIES OF MINNETONKA AND  
ST. LOUIS PARK PETITIONING THE MINNESOTA MUNICIPAL BOARD  
FOR CONCURRENT DETACHMENT AND ANNEXATION OF PROPERTY  
PRESENTLY IN THE CITY OF ST. LOUIS PARK

WHEREAS, The owner of certain unimproved property in the City of St. Louis Park, Minnesota, has applied for subdivision approval of that property, legally described as follows ("the property"):

All the part of the north 660 feet of the North Half of the Southwest Quarter of Section 18, Township 117, Range 21, which lies westerly of a line drawn parallel with and distant 70 feet west of the following described line:

Beginning at a point on the north line of the North Half of said Southwest Quarter distant 356.32 feet east of the northwest corner of said Southwest Quarter; thence run southeasterly at an angle of 64 degrees 21 minutes 38 seconds with said north line for a distance of 170.74 feet; thence deflect right along a tangential curve having a radius of 954.93 feet (delta angle 23 degrees 11 minutes 37 seconds) for a distance of 386.56 feet; thence tangent to said curve for a distance of 150 feet and there terminating, and

WHEREAS, If subdivided and improved, the property will require the provision of municipal services such as streets, sewer, water, police, and fire, and

WHEREAS, The property is inaccessible from a public street in St. Louis Park due to the controlled access construction of County Road 18 (now known as State Highway 169) and is accessible only from a public street in Minnetonka which bounds the property on the west, and

WHEREAS, The property has direct access to Minnetonka sewer and water facilities located in the street right of way adjacent to the property. Connection to St. Louis Park sewer and water facilities would be more difficult, and

THEREFORE, BE IT RESOLVED, by the City of St. Louis Park as follows:

1) It is in the best interests of the public and both cities that the property be located within the municipality which can best provide municipal services, namely the City of Minnetonka.

2) The property is properly subject to concurrent detachment and annexation by agreement of the two municipalities pursuant to Minn. Stat. §414.061.

3) The City Councils of St. Louis Park and Minnetonka hereby petition the Minnesota Municipal Board to approve the concurrent detachment of the property from the City of St. Louis Park and annexation to the City of Minnetonka.

4) The detachment and annexation is subject to the terms of the attached agreement between the two cities.

5) The City Clerks of St. Louis Park and Minnetonka are directed to send certified copies of each resolution to the Minnesota Municipal Board and request an order from the Board confirming the concurrent detachment and annexation of the property.

Adopted by the City Council of the City of  
St. Louis Park on March 21, 1994

/s/ S. Allen Friedman

Mayor Pro Tem

ATTEST:

/s/ Beverly Flanagan

City Clerk

Reviewed for administration:

/S/ Charles W. Meyer

City Manager

Approved as to form and execution:

/s/ Suesan Lea Pace

City Attorney

RESOLUTION NO. 94-9689

A RESOLUTION PETITIONING THE MINNESOTA MUNICIPAL BOARD  
FOR CONCURRENT DETACHMENT AND ANNEXATION OF PROPERTY  
PRESENTLY IN THE CITY OF ST. LOUIS PARK

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BE IT RESOLVED, by the City Council of the City of Minnetonka, Minnesota, as follows:

Section 1. Background.

1.01. The owner of certain unimproved property in the City of St. Louis Park, Minnesota, has applied for subdivision approval of that property, legally described as follows ("the property"):

All the part of the north 660 feet of the North Half of the Southwest Quarter of Section 18, Township 117, Range 21, which lies westerly of a line drawn parallel with and distant 70 feet west of the following described line:

Beginning at a point on the north line of the North Half of said Southwest Quarter distant 356.32 feet east of the northwest corner of said Southwest Quarter; thence run southeasterly at an angle of 64 degrees 21 minutes 38 seconds with said north line for a distance of 170.74 feet; thence deflect right along a tangential curve having a radius of 954.93 feet (delta angle 23 degrees 11 minutes 37 seconds) for a distance of 386.56 feet; thence tangent to said curve for a distance of 150 feet and there terminating.

1.02. If subdivided and improved, the property will require the provision of municipal services such as streets, sewer, water, police, and fire.

1.03. The property is inaccessible from a public street in St. Louis Park due to the controlled access construction of County Road 18 (now known as State Highway 169) and is accessible only from a public street in Minnetonka which bounds the property on the west.

1.04. The property has direct access to Minnetonka sewer and water facilities located in the street right of way adjacent to the property. Connection to St. Louis Park sewer and water facilities would be more difficult.

Section 2. Conclusions, Petition.

2.01. It is in the best interests of the public and both cities that the property be located within the municipality which can best provide municipal services, namely the City of Minnetonka.

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2.02. The property is properly subject to concurrent detachment and annexation by agreement of the two municipalities pursuant to Minn. Stat. §414.061.

2.03. The Minnetonka City Council hereby petitions the Minnesota Municipal Board to approve the concurrent detachment of the property from the City of St. Louis Park and annexation to the City of Minnetonka.

2.04. The detachment and annexation is subject to the terms of the attached agreement between the two cities.

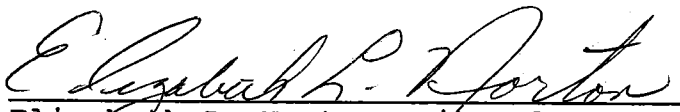
2.05. The Minnetonka City Clerk is directed to send a certified copy of this resolution to the Minnesota Municipal Board and request an order from the Board confirming the concurrent detachment and annexation of the property.

Adopted by the City Council of the City of Minnetonka, Minnesota, on this 21st day of March , 1994.



KAREN J. ANDERSON, MAYOR

ATTEST:

  
Elizabeth L. Norton, City Clerk

Action on this resolution

Motion for adoption: Hanus

Seconded by: Countryman

Voted in favor of:

Schneider, Callison, Allendorf, Hanus, Countryman, Anderson

Voted against: \_\_\_\_\_

Abstained: \_\_\_\_\_

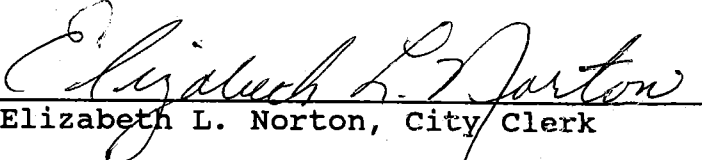
Absent: \_\_\_\_\_

Resolution adopted.

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I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on the 21st day of March , 1994.

  
Elizabeth L. Norton, City Clerk

REC'D. BY  
MMR APR 18 1994

## DETACHMENT AND ANNEXATION AGREEMENT

This agreement is between the City of St. Louis Park ("St. Louis Park") and the City of Minnetonka ("Minnetonka"), both of which are Minnesota municipal corporations with the power to initiate a concurrent detachment and annexation of property pursuant to Minn. Stat. §414.061.

Certain unimproved property located in St. Louis Park abuts the Minnetonka border and has public access only from a public street located in, and maintained by, Minnetonka. This property is legally described as follows ("the property"):

All the part of the north 660 feet of the North Half of the Southwest Quarter of Section 18, Township 117, Range 21, which lies westerly of a line drawn parallel with and distant 70 feet west of the following described line:

Beginning at a point on the north line of the North Half of said Southwest Quarter distant 356.32 feet east of the northwest corner of said Southwest Quarter; thence run southeasterly at an angle of 64 degrees 21 minutes 38 seconds with said north line for a distance of 170.74 feet; thence deflect right along a tangential curve having a radius of 954.93 feet (delta angle 23 degrees 11 minutes 37 seconds) for a distance of 386.56 feet; thence tangent to said curve for a distance of 150 feet and there terminating.

The property can also be easily served with Minnetonka sewer and water located within this street, whereas connections to St. Louis Park utilities would require significantly longer lengths of pipe. Both cities agree that Minnetonka is in a better position to provide public services to the property. Accordingly, both cities agree that the property be detached from St. Louis Park and annexed to Minnetonka, subject to the following conditions:

1. The city councils of each city shall adopt a joint resolution requesting that the Minnesota Municipal Board order the detachment of the property from St. Louis Park and annexation to Minnetonka.
2. Minnetonka will be responsible for processing the matter before the Municipal Board, including providing the necessary documents and paying the required fees.
3. Within 30 days after it issues a certificate of occupancy for any habitable structure on the property, Minnetonka will pay to St. Louis Park a one-time lump-sum payment of \$25,000 as compensation for the loss of taxes that St. Louis Park would otherwise have received from the property.

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4. If Minnetonka fails to comply with the requirement of paragraph 3, St. Louis Park may bring an action at law or in equity to enforce this requirement and shall be entitled to recover from Minnetonka its costs and attorneys fees for such an action.

5. This agreement shall be effective upon the last date of execution by a party.

Date: 4.4.94

CITY OF ST. LOUIS PARK



BY Syle W. Hanks  
Its Mayor

And Charles W. Meyer  
Its City Manager

Date: 3-28-94

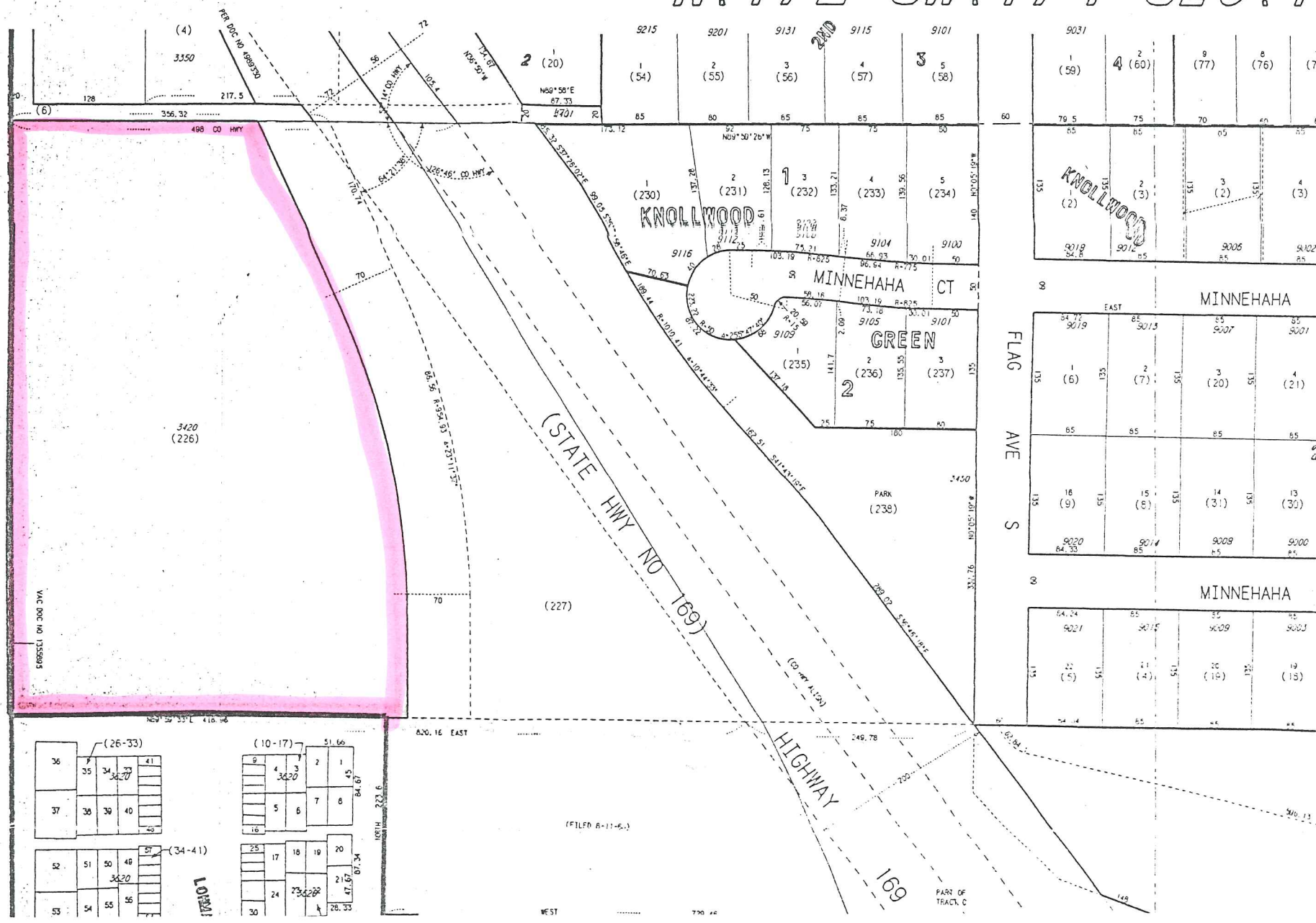
CITY OF MINNETONKA

BY Karen J. Anderson  
Its Mayor

And David M. Childs  
Its City Manager

Copy - original sent to DOT.

# N. 1/2 SW. 1/4 SEC. 1



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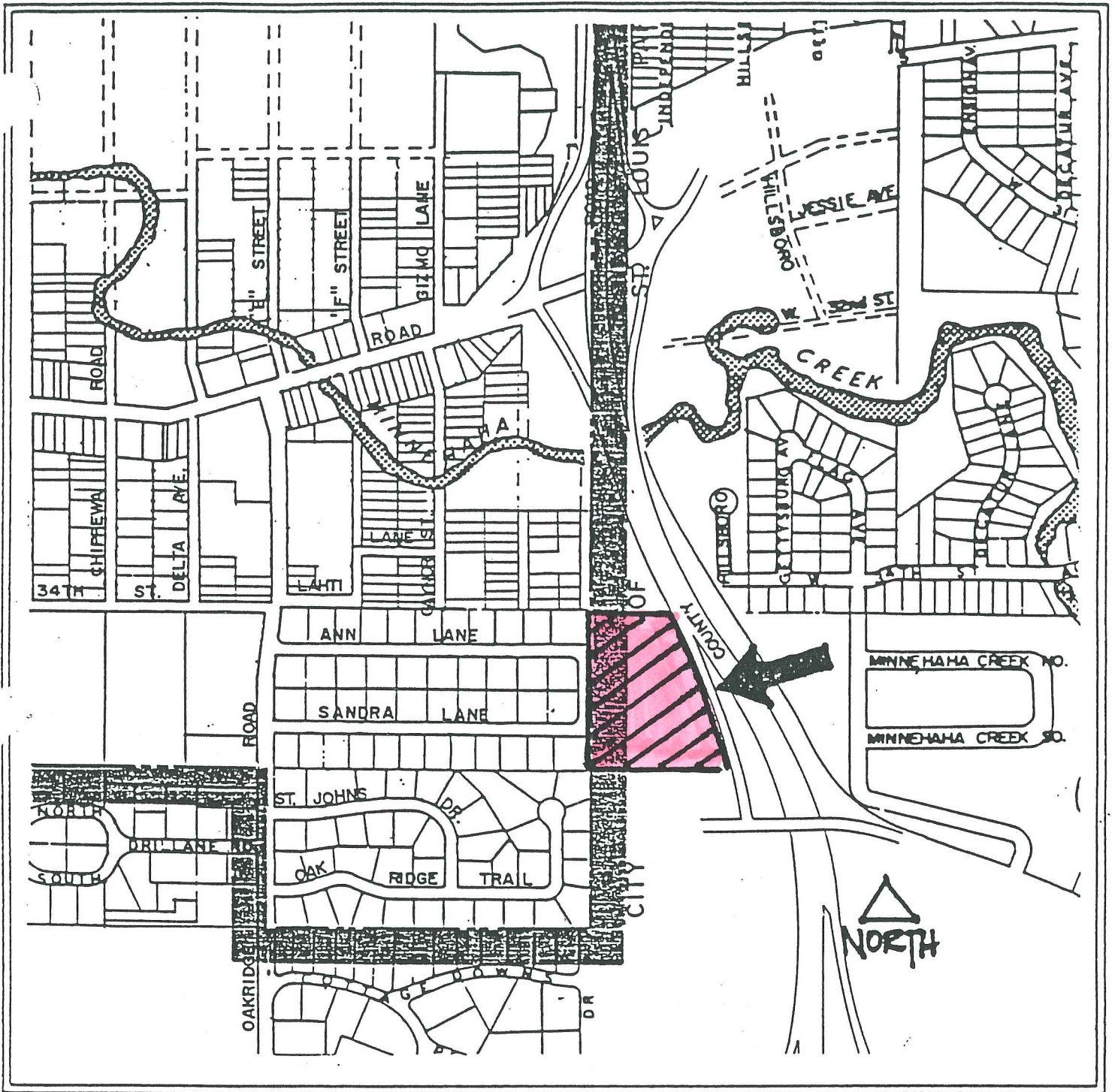
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WEST

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PART OF TRACT C

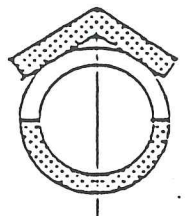
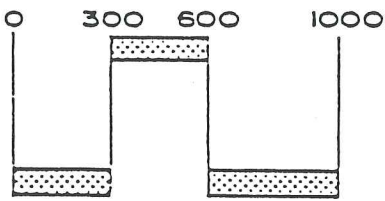




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# LOCATION MAP

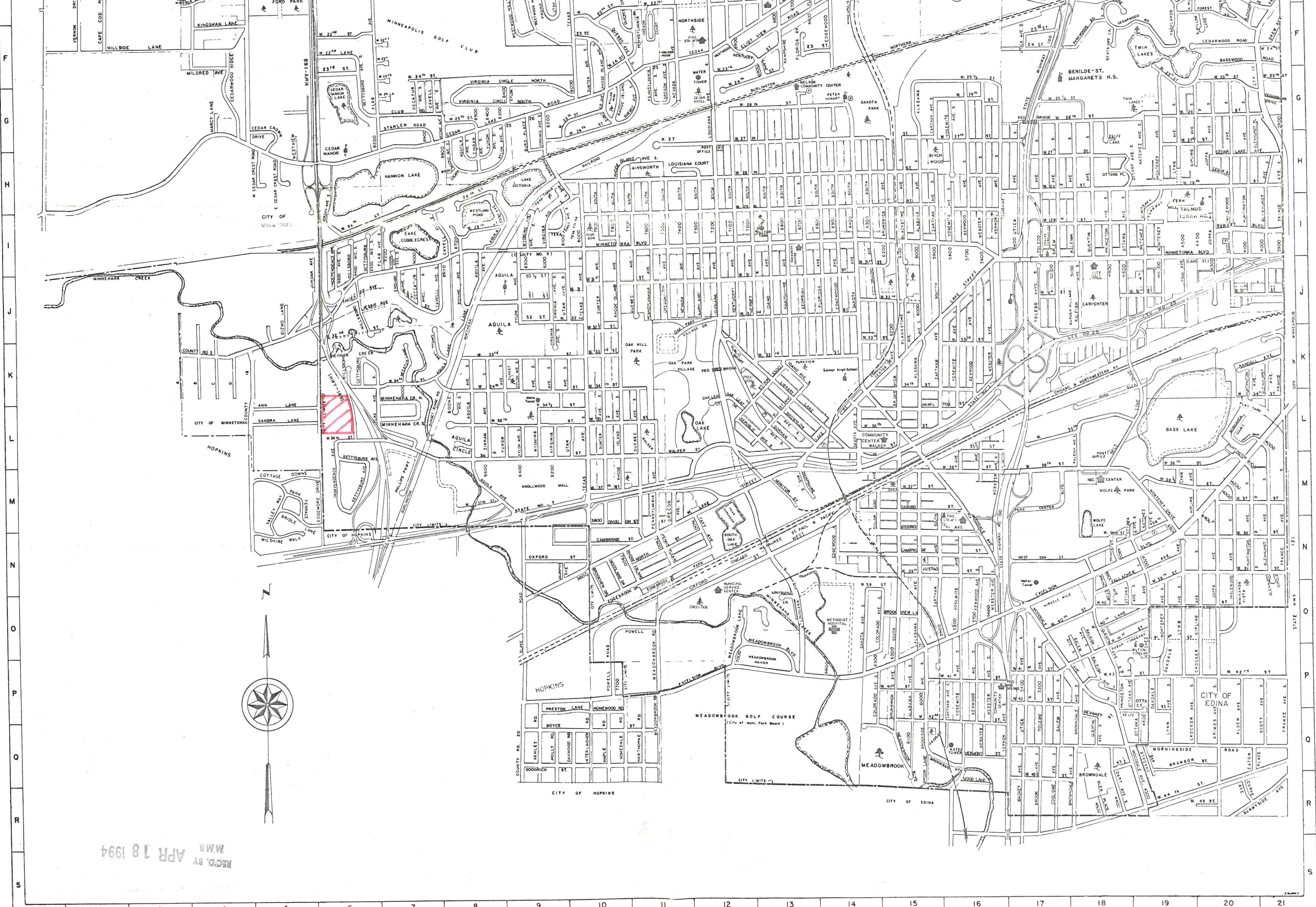
LOHMAN'S AMHURST 4th ADDITION  
ST. LOUIS PARK



NORTH

MAP PREPARED BY THE PLANNING DEPARTMENT





REC'D BY APR 18 1994  
M.M.B.