

## 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.

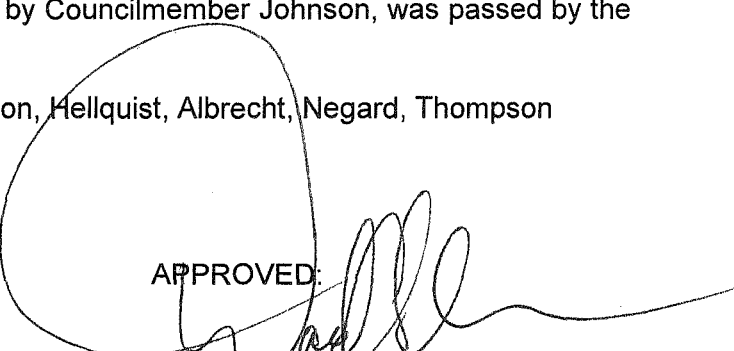
The foregoing resolution was offered by Councilmember Waldhausen, who moved its adoption, and on due second by Councilmember Johnson, was passed by the following vote:

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

ATTEST:

  
Kay M. Murphy, City Clerk

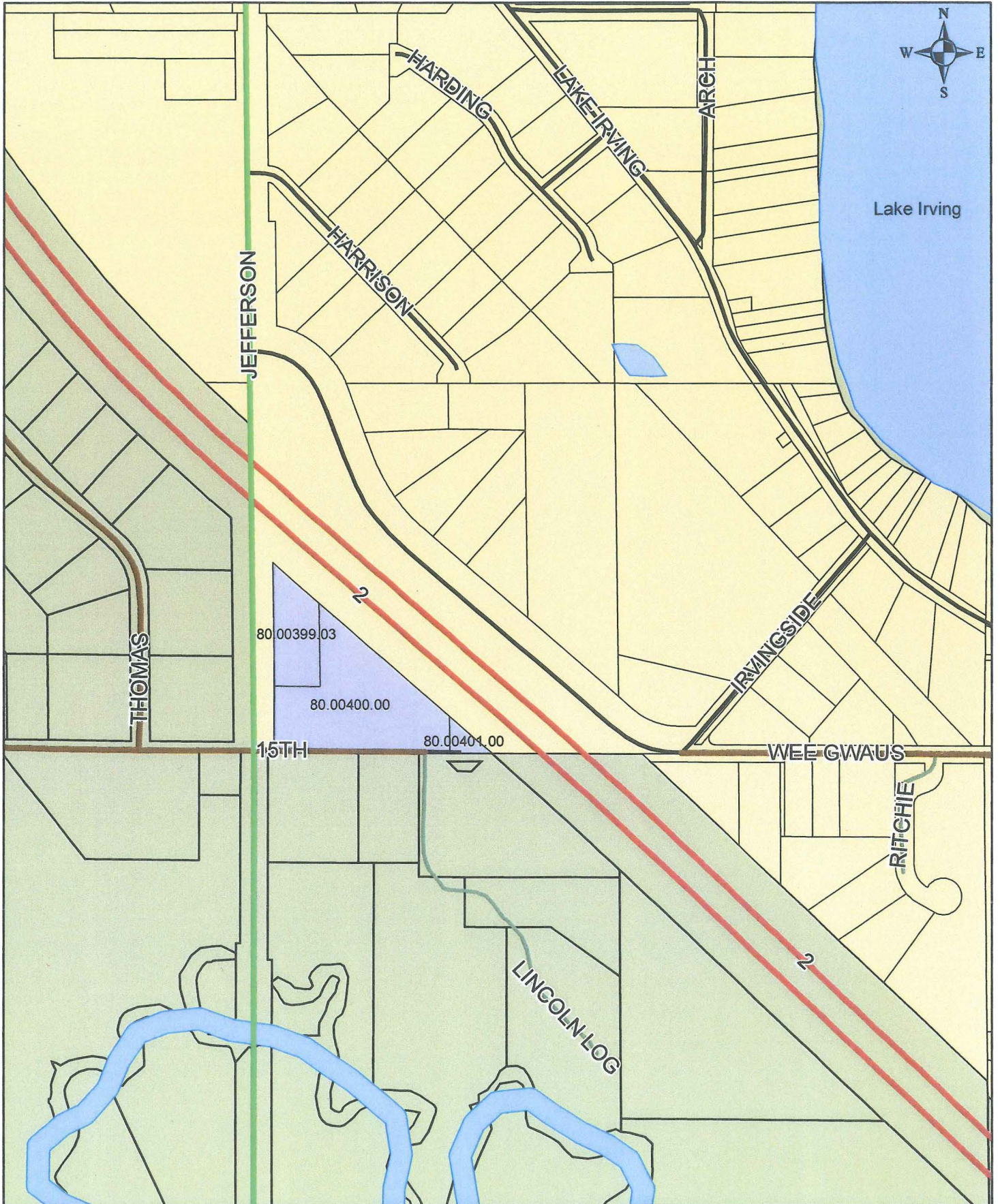
APPROVED:

  
David A. Larson, Mayor

**EXHIBIT C**  
**Properties Proposed for Detachment**  
**Bemidji Township**

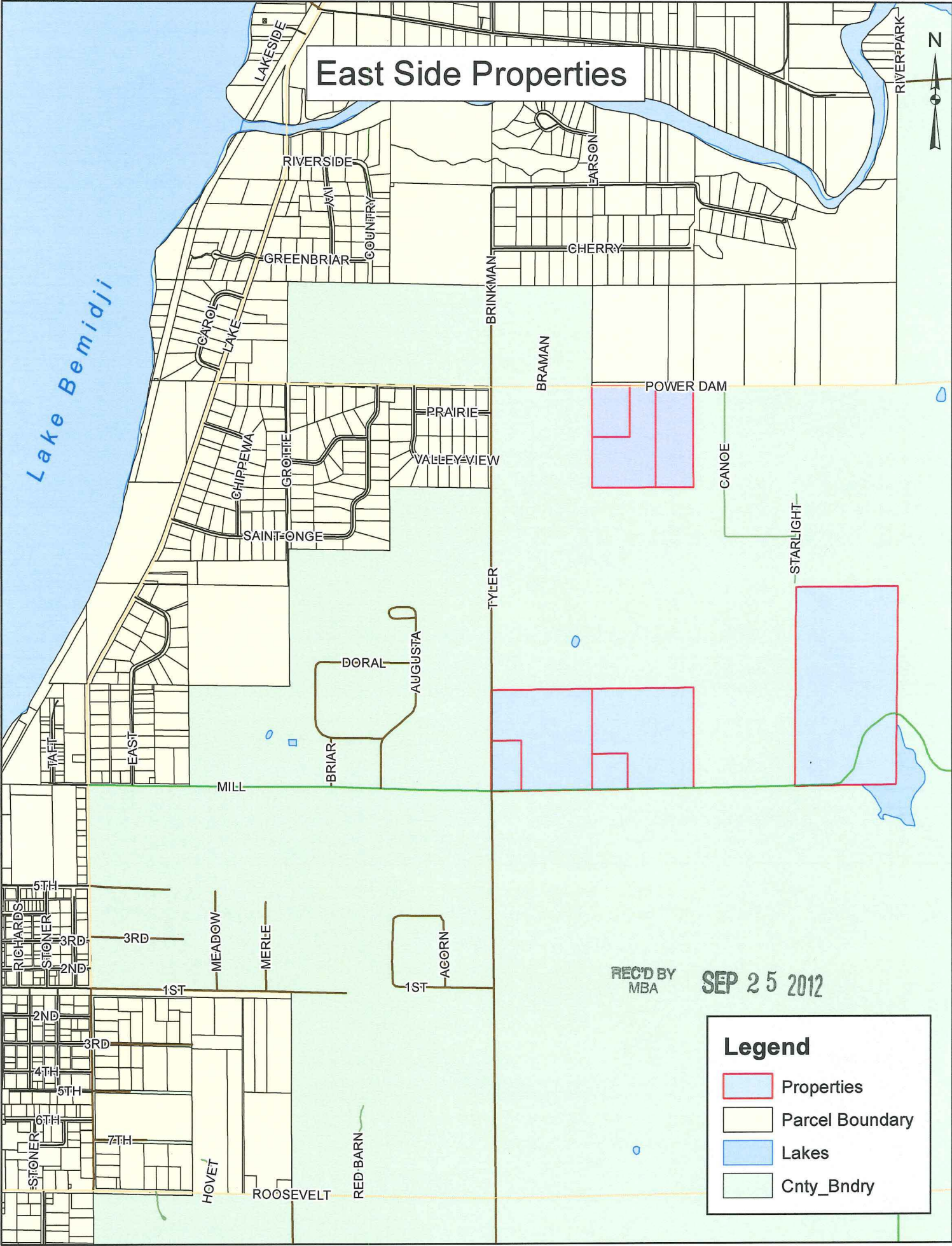
1. East one-half of the Southeast Quarter (E 1/2 of SE 1/4), Section 12, T146N, R33W.
2. South one-half of the Southwest Quarter (S 1/2 of SW 1/4), Section 12, T146N, R33W.
3. Northeast Quarter of the Northwest Quarter (NE 1/4 of NW 1/4), Section 12, T146N, R33W.
4. That part of the Southwest Quarter 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 Detachment Parcels



SW Detachment Properties    Parcels in City    Parcels in County

# East Side Properties



REC'D BY  
MBA  
SEP 25 2012

**Legend**

- Properties
- Parcel Boundary
- Lakes
- Cnty\_Bndry



REC'D BY  
MBA

NOV 05 2012

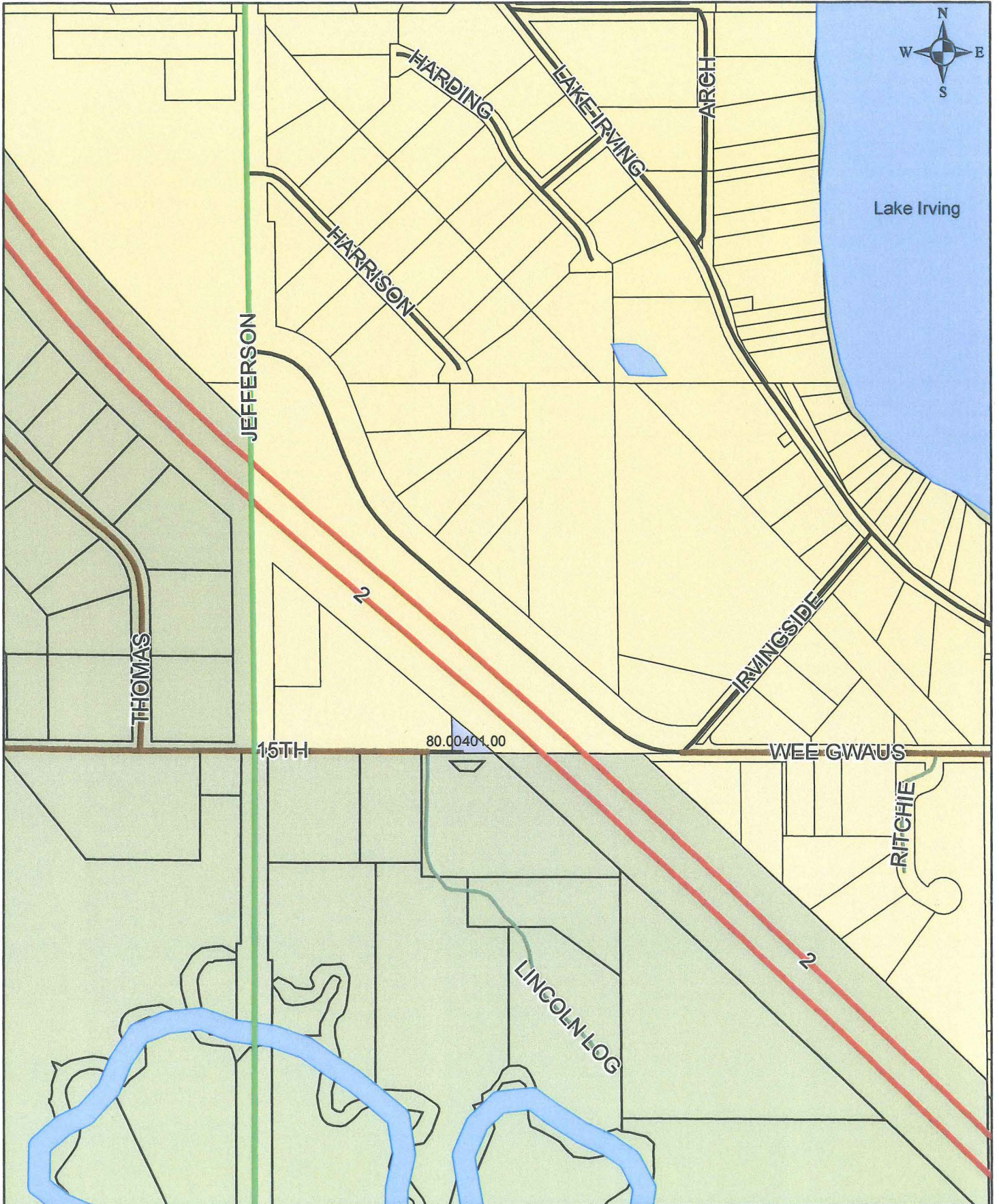
## **ATTACHMENT A**

### **Legal Description – City Parcel**

Parcel #80.00401.00

All that part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  of the SW $\frac{1}{4}$ ), Section 17, Township 146, Range 33 which lies Easterly of a line run parallel with and distant 710 feet Easterly of the West line of said Southwest Quarter of the South Quarter (SW $\frac{1}{4}$  of the SW $\frac{1}{4}$ ), and Westerly of the tract shown as Parcel 19 on the Plat designated as Minnesota Department of Transportation Right-of-way Plat Numbered 04-6 on file and of record in the office of the County Recorder in and for Beltrami County, Minnesota.

# Parcel 80.00401.00 - City Owned



SW Detachment Property - 80.00401.00    Parcels in City    Parcels in County

## 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



# 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

**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 800800491700 800491500 800491401 800001002 800475900

CHERRY

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

800001001

BRAMAN

800001800 800001900

800002000 800002100

POWER DAM

800026700 800026701

800026800

CANOE

REC'D BY MBA SEP 24 2012

4690 Power Dam Road NE



**ATTACHMENT A**  
**Legal Description – 1703 15<sup>th</sup> St. SW**  
**Parcel #80.00400.00**

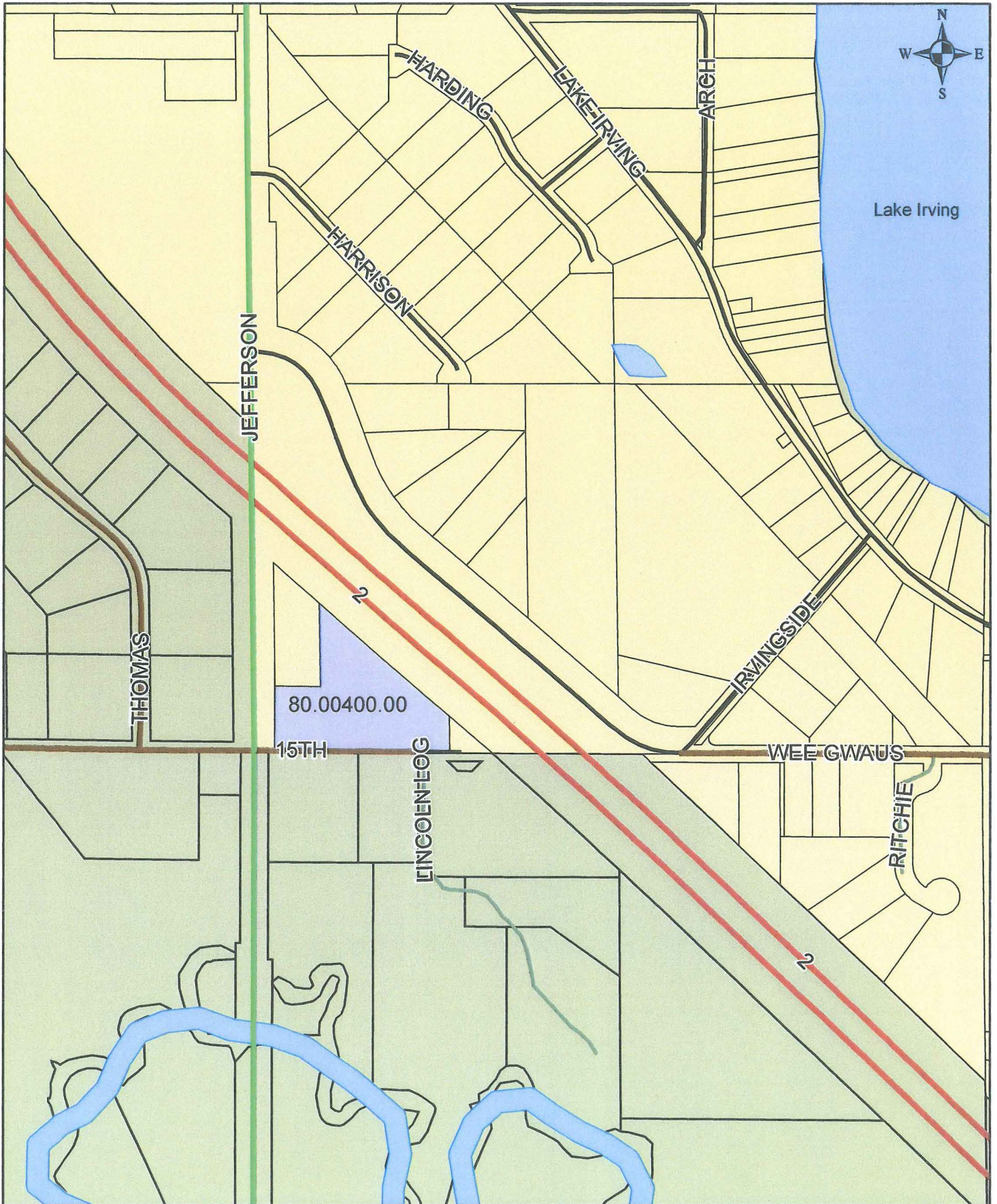
That part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ), Section Seventeen (17), Township One Hundred Forty-six (146), Range Thirty-three (33), lying Southwesterly of the following described line: Beginning at the intersection of the South boundary line of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$  and the Southwest boundary line of Minnesota Department of Transportation Right-of-Way Plat No. 04-6, said point being marked B57 on said plat; running thence Northwesterly along the Southwest boundary line of said plat to marker B59 and continuing Northwesterly along the last described course extended to the West boundary line of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , and there terminating;

LESS the West 75 feet of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; and

LESS that part of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$  described as follows: Commencing at the Southwest corner of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; thence North 0°15'59" West, bearing assumed, a distance of 238.60 feet along the West line of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; thence South 89°18'43" East a distance of 75.00 feet to the intersection with the Easterly right-of-way of County State Aid Highway No. 11 and the point of beginning of the land to be described; thence continue South 89°18'43" East a distance of 167.02 feet; thence North 01°15'59" West a distance of 301.42 feet to the intersection with the Southwesterly right-of-way of State Trunk Highway No. 2; thence North 48°42'12" West a distance of 223.25 feet along said right-of-way; thence South 0°15'59" East a distance of 446.72 feet along said right-of-way to the point of beginning and there terminating, Beltrami County, Minnesota; and

LESS all that part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ), Section Seventeen (17), Township One Hundred Forty-six (146), Range Thirty-three (33), which lies Easterly of a line run parallel with and distant 710 feet Easterly of the West line of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , and Westerly of the tract shown as Parcel 19 on the Plat designated as Minnesota Department of Transportation Right-of-Way Plat No. 04-6 on file and of record in the office of the County Recorder in and for Beltrami County, Minnesota.

# Parcel 80.00400.00 - 1703 15th ST SW





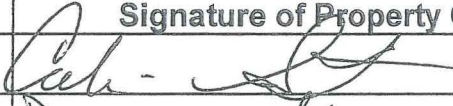
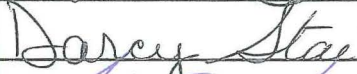


1719 15th Street SW - Parcel #80.00399.03

## 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

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

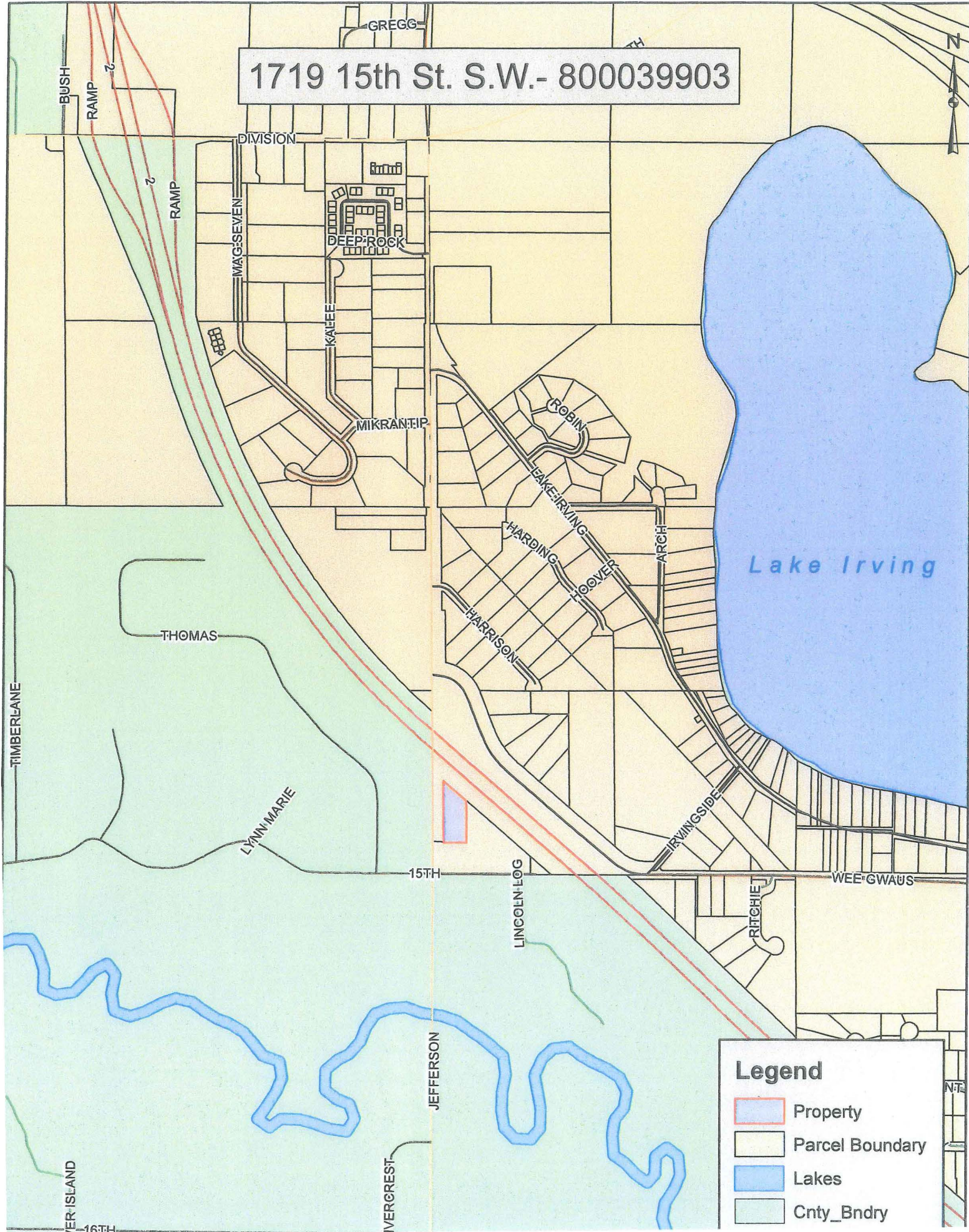
**ATTACHMENT A****Legal Description – 1719 15<sup>th</sup> St. SW**

Parcel #80.00399.03

That part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ), Section Seventeen (17), Township One Hundred Forty-six (146) North, Range Thirty-three (33), West of the 5<sup>th</sup> Principal Meridian described as follows:

Commencing at the Southwest corner of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; thence North 0°15'59" West, bearing assumed, a distance of 238.60 feet along the west line of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; thence South 89°18'43" East a distance of 75.00 feet to the intersection with the Easterly right-of-way of County State Aid Highway No. 11 and the point of beginning of the land to be described; thence continue South 89°18'43" East a distance of 167.02 feet; thence North 0°15'59" West a distance of 301.42 feet to the intersection with the Southwesterly right-of-way of Minnesota State Trunk Highway No. 2; thence North 48°42'12" West a distance of 223.25 feet along said right-of-way; thence South 0°15'59" East a distance of 446.72 feet along said right-of-way to the point of beginning and there terminating, Beltrami County, Minnesota.

1719 15th St. S.W.- 800039903



**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	<i>Arnold Eichstadt</i>	<del>Arnold Eichstadt</del> Arnold
7-30-12	<i>Laura Eichstadt</i>	Laura Eichstadt
7-30-12	<i>James A. Eichstadt</i>	James A. Eichstadt

# ATTACHMENT A

REC'D BY  
MBA

SEP 19 2012

## 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'

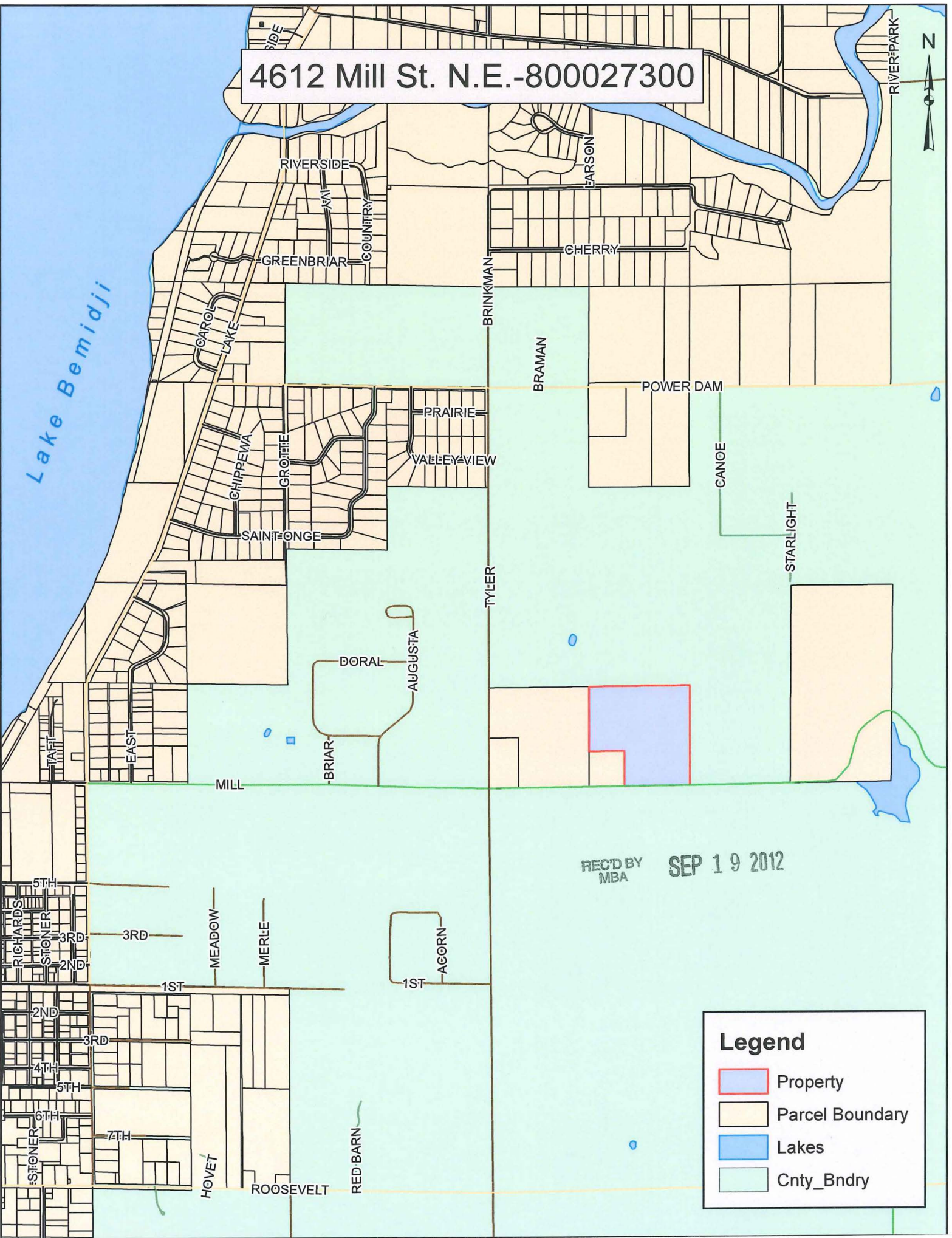
Parcel #80.00273.01

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



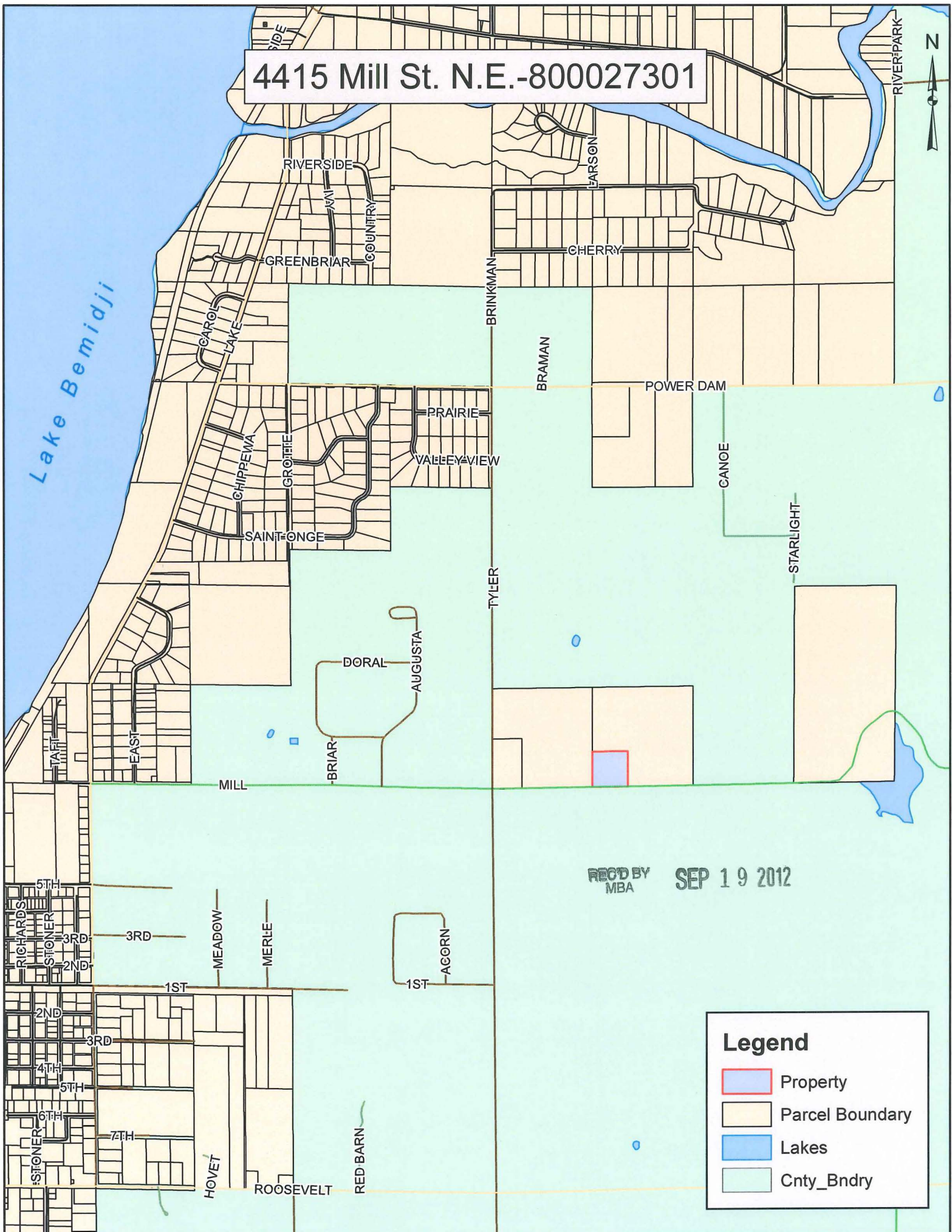
**Legend**

-  Property
-  Parcel Boundary
-  Lakes
-  Cnty\_Bndry

4415 Mill St. N.E.-800027301







Lake Bemidji



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**

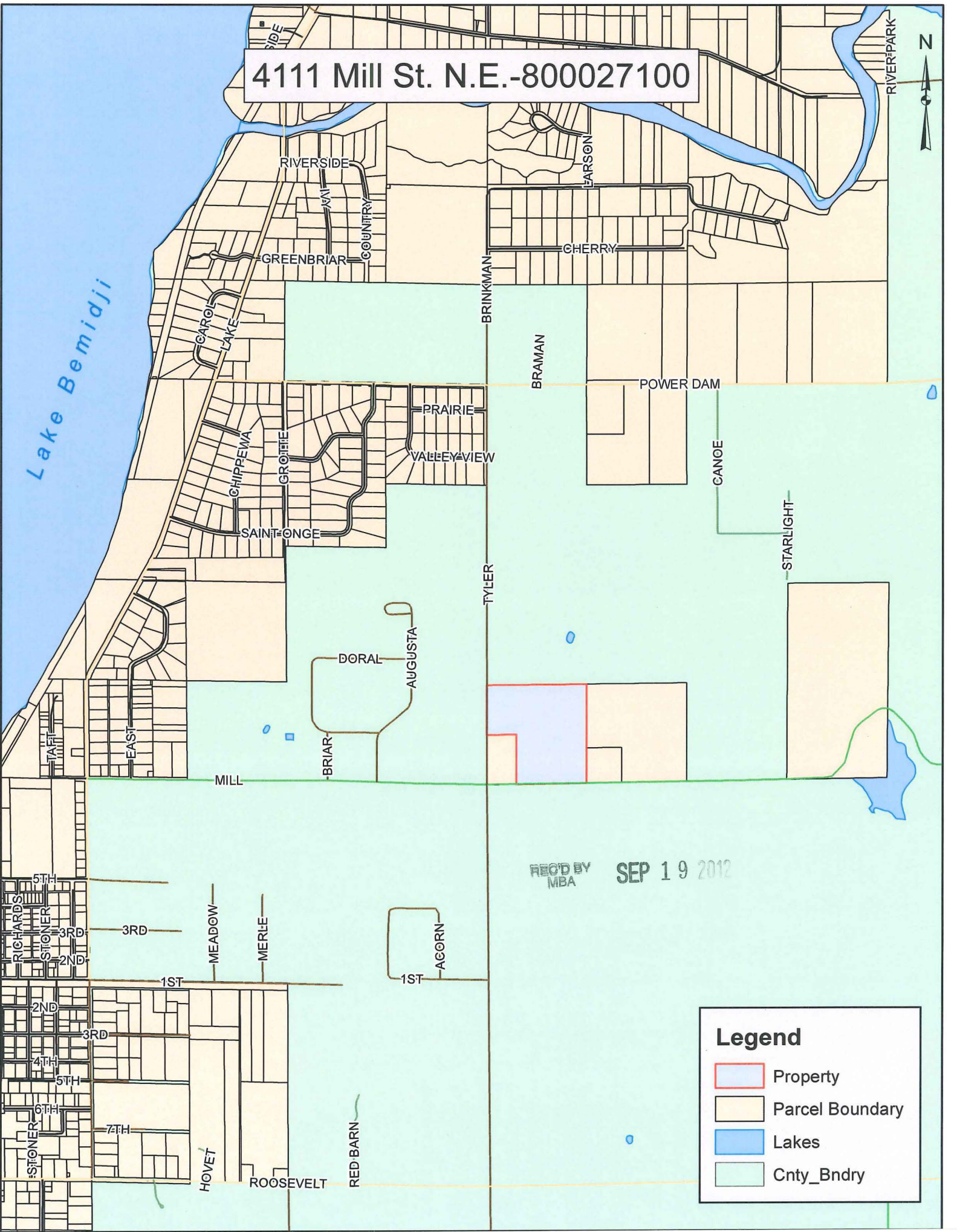
Parcel #80.00271.00

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

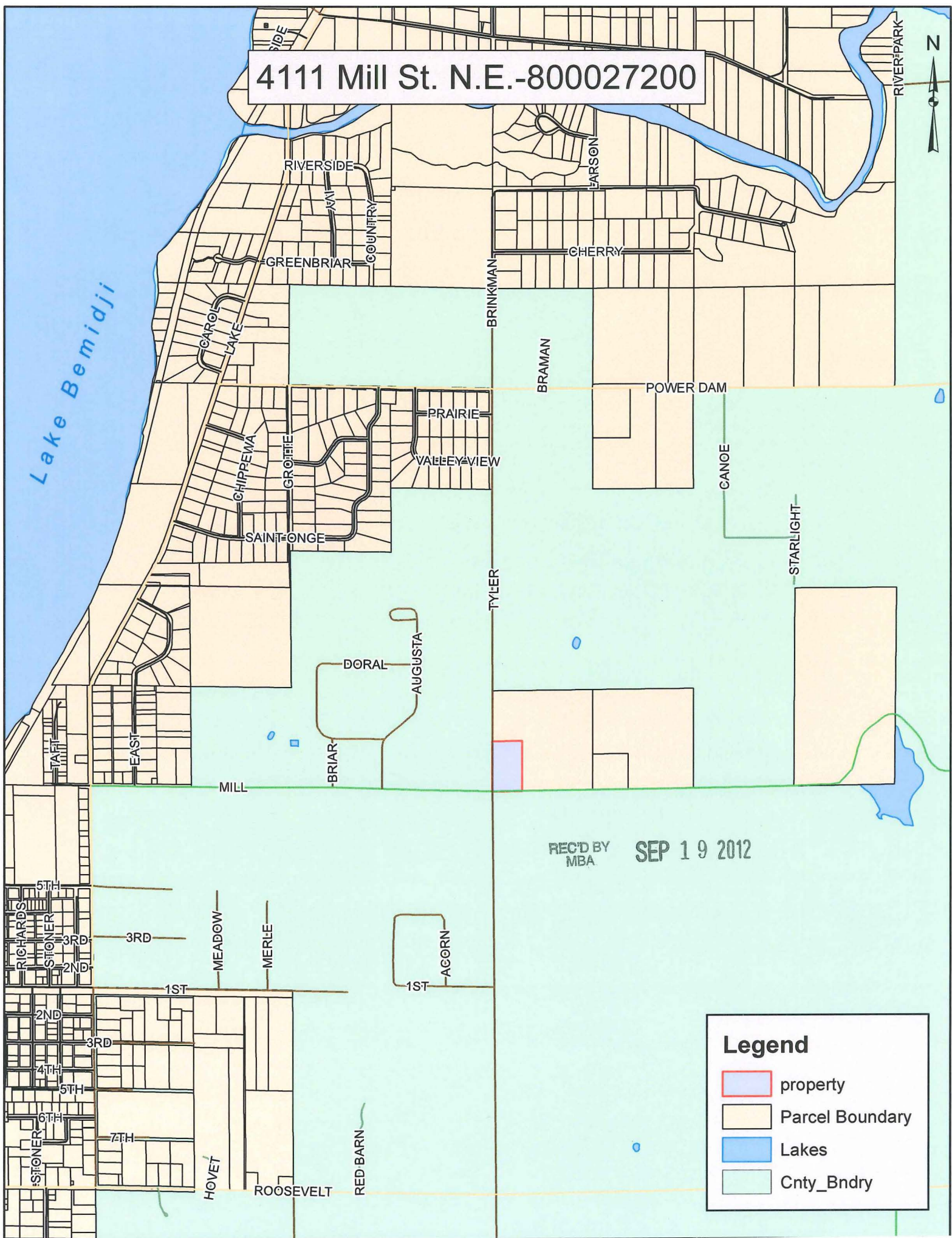
**Legend**

- Property
- Parcel Boundary
- Lakes
- Cnty\_Bndry

4111 Mill St. N.E.-800027200




Lake Bemidji



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

GREENBRIAR

COUNTRY

CHERRY

BRINKMAN

BRAMAN

POWER DAM

PRAIRIE

VALLEY-VIEW

CANOE

CHIPPEWA

GROITTE

SAINT-ONGE

TYLER

STARLIGHT

DORAL

AUGUSTA

BRIAR

MILL

REC'D BY  
MBA

SEP 19 2012

5TH  
3RD  
2ND  
2ND  
3RD  
4TH  
5TH  
6TH  
7TH  
RICHARDS  
STONER

MEADOW

MERLE

1ST

1ST

ACORN

HOVET

ROOSEVELT

RED BARN

### Legend

-  Property
-  Lakes
-  Parcel Boundary
-  Cnty\_Bndry