

RESOLUTION NO. 2004-41**A RESOLUTION ANNEXING LAND TO THE CITY OF STILLWATER
PURSUANT TO THE JOINT RESOLUTION OF THE CITY
AND TOWN OF STILLWATER AS TO ORDERLY ANNEXATION
DATED AUGUST 16, 1996.**

WHEREAS, the Stillwater Evangelical Free Church, 7671 Manning Avenue North, Stillwater, Minnesota, ("Church"), has petitioned that land owned by it in the Town of Stillwater ("Town"), (collectively, the "Land") described on Exhibit "A", as depicted on the map attached hereto as Exhibit "B", be annexed to the City of Stillwater ("City"), pursuant to the provisions of the Joint Resolutions as to Orderly Annexation of the City and Town of Stillwater, dated August 16, 1996; and

WHEREAS, the Land is included within Phase IV of the area designated for orderly annexation; and

WHEREAS, the Land, contains 4.0 acres, more or less, and is contiguous to the City. The Land is improved with right-of-way, a parking lot and the Church. The Land is not proposed for further development for residential use. Municipal services such as water, sanitary sewer and storm sewer are available to the Land; and

WHEREAS, Section 4.01 of the Orderly Annexation Agreement provides that "Phase IV" land may be annexed to the City, pursuant to Section 4.09 of the Agreement, provided that the annexation will not create a level of growth that will not exceed a one hundred twenty (120) dwelling unit per year limitation; and

WHEREAS, it further appears to the City Council, that the annexation does not conflict, in any way, with the Joint Resolution Agreement of the City and Town of Stillwater, relating to orderly annexation dated August 16, 1996.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Stillwater as follows:

1. That this Resolution be submitted, forthwith, by the City Clerk to the Executive Director of the Minnesota Municipal Board for the purpose of annexing the Land described in Exhibit "A" to the City all as provided by Subdivision I of Section 414.0325 of the Minnesota Statutes relating to orderly annexations within a designated area, and the Director may review and comment, but shall, within 30 days, order the annexation in accordance with the terms of the joint resolution designating this area to be in need of orderly annexation.
2. For the purpose of this annexation proceeding, the City Council hereby determines that the Land described in Exhibit "A" is now or about to become urban and the City is capable of providing the services required by the area within a reasonable time. It is further determined that the annexation of the City would be in the best interests of the Land.

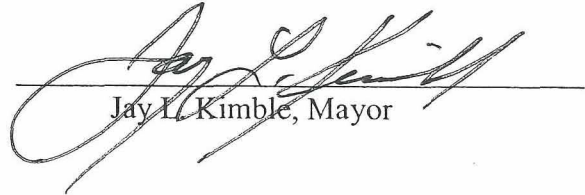
3. After the annexation, the real estate taxes, with respect to the Land, will be divided as provided by Section 7.03 of the Joint Resolution, however, it appears that no real estate taxes will be generated since the Land is held by the Church and is therefore exempt from real estate taxes.

BE IF FURTHER RESOLVED, that a map with the Land proposed for annexation designated thereon and marked as Exhibit "B" to this Resolution be submitted to the Minnesota Municipal Board along with a certified copy of this Resolution.

BE IF FURTHER RESOLVED, that the Clerk submit copies of this Resolution with copies of the map to the Town Board of the Town of Stillwater and the Joint Powers Committee.

Adopted by the City Council of the City of Stillwater this 17th day of February, 2004

CITY OF STILLWATER


Jay L. Kimble, Mayor

ATTEST:


Diane F. Ward, Clerk

EXHIBIT A
TO ANNEXATION RESOLUTION

That part of the intersection of County Roads 12 and 15 and that part of the right- of- way of County Road 15, as described in Book 291 of Deeds, Page 261, as further described as that part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, Town 30 North, Range 20 West, lying east of and adjacent to the following described centerline: Beginning at a point on the South line of the Northeast Quarter of Section 25, Township 30 North, Range 20 West, a distance of 2.18 feet West of the East Quarter Corner of Section 25; thence North on a 230' curve to the left (central angle equals 5) a distance of 100 feet; then North 5 , 9', 20" West, a distance of 233.4 feet to Engineering Station 86+39, at which point the 60 foot right- of- way line intersects the existing 30 foot right- of- way line;

and

That part of County Road 15, as described in Book 268 of Deeds, Page 466, and further described as a strip of land 60 feet wide in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25 North, Range 30 West, lying East of and adjacent to the following described center line: Beginning at Engineering Station 91+63, at the intersection of an existing 33 foot right- of- way line and the 60 foot right- of- way line; thence North 5 , 5', 40" East, a distance of 194 feet to Engineering Station 93+57, said point being 12.22 feet West and 1,038.20 feet North of the East Quarter Corner of Section 25, Township 30 North, Range 20 West;

and

The West 4 Acres of the following described property:

All that part of the Southwest Quarter of the Northwest Quarter of Section 30, Township 30, Range 20, Washington County, Minnesota, described as follows:

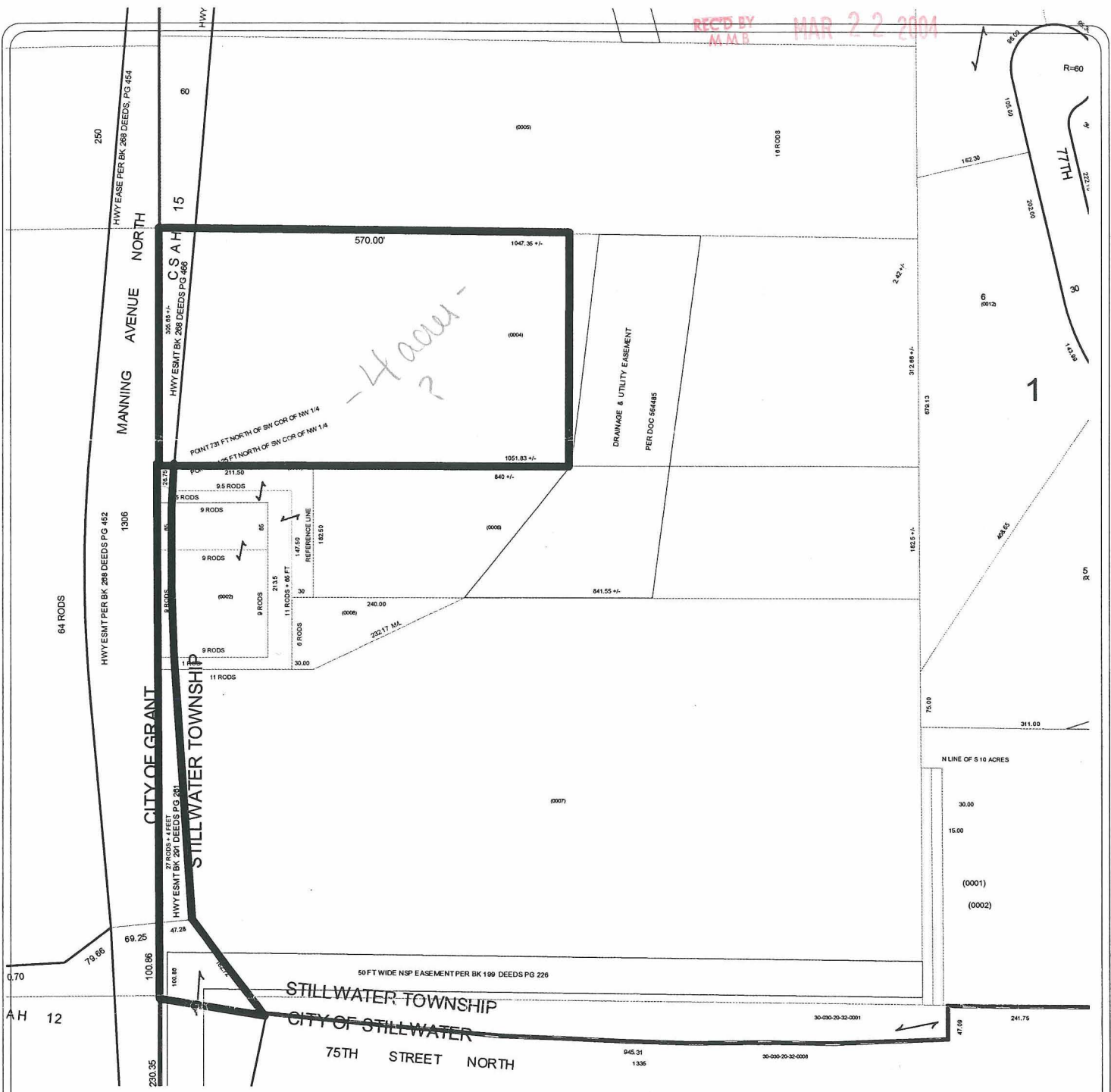
Commencing at the northeast corner of said Southwest Quarter of the Northwest Quarter, thence South 01 degrees 10 minutes 54 seconds East, assumed bearing, along the easterly line thereof, 264.00 feet; thence westerly at right angles and on a bearing of South 88 degrees 49 minutes 06 seconds West, 2.42 feet, more or less, to the southerly line of the north 264.00 feet of said Southwest Quarter of the Northwest Quarter, and the point of beginning of the parcel being described; thence continuing South 88 degrees 49 minutes 06 seconds West 1047.35 feet, more or less, to the westerly line of said Southwest Quarter of the Northwest Quarter; thence South 00 degrees 47 minutes 55 seconds East along said westerly line 305.68 feet, more or less, to a point 731.00 feet northerly, as measured along said westerly line, of the southwest corner of said Southwest Quarter of the Northwest Quarter; thence easterly at right angles and on a bearing of North 89 degrees 12 minutes 05 seconds East 1051.83 feet, more or less, to said easterly line of the Southwest Quarter of the Northwest Quarter; thence North 01 degrees 10 minutes 54 seconds West along said easterly line 312.66 feet, more or less, to the southeast corner of said north 264.00 of the Southwest Quarter of the Northwest Quarter; thence South 89 degrees 51 minutes 59 seconds West along said southerly line of the north 264.00 feet a distance of 2.42 feet, more or less, to the point of beginning.

REC'D BY
MMB

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and the West 4 Acres of:

All that part of the Southwest Quarter of the Northwest Quarter of Section 30, Township 30, Range 20, Washington County, Minnesota, lying southerly of the north 264.00 feet thereof, and northerly of the following described line: Commencing at the northeast corner of said Southwest Quarter of the Northwest Quarter; thence South 01 degrees 10 minutes 54 seconds East, assumed bearing, along the easterly line thereof, 264.00 feet to the point of beginning of the line being described; thence westerly at right angles and on a bearing of South 88 degrees 49 minutes 06 seconds West 1049.77 feet, more or less, to the westerly line of said Southwest Quarter of the Northwest Quarter and the end of the line described.



200 0 200 Feet



EXHIBIT 'B'