

**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**

CASE NO. 2013-08

WHEREAS, Thomas M. Garley and Karen J. Garley have petitioned that land owned by them in the Town of Stillwater ("the Land") described in Exhibit A, as depicted on the maps on Exhibit A-2, be annexed to the City pursuant to the provisions of the Joint Resolution as to Orderly Annexation of the City and Town of Stillwater, dated August 16, 1996; and,

WHEREAS, Section 3.05 of the Orderly Annexation Agreement identifies the Land as Phase IV property; and,

WHEREAS, Section 4.09 of the Orderly Annexation Agreement provides that Phase IV land may be annexed to the City before January 1, 2015 if the annexation is petitioned for by 100% of the owners of the property to be annexed, and if the resulting annexation will not create a level of growth that exceeds one hundred twenty dwelling units per year and the if the property to be annexed is adjacent to property already located within the City of Stillwater; and,

WHEREAS, the petitioned annexation satisfies all the criteria listed in Section 4.09 of the Orderly Annexation Agreement; and,

WHEREAS, the Joint Planning Board approved the annexation petition at a Public Hearing conducted by it on April 18th, 2013; and,

WHEREAS, it appears to the City of 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, Minnesota, as follows:

1. That this Resolution be submitted, forthwith, by the City Clerk to the Office of Administrative Hearings, Municipal Boundary Adjustment Unit for the purpose of annexing the Land described in Exhibit A to the City of Stillwater, all as provided by Subdivision 1 of Section 414.0325 of the Minnesota Statutes relating to orderly annexations within a designated area.

2. For the purposes of this annexation proceeding, the City Council of the City of Stillwater 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 to the City would be in the best interests of the Land.
3. After the annexation, the real estate taxes, if any, 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 at Exhibit A and Exhibit A-2 to this Resolution be submitted to the Minnesota Municipal Boundary Adjustment Unit of the Office of Administrative Hearings along with a certified copy of this Resolution.

BE IT FURTHER RESOLVED, that the City Clerk submit copies of this Resolution with copies of Exhibit A and Exhibit A-2 to the Town Board of the Town of Stillwater and the Joint Powers Committee.


Enacted by the City Council this 4th day of March, 2014.

CITY OF STILLWATER



Ken Harycki, Mayor

ATTEST:



Diane F. Ward, Clerk

LEGAL DESCRIPTION OF PROPERTY

REC'D BY
MBA

MAR 07 2014

ANEXED LEGAL DESCRIPTION:

(ANNEXED PARCEL)

That part of the West Half of the Northwest Quarter of Section 29,
Township 30 North, Range 20 West described as follows:

COMMENCING at the southeast corner of said West Half; thence on an assumed bearing of North 88 degrees 29 minutes 08 seconds West along the south line of said West Half a distance of 189.75 feet; thence North 00 degrees 02 minutes 52 seconds West parallel to the east line of said West Half, hereinafter referred to as "parallel line" a distance of ~~358.36 feet to the POINT OF BEGINNING; thence southeasterly 37.16~~ feet along a non-tangential curve concave to the southwest having a radius of 261.50 feet a central angle of 08 degrees 08 minutes 31 seconds and a chord which bears South 39 degrees 25 minutes 56 seconds East; thence North 51 degrees 53 minutes 56 seconds East a distance of 63.06 feet; thence North 60 degrees 18 minutes 57 seconds East a distance of 134.00 feet to the east line of said West Half; thence South 00 degrees 02 minutes 52 seconds East along said east line a distance of 321.33 feet to the northerly right of way line of County Road No. 12; thence North 76 degrees 48 minutes 42 seconds West along said right of way line a distance of 194.86 feet to said "parallel line"; thence North 00 degrees 02 minutes 52 seconds West on said "parallel line" a distance of 200.28 feet to the POINT OF BEGINNING.

EXHIBIT A

REC'D BY
MBA

MAR 07 2014

GARLEY ANNEXATION

EAST LINE OF THE WEST
HALF OF THE NW 1/4 OF
SEC. 29, T30, R20

BLOCK 1

PROPOSED
RELOCATED
HOUSE #1

21,007 sq. ft.

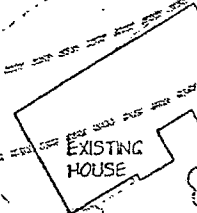
PROPOSED
RELOCATED
HOUSE #2

14,578 sq. ft.

ROADWAY
10,897 sq. ft.

HOUSE #1
TO BE
RELOCATED

EXISTING
HOUSE



SUBJECT TO
WETLAND
DELINEATION

FUTURE
14,767 sq. ft.

FUTURE
21,116 sq. ft.

C.S.A.H. NO. 12

15
N000

X 942.5

SOUTH LINE OF THE WEST
HALF OF THE NW 1/4 OF

75

1930.30

75

1930.30

75

1930.30

75

1930.30