

RESOLUTION NO. 2001-184

**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 City of Stillwater, Minnesota, ("City"), has petitioned that land owned by it, in the Southeast quarter (SE ¼) of the Southwest quarter (SW ¼) of Section 19, and the Northeast quarter (NE ¼) of the Northwest quarter (NW ¼) of Section 30, Township 30 north, Range 20 west, 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 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 6.87 acres, more or less, and is contiguous to the City. The Land is unimproved and is dedicated and used for public park and open space purposes. 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 and 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, 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.

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.
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, if any, with respect to the Land will be divided as provided by Section 7.03 of the Joint Resolution.

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.

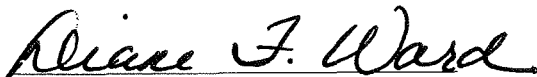
BE IF FURTHER RESOLVED, that the Clerk submit copies of this Resolution with copies of the map to the Town Board of the Town of Stillwater and the Joint Powers Committee.

Adopted by the City Council of the City of Stillwater this 18th day of September, 2001

CITY OF STILLWATER


Eugene Bealka, Acting Mayor

ATTEST:


Diane F. Ward, Clerk

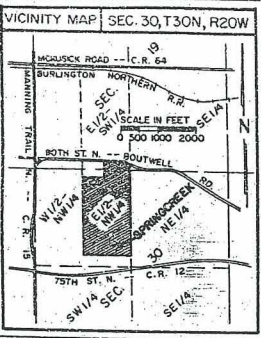
RECORDED BY
MMB

OCT 05 2001

EXHIBIT A

LEGAL DESCRIPTION

The parcel described as "Park," containing 6.87 acres more or less, dedicated to the public in the plat of SPRINGCREEK, as filed and of record as Document No. 632551, in the office of the Washington County Recorder.



SEC. 19 E1/2 SW1/4

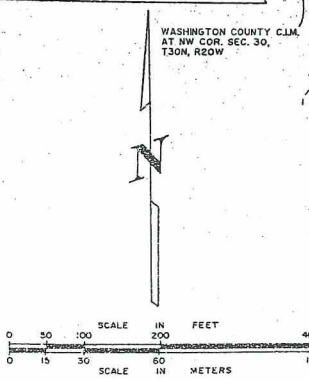
WASHINGTON COUNTY CLM. AT N1/4 COR. SEC. 19, T30N, R20W

S89°59'44"E
---1337.11---

NORTH LINE OF THE SOUTH 7.00 ACRES OF THE E1/2-SW1/4 OF SECTION 19, T30N, R20W

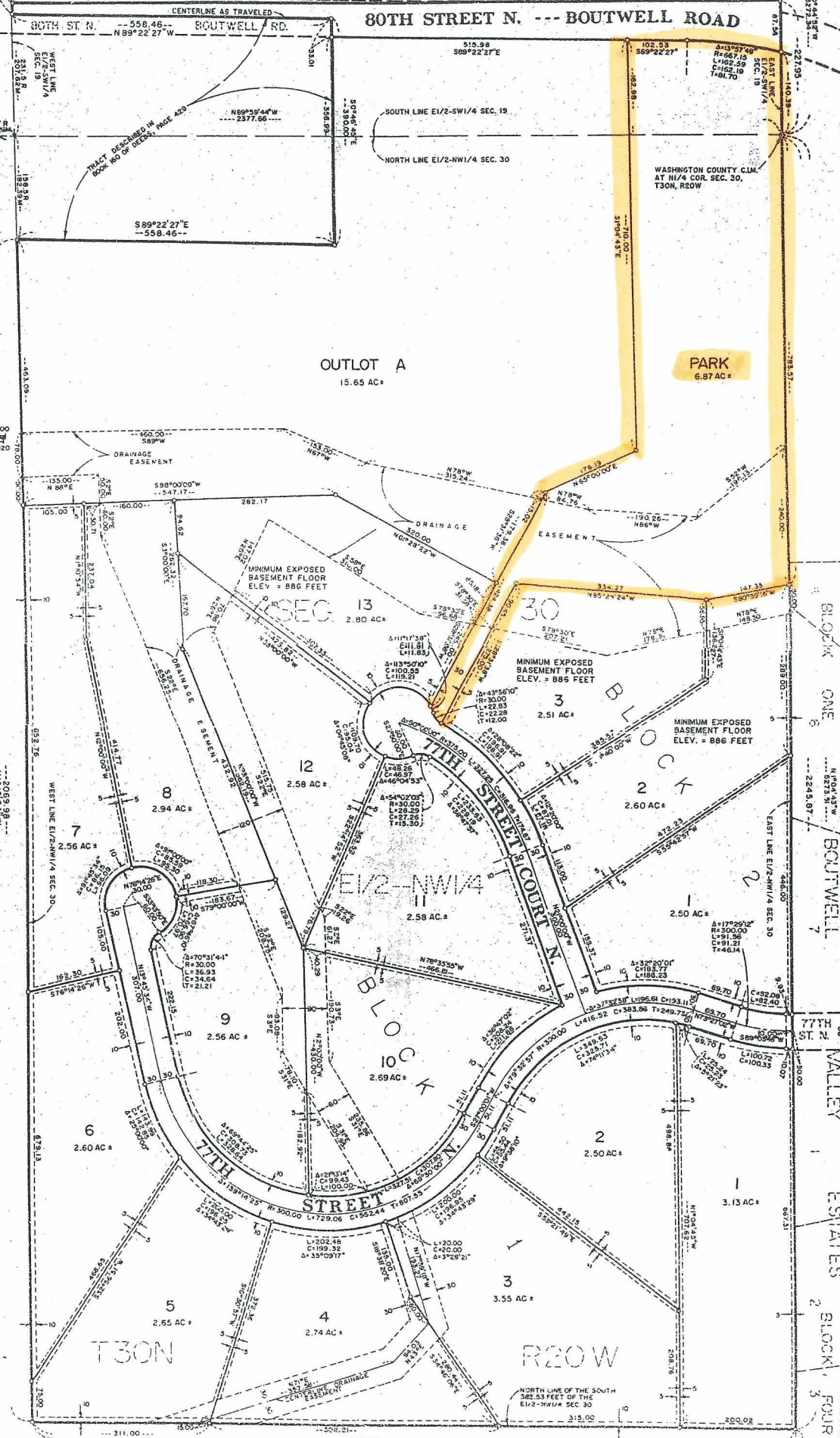
80TH STREET N. --- BOUTWELL ROAD

BOTH ST. N. ---558.46---
N89°22'27"W



NOTES: 1/2 INCH IRON PIPE MONUMENT SET AND MARKED WITH A PLASTIC CAP INSCRIBED "R.L.S. 9232", UNLESS SHOWN OTHERWISE.
DIMENSIONS SHOWN IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
THE ORIENTATION OF THIS BEARING SYSTEM IS ASSUMED.
M DENOTES MEASURED DIMENSION.

DRAINAGE AND UTILITY EASEMENT
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS: BEING 10 FEET IN WIDTH AND ADJOINING STREET LINES, AND BEING 5 FEET IN WIDTH AND ADJOINING SIDE AND REAR LOT LINES, UNLESS OTHERWISE SHOWN.



OUTLOT A
15.65 AC±

PARK
6.87 AC±

LOT 13
2.80 AC±

LOT 3
2.51 AC±

LOT 2
2.60 AC±

LOT 8
2.94 AC±

LOT 12
2.58 AC±

LOT 3
2.51 AC±

LOT 2
2.60 AC±

LOT 7
2.56 AC±

LOT 9
2.56 AC±

LOT 11
2.58 AC±

LOT 3
2.51 AC±

LOT 2
2.60 AC±

LOT 6
2.60 AC±

LOT 9
2.56 AC±

LOT 10
2.69 AC±

LOT 2
2.50 AC±

LOT 1
3.13 AC±

LOT 5
2.55 AC±

LOT 4
2.74 AC±

LOT 1
3.55 AC±

LOT 3
3.55 AC±

LOT 1
3.13 AC±

SPRING CREEK
 RECD BY
 MMB
 NOV 01 2001