

RESOLUTION NO. 2006-181**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, US Homes Corporation and Arthur V. Palmer ("Owners"), have petitioned that land owned by them in the Town of Stillwater ("Town"), described on Exhibit "A" and shown on the map attached as Exhibit "B" (the "Land") 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 III of the area designated for orderly annexation; and

WHEREAS, the Land contains 170.2 acres and is contiguous to the City. The Land is improved with one residential home and is suitable for further development into single family lots. Municipal services such as water, sanitary sewer and storm sewer are available to the Land; and

WHEREAS, Section 3.04 of the Orderly Annexation Agreement provides that the Land is "Phase III" land and may be annexed to the City pursuant to Section 4.04 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, that as of the date of this Resolution, there was capacity for the dwelling units proposed for this Phase in the Orderly Annexation Area without exceeding the growth limitations in the Orderly Annexation Agreement and the projected units expected to be yielded on the Land will not cause conflict with growth limitations contained in the Orderly Annexation Agreement.

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, and has been approved by the Joint Board that was created by the Joint Resolution for administration for certain planning functions within the Orderly Annexation Area; and for a period of 30 days, as provided by Section 2.01 of the Orderly Annexation Agreement, the Minnesota Municipal Boundary Adjustments may review and comment only before ordering the annexation.

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 Boundary Adjustments for the purpose of annexing the Land described in Exhibit "A" to the City, all as provided by

Subdivision 1 of Section 414.0325 of the Minnesota Statutes relating to orderly annexations within a designated area; and for a period of 30 days, as provided for by Section 2.01 of the Orderly Annexation Agreement, the Minnesota Municipal Boundary Adjustments may review and comment only before ordering the annexation.

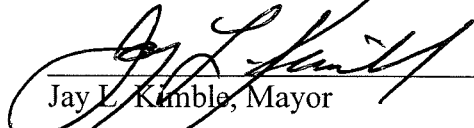
2. For the purpose of this annexation proceeding, the City Council hereby determines that the Land described in Exhibits "A" is now or about to become urban and the City is capable of providing the services required by the area within a reasonable time. It is further determined that the annexation of 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.

BE IT 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 Boundary Adjustments along with a certified copy of this Resolution.

BE IT 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 as of 15th day of August, 2006.

CITY OF STILLWATER


Jay L. Kimble, Mayor

ATTEST:


Diane F. Ward, City Clerk

LEGAL DESCRIPTION

Parcel A:

The North 966 feet of the West 542.10 feet of the NW 1/4 of NW 1/4 of Sec. 19, Tp. 30, Rge. 20, Washington County, Minnesota, EXCEPT that part thereof platted as Random Creek Ranchettes.

Parcel B:

The NW 1/4 of NW 1/4 of Sec. 19, Tp. 30, Rge. 20, Washington County, Minnesota, EXCEPT the North 966 feet of the West 542.10 feet thereof, and EXCEPT that part thereof platted as Random Creek Ranchettes.

Parcel C:

The NE 1/4 of NW 1/4 of Sec. 19, Tp. 30, Rge. 20, Washington County, Minnesota, EXCEPT that part thereof platted as Random Creek Ranchettes.

Parcel D:

That part of the SE 1/4 of the NW 1/4 of Sec. 19, Tp. 30, Rge. 20, Washington County, Minnesota, lying North of the South 677 feet thereof EXCEPT that part thereof platted as Random Creek Ranchettes.

Parcel E:

The NW 1/4 of the NE 1/4 of Sec. 19, Tp. 30, Rge. 20, Washington County, Minnesota.

Parcel F:

The W 1/2 of the NE 1/4 of the NE 1/4 of Sec. 19, Tp. 30, Rge. 20, Washington County, Minnesota.

Parcel G:

The NW 1/4 of the SE 1/4 of the NE 1/4 of Sec. 19, Tp. 30, Rge. 20, Washington County, Minnesota.

Parcel H:

The SW 1/4 of the NE 1/4 of Sec. 19, Tp. 30, Rge. 20, Washington County, Minnesota, EXCEPT the E 1/4 of the SE 1/4 of SW 1/4 of NE 1/4 of said Sec. 19 and EXCEPT that part thereof platted as Random Creek Ranchettes No. 2.

Parcel I:

Outlot A, Random Creek Ranchettes, according to the recorded plat thereof, Washington County, Minnesota.

Parcel J:

Outlot A, Random Creek Ranchettes No. 2, according to the recorded plat thereof, Washington County, Minnesota.

Parcel K:

That part of the SW 1/4 of the SE 1/4 of Sec. 18, Tp. 30, Rge. 20, Washington County, Minnesota, lying southerly of the centerline of State Highway No. 96.

Together with an easement for roadway, vehicular and pedestrian access purposes and for construction of a road upon, over and across the South 60 feet of the North 327 feet of the E 1/2 of SE 1/4 of NE 1/4 of Sec. 19, Tp. 30, Rge. 20 as the same was contained in an Easement Agreement dated November 29, 1988 and filed December 15, 1988 as Doc. No. 589912.

AND

That part of the Northeast Quarter of the Northwest Quarter and that part of the Northwest Quarter of the Northeast Quarter, both in Section 19, and that part of the Southwest Quarter of the Southeast Quarter of Section 18, all in Township 30, Range 20, Washington County, Minnesota, described as follows:

Beginning at the northeast corner of said Northeast Quarter of the Northwest Quarter; thence South 89 degrees 46 minutes 55 seconds West, assumed bearing along the north line of said Northeast Quarter of the Northwest Quarter, a distance of 372.15 feet; thence South 0 degrees 44 minutes 52 seconds East, 304.84 feet; thence South 41 degrees 27 minutes 43 seconds East 350.57 feet; thence North 89 degrees 46 minutes 55 seconds East 94.31 feet; thence North 38 degrees 38 minutes 53 seconds East 318.83 feet; thence North 0 degrees 44 minutes 52 seconds West 404.58 feet to the center line of Dellwood Road North; thence South 84 degrees 13 minutes 39 seconds West, along said center line, 153.86 feet to the west line of said Southwest Quarter of the Southeast Quarter; thence South 0 degrees 48 minutes 22 seconds East, along said west line 69.49 feet to the point of beginning.

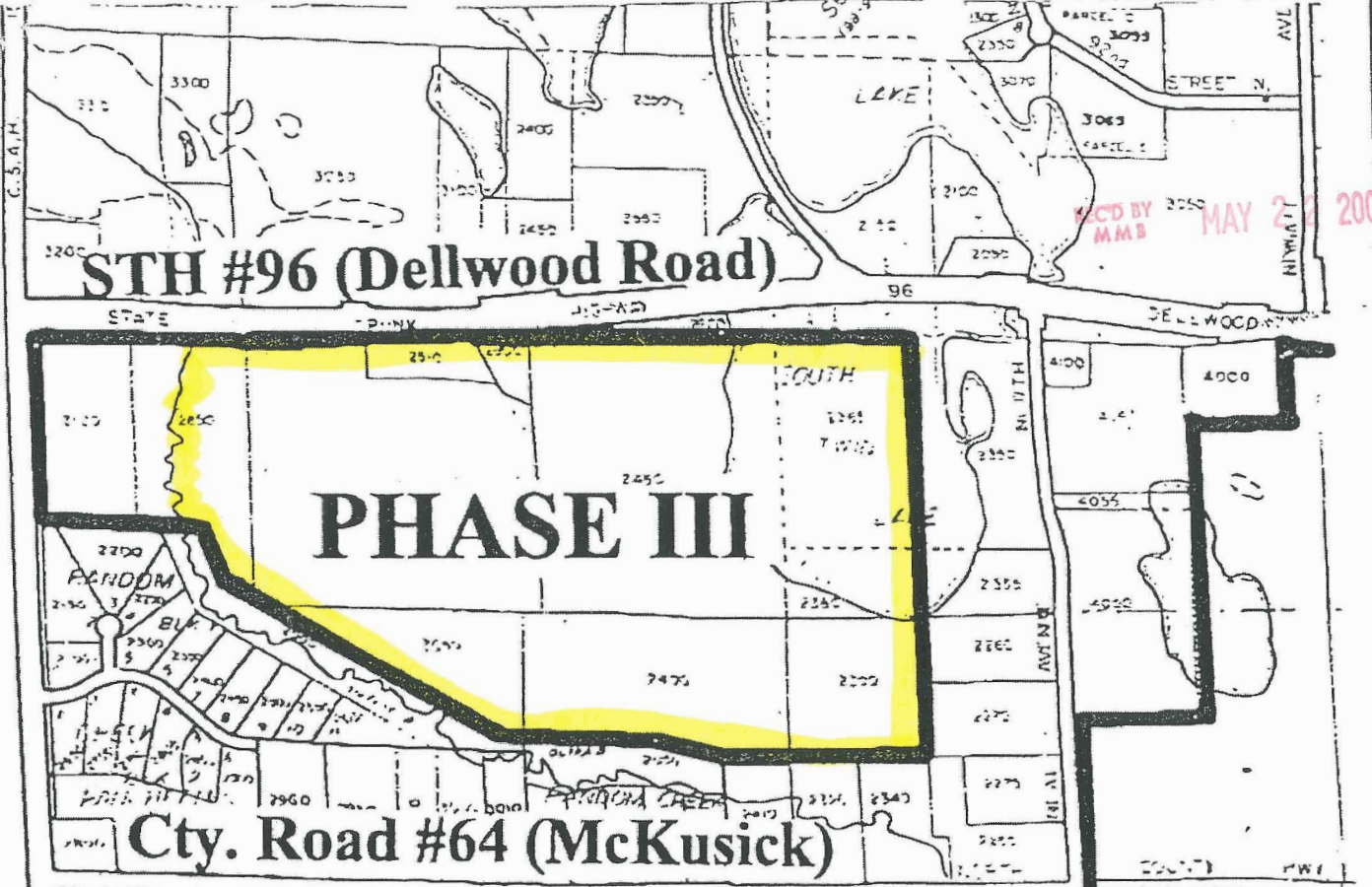
EXCEPT:

That part of the Northwest Quarter of the Northwest Quarter of Section 19, Township 30, Range 20, Washington County, Minnesota, described as follows:

Beginning at the most westerly corner of Outlot A, RANDOM CREEK RANCHETTES, according to the recorded plat thereof, said Washington County; thence North 89 degrees 46 minutes 55 seconds East, assumed bearing along the north line of said Outlot A, a distance of 137.84 feet; thence North 18 degrees 03 minutes 14 seconds West 223.97 feet; thence North 0 degrees 35 minutes 10 seconds West 280.00 feet; thence North 9 degrees 57 minutes 57 seconds East 480.01 feet to the north line of said Northwest Quarter of the Northwest Quarter; thence South 89 degrees 46 minutes 55 seconds West, along said north line 818.50 feet to the northwest corner of said Northwest Quarter of the Northwest Quarter; thence South 1 degree 46 minutes 18 seconds East, along the west line of said Northwest Quarter of the Northwest Quarter 966.00 feet to the intersection with the westerly extension of the north line of Lot 2, Block 1, said RANDOM

CREEK RANCHETTES; thence North 89 degrees 46 minutes 55 seconds East, along said extended line and along the north line of Lots 2 and 3, said Block 1, a distance of 640.00 feet to the point of beginning.

Subject to the right of ways of Dellwood Road North and Manning Avenue North.



Manning Ave. #15

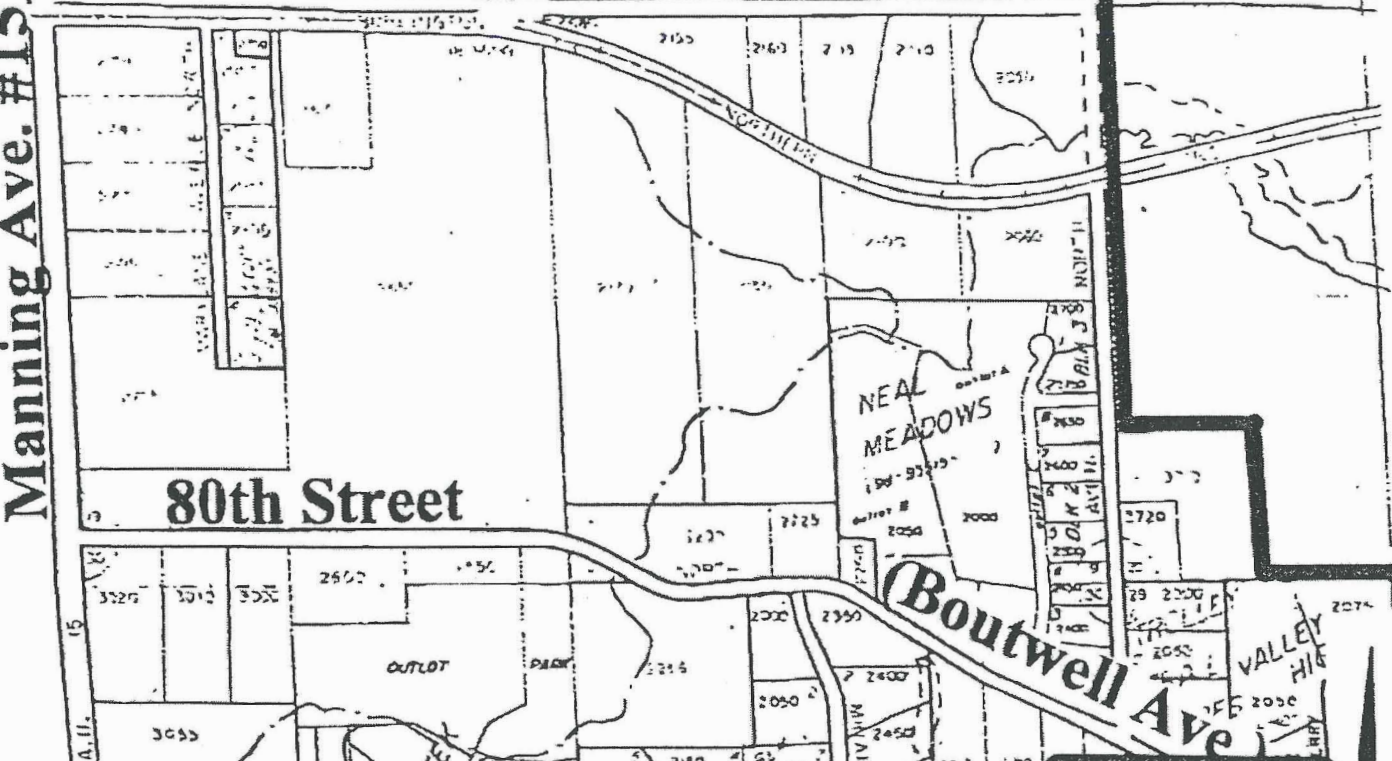


EXHIBIT
"B"



McCobbs Frank Roos Associates, Inc.
15050 23rd Ave. N.
Plymouth, MN. 55447
612/476-6010
Fax 612/476-8532

Engineers
Planners
Surveyors

CITY & TOWNSHIP
OF STILLWATER
ORDERLY ANNEXATION
AGREEMENT