

SAMPLE PETITION FOR CONCURRENT DETACHMENT AND ANNEXATION

IN THE MATTER OF THE PETITION BY ALL OF THE PROPERTY OWNERS FOR THE CONCURRENT DETACHMENT AND ANNEXATION OF CERTAIN LAND PURSUANT TO MINNESOTA STATUTES 414.061, SUBD. 5

TO: Minnesota Municipal Board
475 McColl Building
366 Jackson Street
St. Paul, MN 55101-1925

We, the undersigned, being all of the property owners of the following described land, hereby request the Minnesota Municipal Board to detach said property from the City of Minnetrista and annex it to the City of St. Bonifacius, pursuant to Minnesota Statutes 414.061, Subd. 5:

Commencing at the Northeast corner of the Northwest 1/4 then West 120 feet then South 114 feet to the Northerly line of State Highway 7 then Southeasterly along said Highway line to the East line of the Northwest 1/4 then North 168 feet to beginning

- 1. There are 2 (number) of property owners in the area proposed for detachment/annexation. (All of the property owners are required to sign a petition under M.S. 414.061, Subd. 5, to commence this proceeding. If the land is owned by both husband and wife, both must sign the petition to represent all owners.)
2. The property is presently within the City of Minnetrista and abuts the City of St. Bonifacius on the city's N S E W (circle one) boundary(ies), in the County of Hennepin.
3. The property proposed for detachment/annexation is approx 1/2 acre#.
4. The population of the area proposed for concurrent detachment/annexation is 4 (optional).
5. The reason concurrent detachment and annexation is requested is: we have a failing septic system and do not have enough land to install a new system. We must be hooked up to a City Sewer System.

Date: 2-6-96

Cynthia M. Weinzierl
Property Owner

Ronald W. Weinzierl
Property Owner

Property Owner

Property Owner

RECEIVED BY FEB 08 1996
M M R

CITY OF ST. BONIFACIUS

Office of the Clerk-Treasurer
8655 Kennedy Memorial Drive
P. O. Box 268
St. Bonifacius, MN 55375-0268
612/446-1061

COPY

RESOLUTION 1995-27

A RESOLUTION APPROVING
MINNETRISTA RESIDENTS GERALD AND CYNTHIA WEINZIERL'S
PETITION TO ANNEX TO ST. BONIFACIUS

WHEREAS, the City Council is the governing body of the City of St. Bonifacius, and;

WHEREAS, Gerald and Cynthia Weinzierl, owners of property at 9200 Highway #7 in Minnetrista, appeared before the St. Bonifacius City Council to request City sewer line extension due to the Weinzierl's failing septic tank and the insufficient amount of land on their property in Minnetrista, legal description as follows;

Commencing at the northeast corner of the northwest 1/4 then west 120 feet then south 114 feet to the northerly line of State Highway 7 then southeasterly along said highway line to the east line of the northwest 1/4 then north 168 feet to beginning, and;

WHEREAS, The City of St. Bonifacius has a long established policy that the City will not extend utility service outside City limits, and


WHEREAS, The City of St. Bonifacius is able to service its residents by providing City water and sewer services, and;

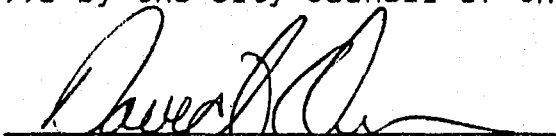
WHEREAS, Gerald and Cynthia Weinzierl intend to petition to annex to St. Bonifacius.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of St. Bonifacius, County of Hennepin, State of Minnesota, that the City of St. Bonifacius is willing to provide City sewer and water to the property if it is detached from Minnetrista and attached to St. Bonifacius by approval from the Minnesota Municipal Board.

Adopted this 27th day of July, 1995 by the City Council of the City of St. Bonifacius.

ATTEST:


Brenda Fisk, City Clerk


Mayor David Orn

REC'D BY FEB 08 1996
MNR

RESOLUTION NO. 114-95

**RESOLUTION DENYING A DETACHMENT REQUEST AS
SUBMITTED BY CYNTHIA AND GERALD WEINZERL**

WHEREAS, the City of Minnetrista is a municipal corporation, organized and existing under the laws of the State of Minnesota; and

WHEREAS, Minnesota Statutes 414.061 sets forth the procedure for annexation/detachment;

WHEREAS, the City of Minnetrista received a request from Cynthia and Gerald Weinzerl for detachment from the City of Minnetrista to be annexed into the City of St. Bonifacius;

WHEREAS, the property is legally described as:

Commencing at the Northeast corner of the Northwest 1/4 then West 120 feet then South 114 feet to the Northerly line of State Highway 7 then Southeasterly along said Highway line to the East line of the Northwest 1/4 then North 168 feet to beginning

WHEREAS, the City was seeking a cooperative agreement to access sewer service from the City of St. Bonifacius, to resolve a failing septic system;

WHEREAS, the City of St. Bonifacius passed Resolution 1995-27 approving an annexation petition which in effect denied a cooperative agreement for sewer service;

WHEREAS, the City of Minnetrista believes that the proposed annexation would not be in the best interest of either cities;

WHEREAS, the City Council felt that a detachment from the City of Minnetrista would set a precedence for allowing St. Bonifacius to annex other portions of the City of Minnetrista;

WHEREAS, the City of Minnetrista has accomplished cooperative agreements with the City of Mound to provide sewer service to properties within Minnetrista;

WHEREAS, the City of Minnetrista deems the sewer system as a regional function controlled by the Metropolitan Waste Control Commission and the access to sewer should not be exclusive of city boundaries;


NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Minnetrista hereby denies the detachment from Minnetrista as requested by Cynthia and Gerald Weinzerl based on the facts outlined above.

This resolution was adopted by the City Council of the City of Minnetrista on the 21st day of August 1995, by a vote of 4 Ayes and 1 Nays
Tacheny - nay.



Mayor Paul Pond

ATTEST:



Brenda Juneau
Deputy Clerk

(SEAL)

This document was drafted by:

City of Minnetrista
7701 County Road 110 West
Minnetrista, MN 55364-9552

REC'D. BY MAR 19 1996
M M B**RESOLUTION NO. 30-96****RESOLUTION RESCINDING RESOLUTION NO 114-95 DENYING
DETACHMENT REQUEST AS SUBMITTED BY CYNTHIA AND
GERALD WEINZIERL AND APPROVE THE CONCURRENT
DETACHMENT/ANNEXATION PETITION**

WHEREAS, the City of Minnetrista is a municipal corporation, organized and existing under the laws of the State of Minnesota; and

WHEREAS, Minnesota Statutes 414.061 sets forth the procedure for annexation/detachment;

WHEREAS, the City of Minnetrista received a request from Cynthia and Gerald Weinzierl for detachment from the City of Minnetrista to be annexed into the City of St. Bonifacius; and

WHEREAS, the property is legally described as:

Commencing at the Northeast corner of the Northwest 1/4 then West 120 feet then South 114 feet to the Northerly line of State Highway 7 then Southeasterly along said Highway line to the East line of the Northwest 1/4 then North 168 feet to beginning

WHEREAS, the City was seeking a cooperative agreement to access sewer service from the City of St. Bonifacius, to resolve a failing septic system; and

WHEREAS, the City of St. Bonifacius passed Resolution 1995-27 approving an annexation petition which in effect denied a cooperative agreement for sewer service; and

WHEREAS, the City of Minnetrista believed that the proposed annexation would not be in the best interest of either cities; and

WHEREAS, the City Council felt that a detachment from the City of Minnetrista would set a precedence for allowing St. Bonifacius to annex other portions of the City of Minnetrista, therefore Resolution No. 114-95 - RESOLUTION DENYING A DETACHMENT REQUEST AS SUBMITTED BY CYNTHIA AND GERALD WEINZIERL was approved on August 21, 1995; and

WHEREAS, Cynthia and Gerald Weinzierl have investigated all possible ways to correct and resolve the problem that exists with their failing septic system but to no avail; and

REC'D BY MAR 19 1996
M M R

Resolution No. 30-96
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WHEREAS, St. Bonifacius continues to be unwilling to allow Cynthia and Gerald Weinzierl to connect to the St. Bonifacius municipal sewer but will allow the connection if the Weinzierls are successful in detaching their above-named parcel from Minnetrista and annexing to St. Bonifacius; and

WHEREAS, Cynthia and Gerald Weinzierl in order to resolve their sewer problem have petitioned the Minnesota Municipal Board (MMB) for a concurrent detachment/annexation; and

WHEREAS, the City of Minnetrista still believes that the proposed detachment/annexation would not be in the best interest of either city, but recognizes the hardship faced by Cynthia and Gerald Weinzierl; and

WHEREAS, the City of Minnetrista does not want Cynthia and Gerald Weinzierl to be a pawn in the annexation dispute between the cities of Minnetrista and St. Bonifacius as a result of the City of St. Bonifacius' unreasonable refusal to allow municipal connections, even though Minnetrista has entered into similar agreements with other surrounding communities; and

WHEREAS, the City of Minnetrista believes that opposing the detachment/annexation would result in Cynthia and Gerald Weinzierl incurring unnecessary and substantial expenses; and

WHEREAS, the City of Minnetrista believes that its decision to rescind its prior resolution opposing the detachment/annexation should not be used as adverse precedent in further annexation proceedings and requests that St. Bonifacius should adopt a similar position.

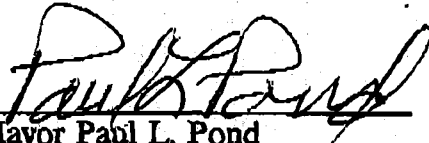
NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Minnetrista hereby rescinds Resolution No. 114-95 and approves and supports the concurrent detachment/annexation petition submitted to the MMB by Cynthia and Gerald Weinzierl.

BE IT FURTHER RESOLVED, that the MMB be requested to move quickly on the Weinzierl petition and that the MMB and the City of St. Bonifacius agree that the application shall not set a precedent on future detachment or annexation requests.

REC'D BY MAR 19 1996
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This resolution was adopted by the City Council on the 18th day of March 1996, by a vote of 4 Ayes and 0 Nays



Mayor Paul L. Pond

ATTEST:


Charlotte Erickson
Administrator/Clerk

(SEAL)

REC'D BY FEB 03 1996
M A A R

WILDWOOD AVE

WILDWOOD AVE

*Our property
9200 ST.
Hwy 7.
(Weinzierl's)*

E
4-31-17'
D-3-00'
TS-695.3
OS-4-30'
AS-22-17'
LS-300.0
LC-742.8

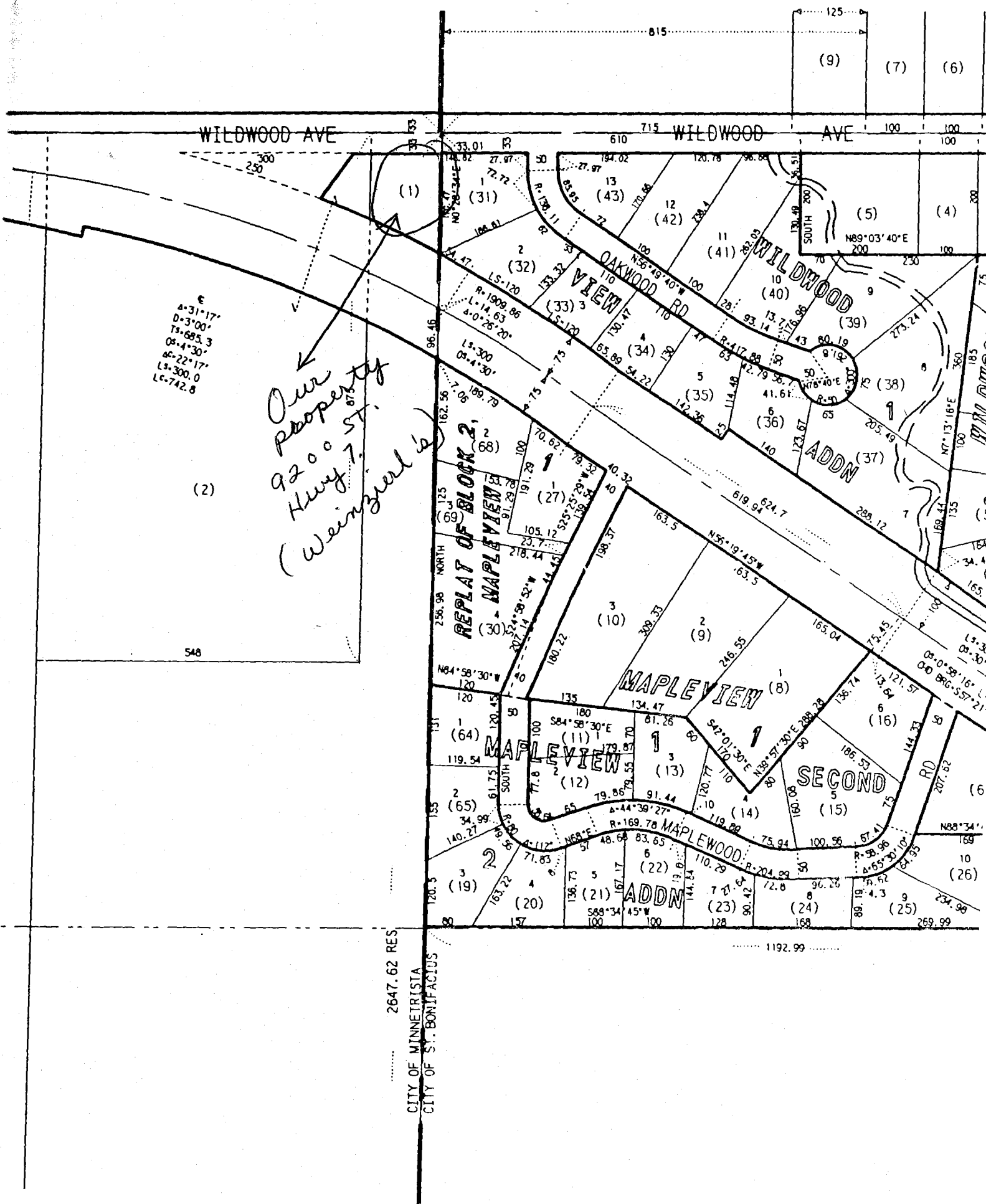
REPLAT OF BLOCK 2,
MAPLEVIEW

MAPLEVIEW

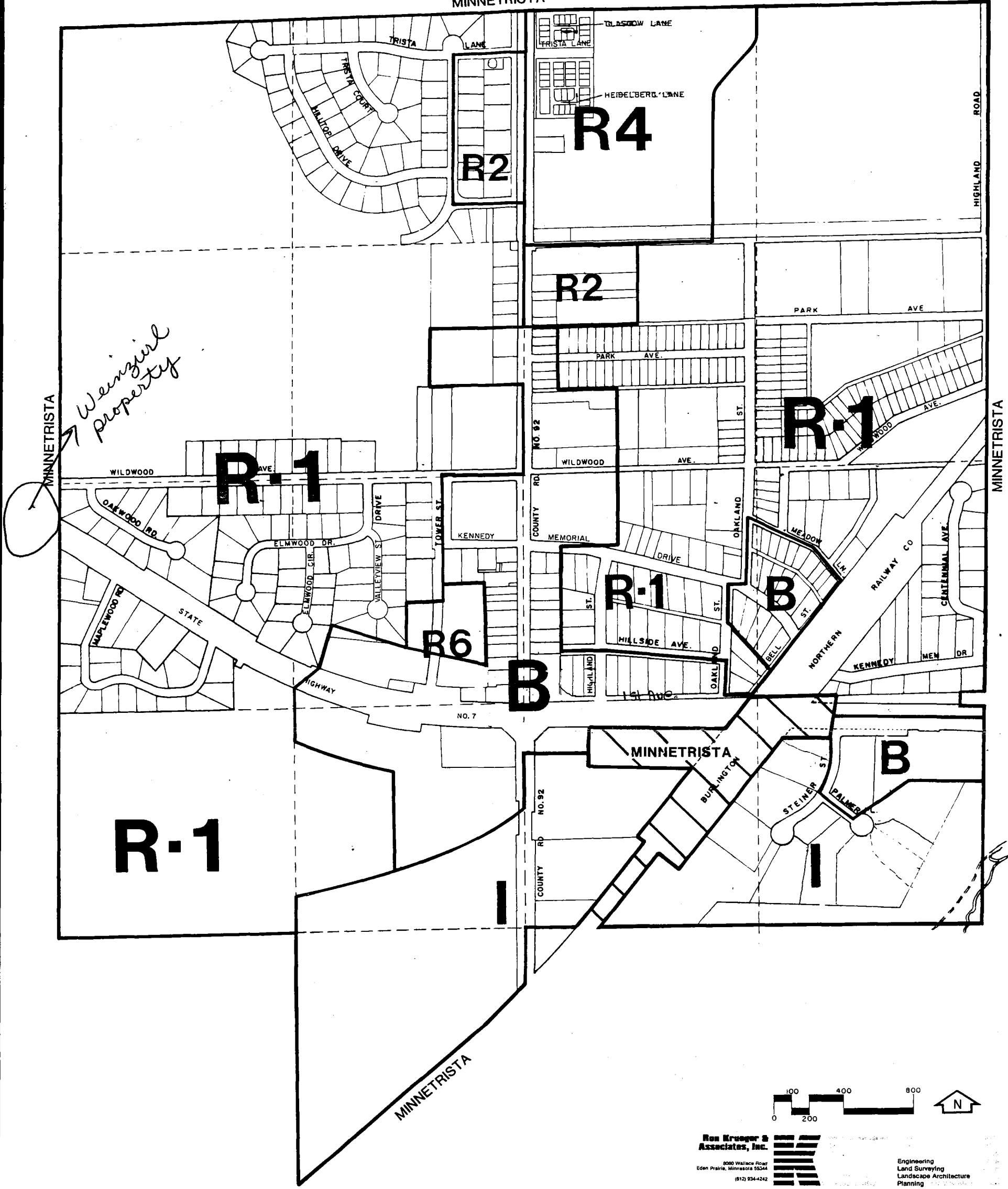
MAPLEVIEW

SECOND

2647.62 RES
CITY OF MINNETRISTA
CITY OF ST. BONIFACIUS



MINNETRISTA



Ken Krueger & Associates, Inc.

8000 Wallace Road
Eden Prairie, Minnesota 55344
(612) 934-4242



Engineering
Land Surveying
Landscape Architecture
Planning

- R-1 SINGLE FAMILY RESIDENTIAL
- R-2 TWO FAMILY RESIDENTIAL
- R-4 MULTIPLE RESIDENTIAL (3-24 UNITS)
- R-6 MULTIPLE RESIDENTIAL (25-40 UNITS)
- I-1 GENERAL INDUSTRIAL
- B-1 DOWNTOWN COMMERCIAL BUSINESS DISTRICT
- B-2 HIGHWAY COMMERCIAL BUSINESS DISTRICT

RECORD BY FEB 08 1996
M M R

OFFICIAL ZONING MAP

APRIL 1, 1980
GRAPHICAL REVISION APRIL, 1989
REVISED & ADOPTED MARCH 24, 1994

st. bonifacius