

RESOLUTION NO. 5775

A RESOLUTION OF THE CITY OF BEMIDJI INITIATING DETACHMENT OF CERTAIN LANDS IN BEMIDJI TOWNSHIP PURSUANT TO JOINT ORDERLY ANNEXATION RESOLUTION AND MINNESOTA STATUTES SECTION 414.06

WHEREAS, the City of Bemidji ("City") and the Townships of Northern and Bemidji ("Townships") previously entered into a Joint Resolution for Orderly Annexation (Joint Resolution), a copy of which, as amended, is attached hereto and marked as **Attachment A**, and which Joint Resolution, as amended, was approved by the Office of Municipal Boundary Adjustments; and

WHEREAS, in Section 4.B. of said Joint Resolution, as amended, the City agreed that upon annexation of "Phase I Properties" as described in said Joint Resolution, and in accordance with Minn. Stat. §414.06, it would initiate a proceeding to detach from the City parcels as identified in the Orderly Annexation Agreement situated in Bemidji Township and described in Exhibit C of said Joint Resolution, hereinafter the "Detached Property"; and

WHEREAS, the Detached Property does not abut current municipal boundaries, that the area of the Detached Property is 165.71 acres, has permanent residents, has residential structures and non-residential buildings, and is not served by municipal improvements other than being bordered by public roads; and

WHEREAS, by Order dated May 8, 2012, the State of Minnesota Office of Administrative Hearings-Municipal Boundary Adjustment Unit, annexed the "Phase I Properties" to the City of Bemidji; and

WHEREAS, the City Council previously passed Resolution No. 5768 dated May 21, 2012, to initiate detachment of the Detachment Property, however, that resolution did not include several of the properties described in Exhibit C of the Joint Resolution, thereby necessitating re-consideration of the previous action and passage of the renewed resolution proposed herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEMIDJI, MINNESOTA:

1. That pursuant to Section 4.B. of the Joint Resolution, as amended, and in accordance with Minnesota Statutes §414.06, the City of Bemidji requests that the Office of Administrative Hearings-Municipal Boundary Adjustment Unit order the detachment of the Detached Property described in Exhibit C of the Joint Resolution and make it/them part of the Township of Bemidji.
2. Furthermore, that pursuant to §414.06, Subd. 1, the City Clerk is directed to solicit the property owners of the Detached Property regarding initiation of a Petition for Detachment, and to submit this Resolution, along with such Petition if one is signed by all of said property owners, to the Chief Administrative Law Judge of the State of Minnesota Office of Administrative Hearings-Municipal Boundary Adjustment Unit for review and issuance of a Detachment Order.
3. That upon receipt of the Detachment Order of Detachment the City Clerk shall provide a copy of the Order to the Beltrami County Auditor as required under the Joint Resolution and Minnesota Statutes §414.06, Subd. 5.

The foregoing resolution was offered by Councilmember Waldhausen, who moved its adoption, and on due second by Councilmember Johnson, was passed by the following vote:

Ayes: Larson, Waldhausen, Johnson, Hellquist, Albrecht, Negard, Thompson
Nays: None
Absent: None
Passed: August 6, 2012

ATTEST:


Kay M. Murphy, City Clerk

APPROVED:

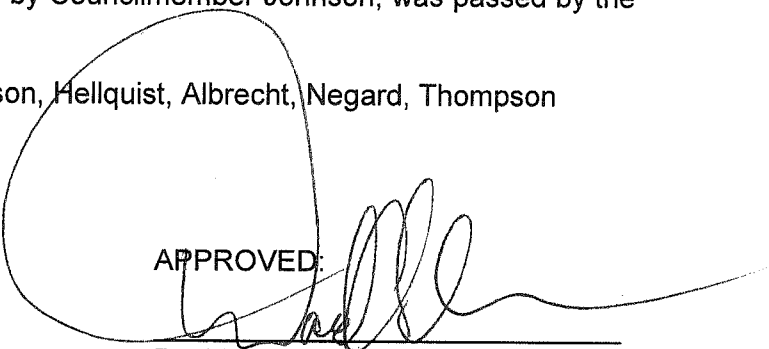
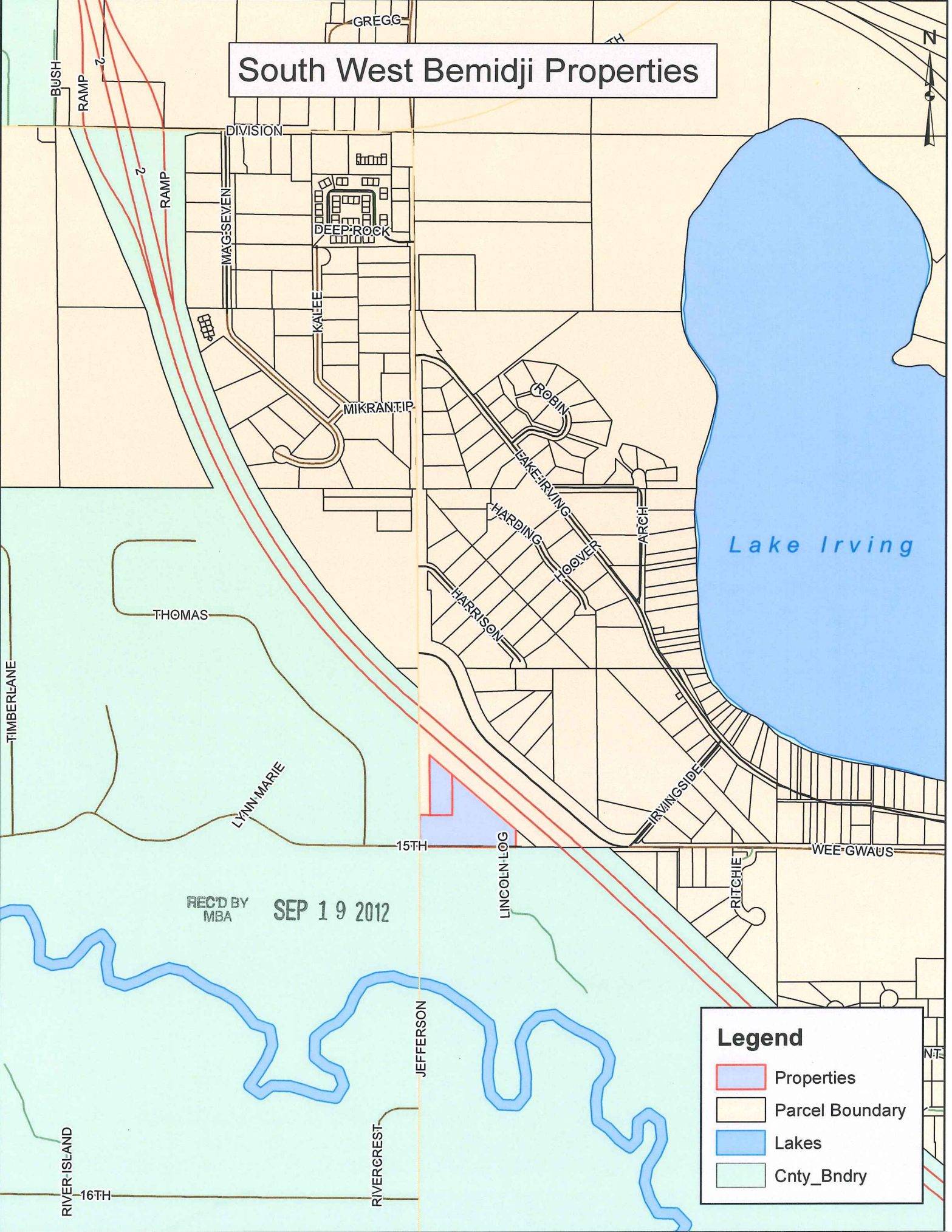

David A. Larson, Mayor

EXHIBIT C
Properties Proposed for Detachment
Bemidji Township

1. East one-half of the Southeast Quarter (E 1/2 of SE 1/4), Section 12, T146N, R33W.
2. South one-half of the Southwest Quarter (S 1/2 of SW 1/4), Section 12, T146N, R33W.
3. Northeast Quarter of the Northwest Quarter (NE 1/4 of NW 1/4), Section 12, T146N, R33W.
4. That part of the Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4), Section 17, T146N, R33W, lying southwesterly of Trunk Highway 2 and 71.

South West Bemidji Properties

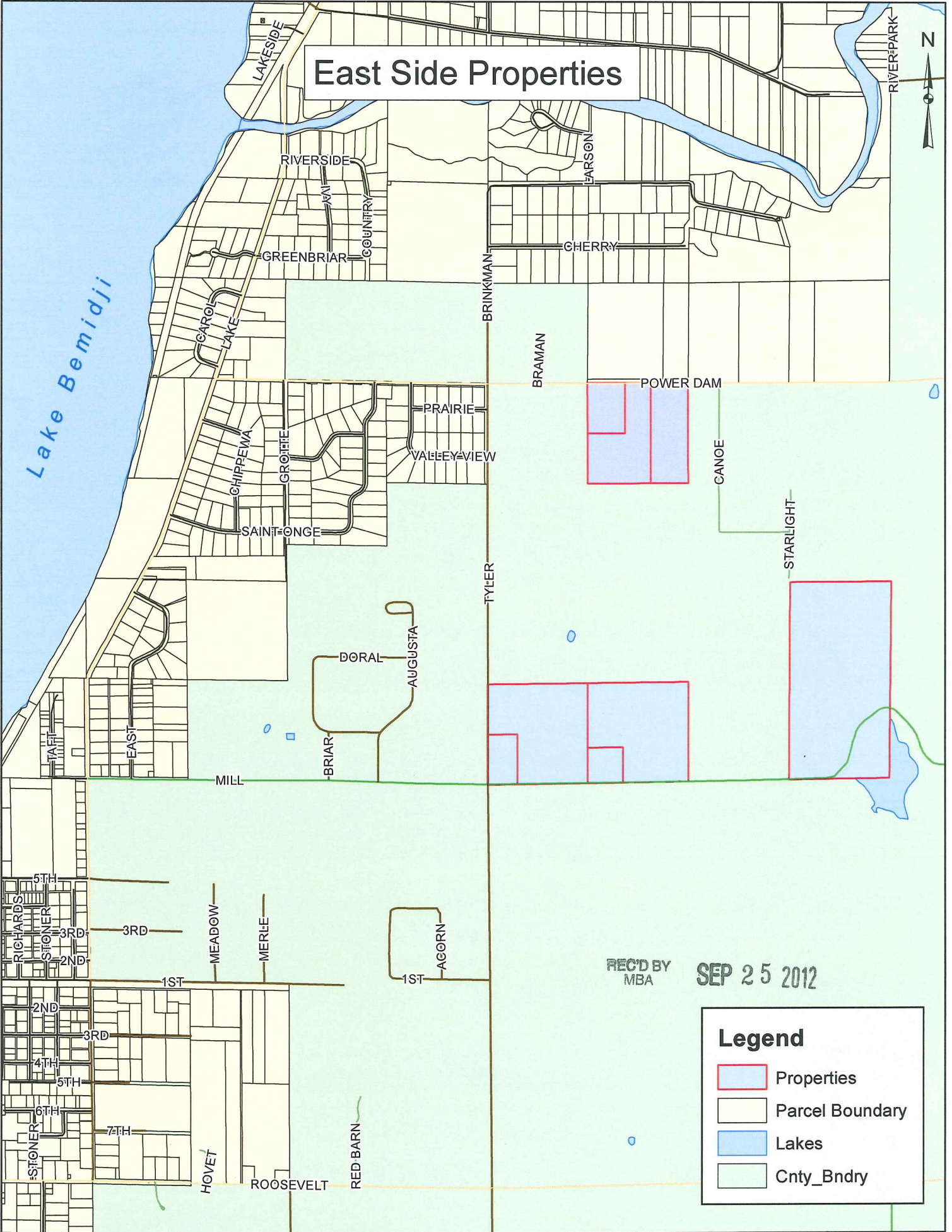


REC'D BY
MBA SEP 19 2012

Legend

- Properties
- Parcel Boundary
- Lakes
- Cnty_Bndry

East Side Properties



REC'D BY
MBA
SEP 25 2012

Legend

- Properties
- Parcel Boundary
- Lakes
- Cnty_Bndry

PROPERTY OWNER PETITION FOR DETACHMENT OF PROPERTY FROM THE CITY OF BEMIDJI

TO: Office of Administrative Hearing
Municipal Boundary Adjustment Unit
P.O. Box 64620
St. Paul, MN 55164-0620

REC'D BY
MBA

SEP 24 2012

It is hereby requested by 100% all of the property owners, the area is less than 40 acres to detach certain properties described herein from the City of Bemidji and make a part of the Township of Bemidji.

1. There are two (2) property owners in the area proposed for detachment.
2. All property owners have signed this petition.
3. The property is situated within the City of Bemidji and is located in the County of Beltrami. The petitioned area is located on the city's east side.
4. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
5. The number of acres in the property proposed for detachment is 25.25 acres and is described as follows: See Attachment A
6. The reason detachment is requested is pursuant to the Resolution of Joint Orderly Annexation.
7. The number of residents in the area proposed for detachment is two (2).
8. The number and character of buildings on said property is: 1 residential and 1 outbuildings. See Attachment B
9. Public improvements on said property are: N/A

| Date | Signature of Property Owner | Printed Name |
|---------|-----------------------------|-------------------|
| 9/20/12 | <i>Cory Stittsworth</i> | CORY STITTSWORTH |
| 9/20/12 | <i>Diana Stittsworth</i> | Diana Stittsworth |
| | | |
| | | |
| | | |
| | | |

REC'D BY
MBA

SEP 24 2012

ATTACHMENT A

Legal Description – 4450 Power Dam Road NE

Parcel #80.00267.00

Sect-12 Twp-146 Range-033 7.50 AC W 495' OF N 660' OF NE1/4 OF NW1/4

Parcel #80.00267.01

Sect-12 Twp-146 Range-033 17.75 AC NE1/4 OF NW1/4 LESS E 30 RODS THEREOF & LESS W 495' OF N 660' THEREOF

800455800 800455900 800456000 800456100 800456200 800456300 800491900 800800491 800800491700 800491500 800491401

800001002

800459001

CHERRY

800456900

800001001

800492300

800456800 800456700 800456500 800456400 800492600 800492500 800492400 800492200 800492100

800457000

800456600

800001800

800001900

800002000

800002100

BRAMAN

POWER DAM

REC'D BY
MBA

SEP 24 2012

800026700

800026800

800026701

CANOE

4450 Power Dam Road NE

PROPERTY OWNER PETITION FOR DETACHMENT OF PROPERTY FROM THE CITY OF BEMIDJI

TO: Office of Administrative Hearing
Municipal Boundary Adjustment Unit
P.O. Box 64620
St. Paul, MN 55164-0620

REC'D BY
MBA SEP 24 2012

It is hereby requested by 100% all of the property owners, the area is less than 40 acres to detach certain properties described herein from the City of Bemidji and make a part of the Township of Bemidji.

1. There are one (1) property owner in the area proposed for detachment.
2. All property owners have signed this petition.
3. The property is situated within the City of Bemidji and is located in the County of Beltrami. The petitioned area is located on the city's east side.
4. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
5. The number of acres in the property proposed for detachment is 15.07 acres and is described as follows: See Attachment A
6. The reason detachment is requested is pursuant to the Resolution of Joint Orderly Annexation.
7. The number of residents in the area proposed for detachment is one (1).
8. The number and character of buildings on said property is: 1 residential and 2 outbuildings. See Attachment B
9. Public improvements on said property are: N/A

| Date | Signature of Property Owner | Printed Name |
|---------|-----------------------------|--------------|
| 9-24-12 | Lila Braun | Lila Braun |
| | | |
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| | | |
| | | |
| | | |

ATTACHMENT A

REC'D BY
MBA

SEP 24 2012

Legal Description – 4690 Power Dam Road NE

Sect-12 Twp-146 Range-033 15.07 AC E 30 RODS OF NE1/4 OF NW1/4

800455800 800455900 800456000 800456100 800456200 800456300 800491900 800491800 800491700 800491500 800491401 800001002 8004/59001

CHERRY

800456900
800456800 800456700 800456500 800456400 800492600 800492500 800492400 800492300 800492200 800492100
800457000 800456600

800001002
800001001

BRAMAN

800001800 800001900 800002000 800002100

POWER DAM

800026700
800026701

800026800

CANOE

REC'D BY
MBA SEP 24 2012

4690 Power Dam Road NE

REC'D BY
MBA

SEP 19 2012

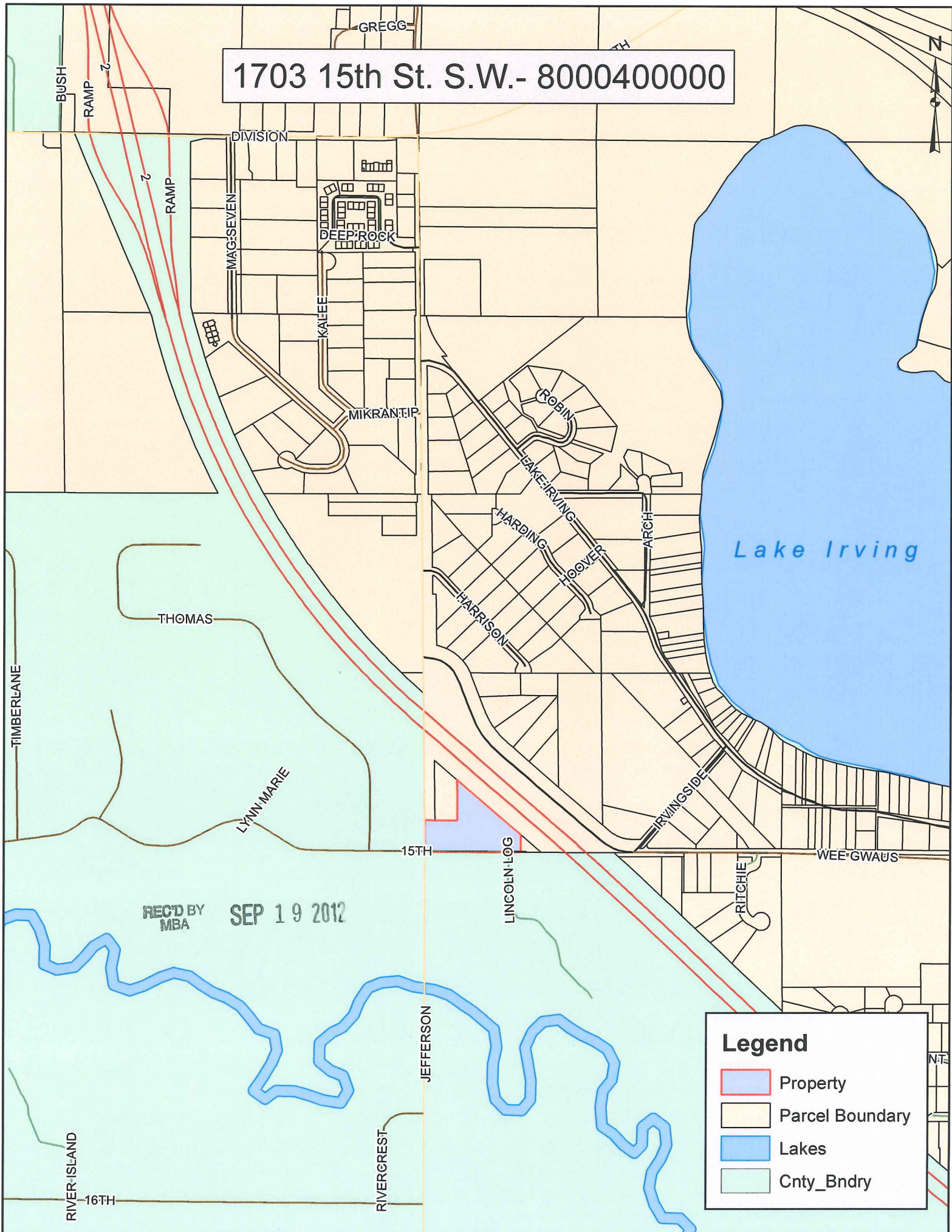
ATTACHMENT A

Legal Description – 1703 15th St. SW

Parcel #80.004000.00

Sect-17 Twp-146 Range-033 4.14 AC S430' OF W550' OF SW1/4 OF SW1/4 LESS
N191.4' OF S430' OF W242' THEREOF & LESS HWY 2 & THAT PART OF SW1/4 OF
SW1/4 LYING SW'RLY OF PARCEL 19 ON MN DOT R/W PLAT 04-6, LESS S430' OF
W550' & LESS THAT PART INC IN PARCEL 399

1703 15th St. S.W.- 8000400000



Legend

- Property
- Parcel Boundary
- Lakes
- Cnty_Bndry


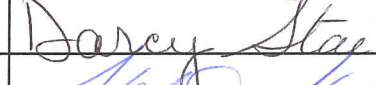
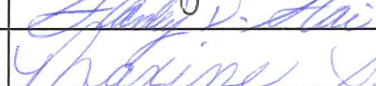
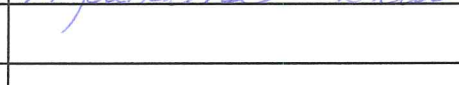
PROPERTY OWNER PETITION FOR DETACHMENT OF PROPERTY FROM THE CITY OF BEMIDJI

TO: Office of Administrative Hearing
Municipal Boundary Adjustment Unit
P.O. Box 64620
St. Paul, MN 55164-0620

REC'D BY **SEP 19 2012**
MBA

It is hereby requested by 100% all of the property owners, the area is less than 40 acres to detach certain properties described herein from the City of Bemidji and make a part of the Township of Bemidji.

1. There are four property owners in the area proposed for detachment.
2. All property owners have signed this petition.
3. The property is situated within the City of Bemidji and is located in the County of Beltrami. The petitioned area is located on the city's southwest side.
4. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
5. The number of acres in the property proposed for detachment is 1.43 and is described as follows: See Attachment A
6. The reason detachment is requested is pursuant to the Resolution of Joint Orderly Annexation.
7. The number of residents in the area proposed for detachment is none.
8. The number and character of buildings on said property is: 0 residential and 1 outbuildings. ~~See Attachment B~~
9. Public improvements on said property are: N/A

| Date | Signature of Property Owner | Printed Name |
|---------|---|-----------------|
| 9-10-12 |  | Calvin Stai |
| 9-10-12 |  | Darcy Stai |
| 9-12-12 |  | STANLEY D. STAI |
| 9-12-12 |  | MAXINE STAI |
| | | |
| | | |
| | | |
| | | |

ATTACHMENT A

REC'D BY
MBA

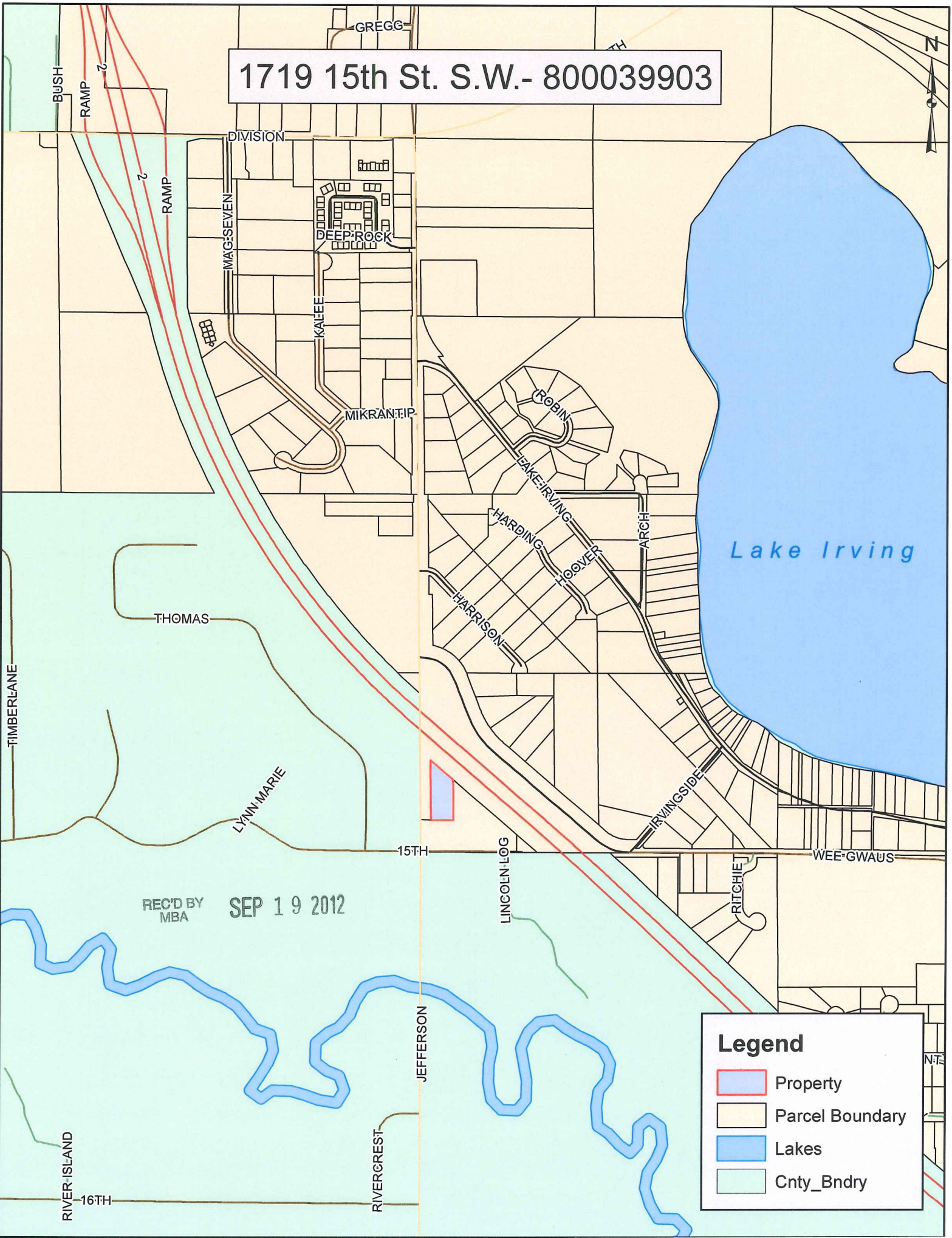
SEP 19 2012

Legal Description – 1719 15th St. SW

Parcel #80.00399.03

Sect-17 Twp-146 Range-033 THAT PART OF SW1/4 OF SW1/4 DESC AS FOLLOWS:
COMMENCE AT SW CORNER OF SAID SW 1/4 OF SW 1/4; THENCE N 0°15'59" W,
BEARING ASSUMED, DISTANCE 238.60' ALONG W LINE OF SAID SW 1/4 OF SW
1/4; THENCE S89°18'43"E, DISTANCE 75' TO INTERS WITH E'R

1719 15th St. S.W.- 800039903



REC'D BY
MBA SEP 19 2012

Legend

-  Property
-  Parcel Boundary
-  Lakes
-  Cnty_Bndry

PROPERTY OWNER PETITION FOR DETACHMENT OF PROPERTY FROM THE CITY OF BEMIDJI

TO: Office of Administrative Hearing
Municipal Boundary Adjustment Unit
P.O. Box 64620
St. Paul, MN 55164-0620

REC'D BY
MBA

SEP 19 2012

It is hereby requested by 100% all of the property owners, the area is less than 40 acres to detach certain properties described herein from the City of Bemidji and make a part of the Township of Bemidji.

1. There are three property owners in the area proposed for detachment.
2. All property owners have signed this petition.
3. The property is situated within the City of Bemidji and is located in the County of Beltrami. The petitioned area is located on the city's east side.
4. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
5. The number of acres in the property proposed for detachment is 39.80 and is described as follows: See Attachment A
6. The reason detachment is requested is pursuant to the Resolution of Joint Orderly Annexation.
7. The number of residents in the area proposed for detachment is three (3).
8. The number and character of buildings on said property is: 2 residential and 3 outbuildings. See Attachment B
9. Public improvements on said property are: N/A

| Date | Signature of Property Owner | Printed Name |
|---------|-----------------------------|---------------------------------------|
| 7-26-12 | Arnold Eichstadt | Arnold Eichstadt Arnold |
| 7-30-12 | Laura Eichstadt | Laura Eichstadt |
| 7-30-12 | James A. Eichstadt | James A. Eichstadt |
| | | |
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| | | |
| | | |

REC'D BY
MBA

SEP 19 2012

ATTACHMENT A

Legal Description – 4612 Mill St. NE

Parcel #80.00273.00

Sect-12 Twp-146 Range-033 35.00 AC SE1/4 OF SW1/4 LESS S 466' OF W 466'

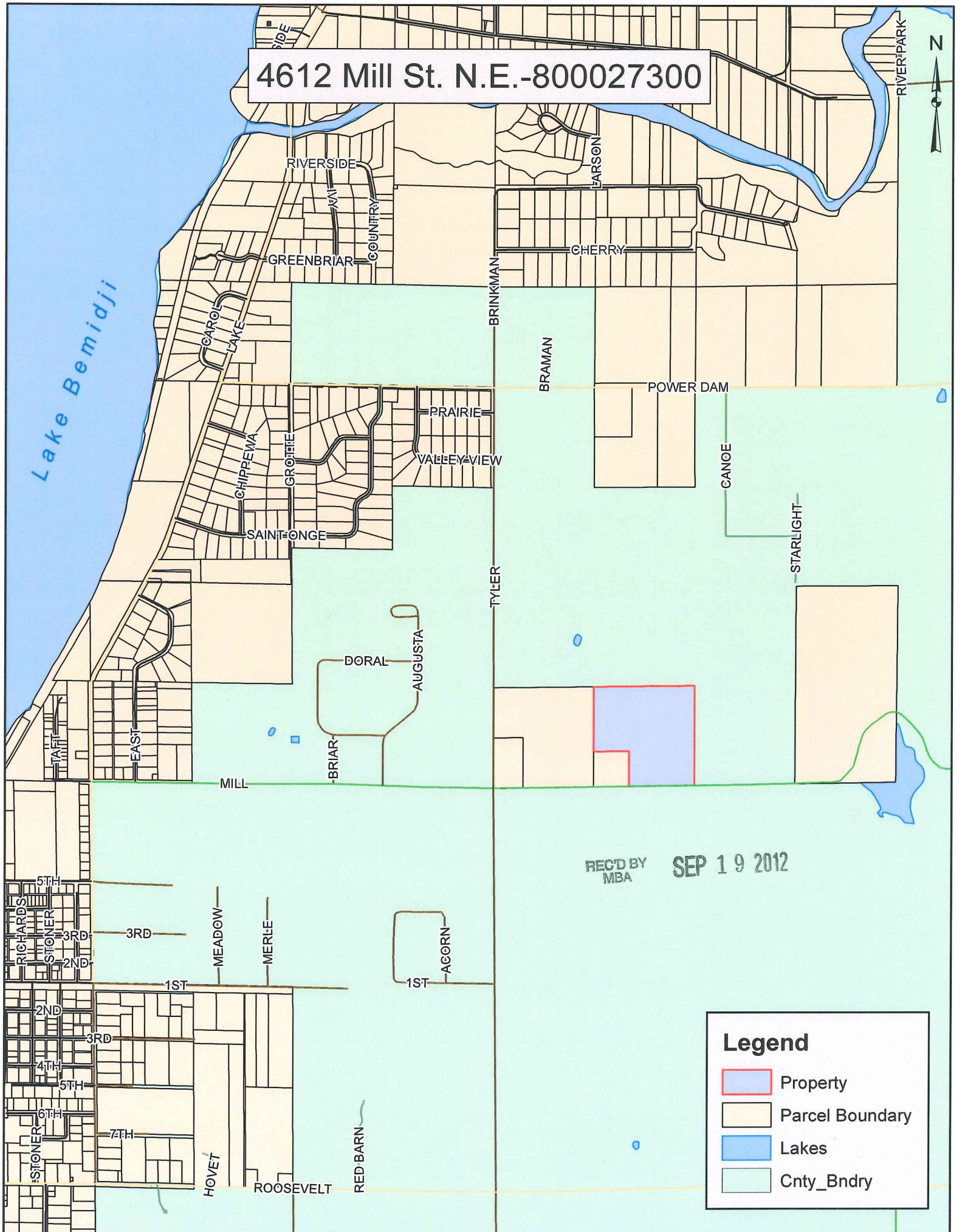
Parcel #80.00273.01

Sect-12 Twp-146 Range-033 5.00 AC S 466' OF W 466' OF SE1/4 OF SW1/4

4612 Mill St. N.E.-800027300







Lake Bemidji

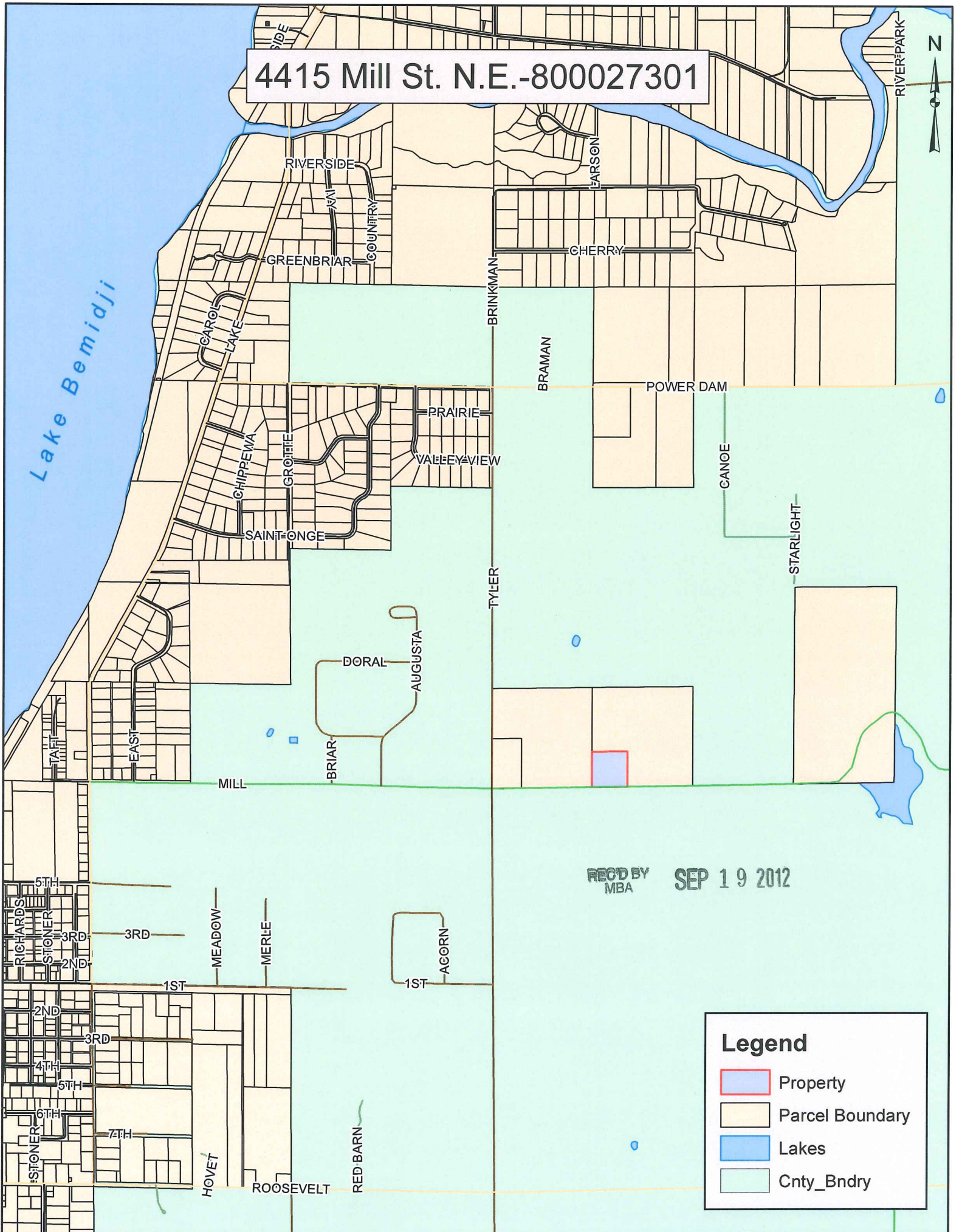


REC'D BY MBA SEP 19 2012

Legend





-  Property
-  Parcel Boundary
-  Lakes
-  Cnty_Bndry

4415 Mill St. N.E.-800027301



REC'D BY
MBA SEP 19 2012

Legend

-  Property
-  Parcel Boundary
-  Lakes
-  Cnty_Bndry

REC'D BY
MBA

SEP 19 2012

ATTACHMENT A

Legal Description – 4111 Mill St. NE

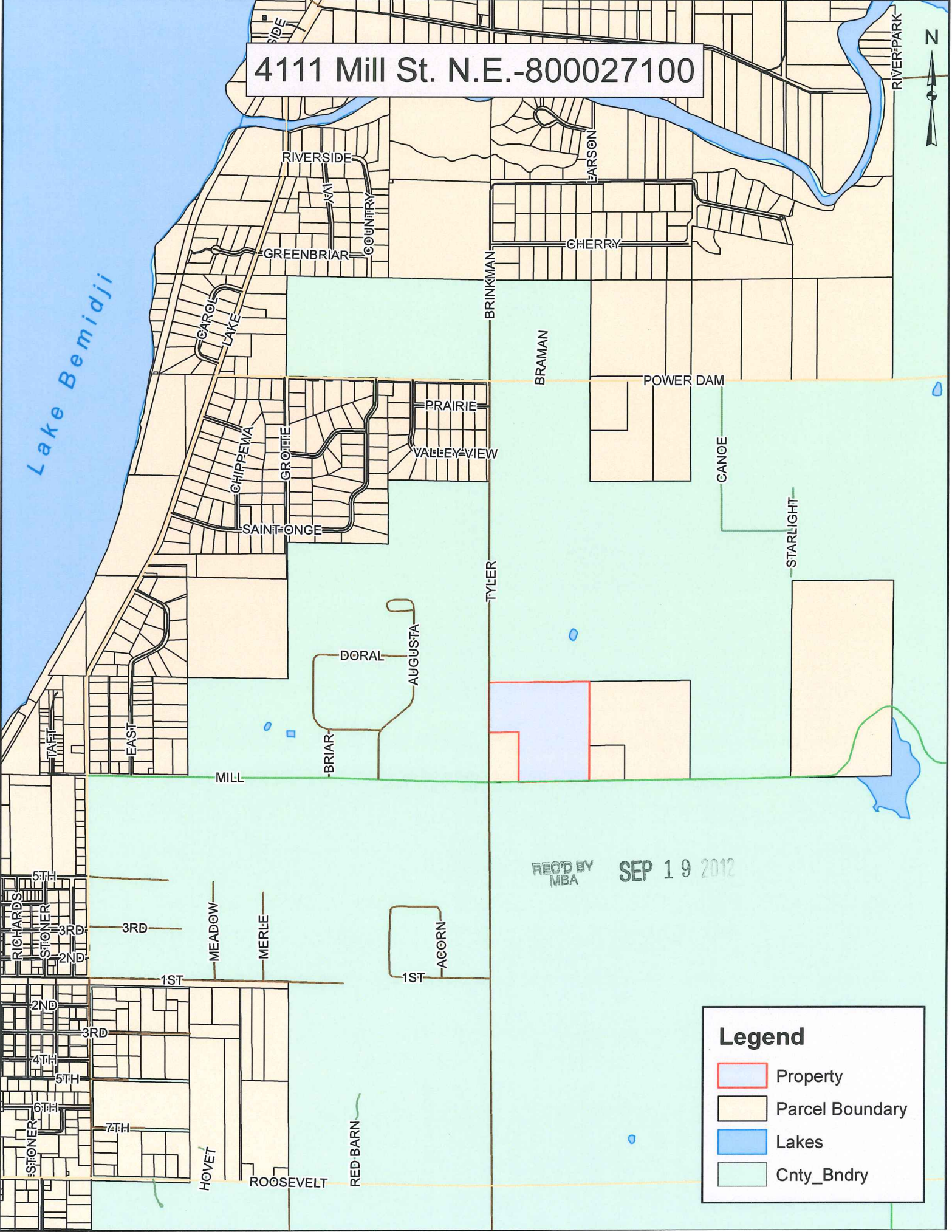
Parcel #80.00271.00

Sect-12 Twp-146 Range-033 34.00 AC SW1/4 OF SW1/4 LESS W 396' OF S 660'
THEREOF

Parcel #80.00272.00





Sect-12 Twp-146 Range-033 6.00 AC W 396' OF S 660' OF SW1/4 OF SW1/4

4111 Mill St. N.E.-800027100

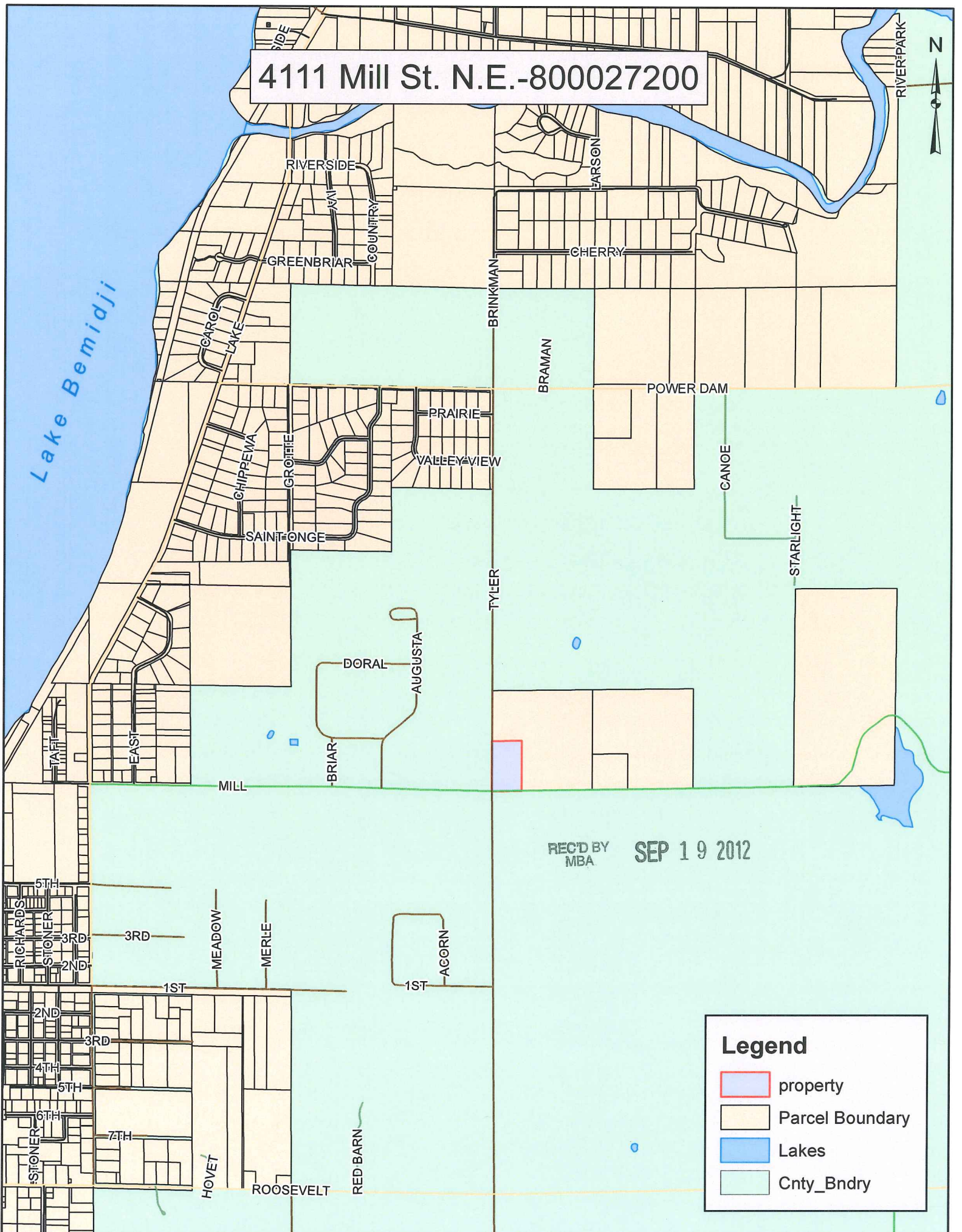


REC'D BY
MBA SEP 19 2012

Legend




-  Property
-  Parcel Boundary
-  Lakes
-  Cnty_Bndry

4111 Mill St. N.E.-800027200



REC'D BY
MBA
SEP 19 2012

Legend

-  property
-  Parcel Boundary
-  Lakes
-  Cnty_Bndry

ATTACHMENT A

REC'D BY
MBA

SEP 19 2012

Legal Description – 5425 Mill St. N.E.

Parcel #80.00274.00

Sect-12 Twp-146 Range-033 80.00 AC E1/2 OF SE1/4

5425 Mill St. N.E.-800027400



Lake Bemidji

RIVER PARK

RIVERSIDE

LARSON

CHERRY

GREENBRIAR

COUNTRY

BRINKMAN

BRAMAN

POWER DAM

CANOE

PRAIRIE

VALLEY VIEW

SAINT-ONGE

CHIPPEWA

GROUPE

TYLER

STARLIGHT

DORAL

AUGUSTA

BRIAR

MILL

REC'D BY
MBA

SEP 19 2012

Legend

-  Property
-  Lakes
-  Parcel Boundary
-  Cnty_Bndry

5TH
3RD
2ND
1ST
2ND
3RD
4TH
5TH
6TH
7TH

RICHARDS
STONER
STONER

MEADOW

MERLE

ACORN

HOVET

ROOSEVELT

RED BARN