

RESOLUTION NO. 18-13

**RESOLUTION ACCEPTING PETITION AND APPROVING ANNEXATION
UNDER OA-276 SARTELL/LESUK TOWNSHIP
LOREN "PETE" AND JANE YARMON
PARCEL #17.09299.0036 and 17.09299.0039**

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, OA-276 represented the entire agreement between the parties. In OA-276 the City and the Town negotiated financial arrangements that stand in lieu of any other reimbursements to the Town. Those arrangements can be found in paragraph 6, 7 and 10 of OA-276. They include provisions for the dedication of property taxes for over sizing of public sanitary sewers; a phase-in of property taxes for newly annexed residents and cost sharing arrangements for cooperative projects including the fire department and government center; 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 March 19, 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 March 25, 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) and will be given the zoning designation of Agricultural until such time as appropriate planning, engineering and environmental reviews have been done to determine the appropriate long term designation.


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:

Lots 2 and 3, Block 1, HOUGHTON WOODS, according to the recorded plat thereof as is of file and of record in the office of the County Recorder in and for Stearns County, Minnesota.

Said property is being annexed to the City of Sartell under zoning classification of A-1, Agricultural District, is 20 acres in size, and has a current population of 3.

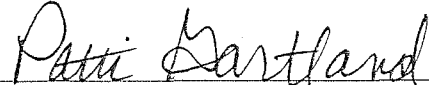
REC'D BY
DEC 02 2013

ADOPTED BY THE SARTELL CITY COUNCIL THIS 25TH DAY OF MARCH, 2013.



Mayor

ATTEST:

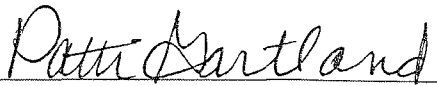


Administrator

SEAL

CERTIFICATION

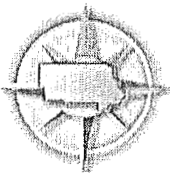
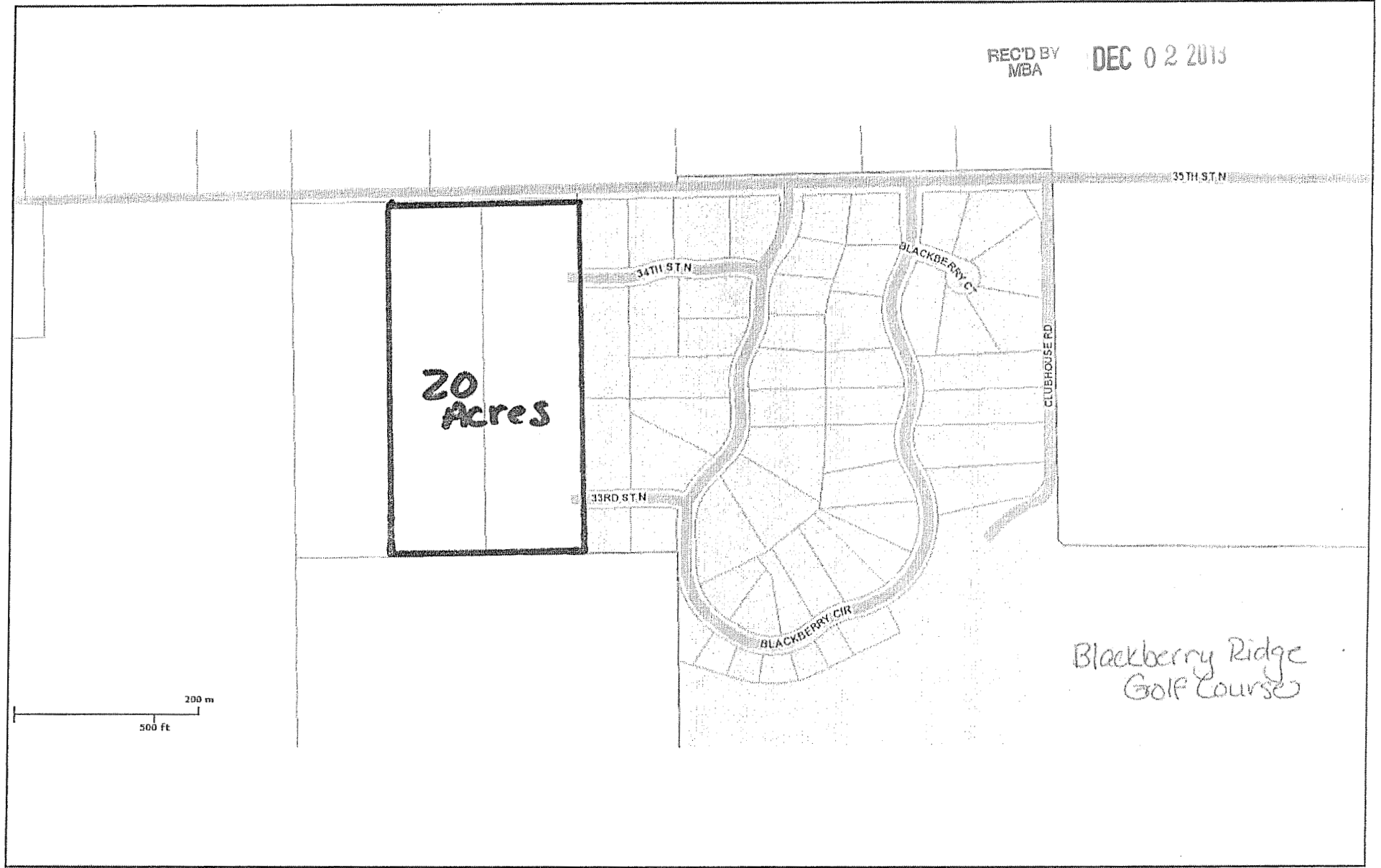
I, Patti Gartland, Administrator-Clerk-Treasurer of the City of Sartell, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Council of the City of Sartell at a regular meeting held on the 25th day of March, 2013.



Patti Gartland
Administrator-Clerk-Treasurer
City of Sartell, Minnesota

REC'D BY
MBA

DEC 02 2013



Wednesday, Mar. 20, 2013 at 1:50 PM

These data are provided on an 'AS-IS' basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Yarmon Annexation
T.125N – R.28.W Section 6

REC'D BY
MBA
DEC 03 2013

