

RESOLUTION NO. 62-2013

**RESOLUTION ACCEPTING PETITION AND APPROVING ANNEXATION
UNDER OA-276 SARTELL/LESAUK TOWNSHIP
1381 PINECONE ROAD NORTH, SARTELL
PARCEL #17.09020.0000**

WHEREAS, the city of Sartell and the Town of LeSauk are parties to a orderly annexation agreement by the Office of Administrative Hearings, Municipal Boundary Adjustment Unit as OA-276 executed by the parties in October of 1995; and

WHEREAS, In OA-276 the Town and the City mutually stated that the agreement set forth all the conditions for annexation of the area designated for orderly annexation and that no consideration by the Office of Administrative Hearings, Municipal Boundary Adjustments Unit is necessary. The Office of Administrative Hearings, Municipal Boundary Adjustments Unit may review and comment, but shall, within thirty (30) days order annexation in accordance with the terms and conditions of this agreement; and

WHEREAS, a petition for annexation under OA-276 was filed by the city of Sartell; with the city clerk on October 21, 2013; and

WHEREAS, the petition was signed by 100% of the affected property owners; and

WHEREAS, the petition was presented to the city council for their review at a regular meeting held on October 28, 2013; and

WHEREAS, the quantity of land embraced within the area described in the petition and bounded herein is not in excess of 200 acres of land, no part of which is included within the limits of any other incorporated city; and

WHEREAS, a public hearing is not required to be held by the city because 100% of the property owners of the land to be annexed signed the petition; and

WHEREAS, the land described in the petition does abut upon the present city limits thereof and is included in an existing orderly annexation agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SARTELL, MINNESOTA: That the city council hereby determines that the annexation will be in the best interest of the city and of the territory affected; that the territory described herein does abut upon the city limits and is now urban or suburban in character; and that none of said territory is now included within the limits of any incorporated city.

BE IT ALSO RESOLVED: That the Town and the City mutually state that the joint resolution and agreement sets forth all the conditions for annexation of the area designated herein for orderly annexation and that no consideration by the Department of Administration/Municipal Boundary Adjustments is necessary. The Department of Administration/Municipal Boundary Adjustments may review and comment, but shall, within thirty (30) days order annexation in accordance with the terms and conditions of this agreement.

BE IT FURTHER RESOLVED: That the subject property will not be able to be subdivided until such time the property is serviced with city utilities (water, storm, and sewer); and that if the property owner so desires to subdivide the property prior to the orderly extension of city utilities (water, storm and sewer), that the same would be required to front all costs associated with the extension of the utilities at no expense to the city of Sartell.

BE IT FURTHER RESOLVED: That future subdividing of the property will require the dedication of appropriate right of way as determined by Sartell's Future Transportation Plan, in addition to the Area Planning Organization, and Stearns County Future Transportation plans and appropriate land uses as guided by the Future Land Use Plan.

BE IT FURTHER RESOLVED: That the city of Sartell will act as the Local Governmental Unit, for purposes of administering environmental reviews, in addition to local subdivision and zoning regulations, upon such time as the annexation is reviewed by the Department of Administration/Municipal Boundary Adjustments. No official applications will be reviewed by the City Council until the annexation correspondence from the Department of Administration/Municipal Boundary Adjustments has been received by the Stearns County Auditor.


BE IT FURTHER RESOLVED: That the future land use plan designates the property as low density (single family homes) but will be used as part of the expansion of Pinecone Central Park.

BE IT FURTHER RESOLVED: That the following described property is hereby annexed to the City of Sartell, Minnesota, the same as if it had originally been made a part thereof:

All that part of the North One-half of the South One-half of the Northeast Quarter of section 17, Township 125, North of Range 28 West; LESS AND EXCEPT Commencing at a point 330 feet North of the Southeast corner of the North Half of the South Half of the Northeast Quarter of Section 17, Township 125, Range 28, thence north 135 feet, thence West 246 feet, thence south 135 feet, thence east 246 feet to the point of beginning; also LESS AND EXCEPT That part of the North One-half of the South One-half of the Northeast Quarter of Section 17 in Township 125 North of Range 28 West, commencing at a point 465 feet North of the Southeast corner of the North One-half of the South One-half of the Northeast Quarter of said Section 17; thence North 135 feet; thence West 246 feet; thence South 135 feet; thence East 246 feet to the plat of beginning.

Said property is being annexed to the City of Sartell under zoning classification of R-1, Single Family Residential, is 38.47 acres, which includes 1.52 acres of right of way currently within the City of Sartell, and has a current population of 0.

ADOPTED BY THE SARTELL CITY COUNCIL THIS 28th DAY OF OCTOBER, 2013.



Mayor

ATTEST:

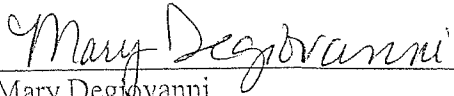


Administrator

SEAL

CERTIFICATION

I, Mary Degiovanni, City Administrator of the City of Sartell, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Council of the City of Sartell at a regular meeting held on the 28th day of October, 2013.



Mary Degiovanni
City Administrator
City of Sartell, Minnesota

REC'D BY
MBA

NOV 07 2013

