

OA-497-1 Lake Elmo
City and Town Signed 8-4-97

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Paul B. Double	Chair
Andrew D. Hultgren	Vice Chair

IN THE MATTER OF THE ORDERLY ANNEXATION)	
AGREEMENT BETWEEN THE CITY OF LAKE ELMO)	
AND THE TOWN OF BAYTOWN PURSUANT TO)	<u>ORDER</u>
MINNESOTA STATUTES 414)	

WHEREAS, a joint resolution for orderly annexation was adopted by the City of Lake Elmo and the Town of Baytown and filed with the Minnesota Municipal Board on August 6, 1997; and

WHEREAS, said joint resolution sought to annex the following described area:

All that part of Section 6, Township 29 North, Range 20 West lying westerly of the centerline of Stillwater Boulevard, also known as State Highway 5, Washington County.

WHEREAS, said joint resolution requested that the above-described property be annexed to the City of Lake Elmo pursuant to M.S. 414.0325, Subd. 1; and

WHEREAS, M.S. 414.0325, Subd. 1 states that in certain circumstances the Minnesota Municipal Board may review and comment, but shall within 30 days order the annexation of land pursuant to said subdivision; and

WHEREAS, said Joint Resolution states that no consideration by the Board is

necessary, the Board may review and comment, but shall within 30 days, order the annexation in accordance with the agreement; and

WHEREAS, a petition by property owners and a supporting resolution by the City of Oak Park Heights had previously been filed for annexation of the same area on July 29, 1997; and

WHEREAS, faced with competing petitions, the Municipal Board proceeded to schedule a hearing pursuant to the City of Oak Park Heights petition and issued its Order, dated April 17, 1997 which annexes a reduced area to the City of Oak Park Heights; and

WHEREAS, the above-described Order annexing land to the City of Oak Park Heights has resulted through this independent action in a reduction of the remaining unincorporated area available for annexation to the City of Lake Elmo;

IT IS HEREBY ORDERED: That the following described property is hereby annexed to the City of Lake Elmo, Minnesota, the same as if it had originally been made a part thereof:

All that part of Section 6, Township 29 North, Range 20 West lying westerly of the centerline of Stillwater Boulevard, also known as State Highway 5, Washington County.

Except the following described area annexed to the City of Oak Park Heights (Municipal Board File A-5821): All that part of Section 6, Township 29 North, Range 20 West, platted as KERN CENTER and KERN CENTER 2ND ADDITION, including adjacent right-of-ways, also, including adjacent right-of-way of 55th Street North.

IT IS FURTHER ORDERED: That this Order is the final disposition of Minnesota Municipal Board Docket OA-497-1.

IT IS FURTHER ORDERED: That the tax rate of the City of Lake Elmo on the property herein ordered annexed shall be increased in substantially equal proportions over a

period of six years to equality with the tax rate of the property already within the city.

IT IS FURTHER ORDERED: That the effective date of this order is April 17, 1998.

Dated this 24th day of April, 1998.

MINNESOTA MUNICIPAL BOARD
Suite 225 Bandana Square
1021 Bandana Boulevard East
St. Paul, MN 55108-5113



Patricia D. Lundy
Assistant Director