

AGREEMENT BETWEEN THE CITY OF OAK PARK HEIGHTS  
AND BAYTOWN TOWNSHIP FOR ORDERLY ANNEXATION

This Agreement made and entered into this 15<sup>th</sup> day of June, 1998 ("effective date") between the City of Oak Park Heights, Washington County, Minnesota (hereinafter referred to as "OPH") and Baytown Township, Washington County, Minnesota (hereinafter referred to as "Baytown"). This Agreement is entered into between the parties pursuant to Minn. Stat. §414.0325 providing a procedure and framework for orderly annexation of specified parcels of Baytown to OPH.

Section 1. Introduction.

1.01. Certain landowners have petitioned OPH for annexation and for possible extension of municipal utilities and services. Since receiving the petition, OPH has undertaken a review of its Comprehensive Plan and studied the ability of its departments to provide services to the area in question and has concluded that if the area requesting annexation and utilities from the City develops to urban uses, the City would ultimately be benefited by a broadened tax base and a more vital community in that urban growth in the annexation area is consistent with the City's Comprehensive Plan and the ability of the City to provide services to the affected area. Baytown has participated in a review of the affected properties and has concluded that it would be in the best interest of the affected lands and property owners to have them annexed to OPH and further to enter into this Agreement with the City so that the area to be annexed will be

developed in an orderly fashion with the least possible impact on the remainder of Baytown.

1.02. The parties to this Agreement intend it to be binding, with all rights, privileges and obligations attached thereto. Both parties intend to be bound by this Agreement and shall not violate its terms. Neither party shall exercise any legislative authority, either now existing or which may be later created in a way which violates the terms of this Agreement. Both parties understand that they may not limit the power of the legislature over annexation and that is not their intent. Instead the parties agree to refrain from exercising any legislative authority, now or in the future, in a way that would violate the terms of this Agreement affecting the subject properties hereto.

1.03. Within sixty (60) days of the City's adoption of this joint resolution, OPH shall adopt and forward to the Metropolitan Council a Comprehensive Plan Amendment incorporating the Orderly Annexation Agreement into the City's Comprehensive Plan.

Section 2. Orderly Annexation Area.

2.01. The property described in Exhibit "A" that is annexed hereto and incorporated by reference herein defines the subject property which is to be annexed to OPH from Baytown pursuant to this Agreement. Such area now constitutes the "orderly annexation area." This area includes properties that are adjacent to Oakgreen Avenue as located now within Baytown Township as those properties have been surrounded by the City of Oak Park Heights. The orderly annexation area as designated is in need of orderly annexation and no consideration by the Minnesota Municipal Board is

necessary, no alteration of the boundaries is appropriate, and all conditions of annexation have been provided for in this resolution and the Minnesota Municipal Board may review and comment only within thirty (30) days of the receipt of this resolution.

Section 3 Effective Date. This orderly annexation shall be effective pursuant to Minn. Stat. §414.035, Subd. 4 upon the issuance of an order from the Minnesota Municipal Board.

Section 4 OPH Utility Policy.

4.01. Concurrent with the adoption of this joint resolution, OPH will adopt an utility policy that will protect the areas that are the subject of this Agreement as it affects their utilization of municipal utilities and their right to continued use of their individual well and septic systems for a limited period of time. Those policies shall include the following:

A. Property owners within the subject area shall be allowed continued utilization of their individual wells and septic systems, absent a showing of environmental contamination or system failure, for a period of six (6) years from the effective date of this ordinance. Notwithstanding same, should the property owners within the subject area seek to connect these municipal services at any time, the City may condition its permission to connect municipal services to the termination, capping or sealing of individual wells and septic systems now located upon the individual property.

B. As is effective with all OPH residents, no property owner within the subject area shall be required to pay connection fees for municipal utilities until such time as those properties

voluntarily seek connection to municipal utilities or otherwise apply for and obtain permission for subdivision or other development.

4.02. This section shall not require OPH, if requested by a property owner, to extend sanitary sewer or municipal water services to properties which have failed on-site well or septic systems if that extension as proposed is determined to be non-feasible or cost ineffective.

4.03. The benefits and limitations set forth within this section do not apply nor are they intended to be for the benefit of owners who subdivide their property.

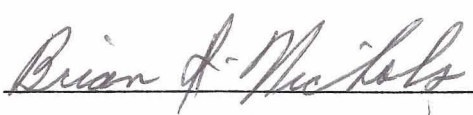
Section 5 Real Estate Taxation. The tax rate of the City of Oak Park Heights to be imposed upon the subject property shall be imposed in a manner so that it shall be increased in substantially equal portions over a six (6) year period equal to the tax rate of property already within OPH.

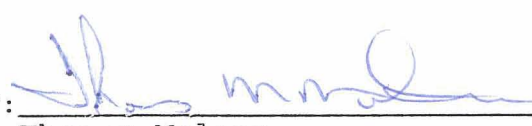
Section 6 Modification. This Agreement may be modified at any time by the written approval of both OPH and Baytown, provided that a resolution approving the modification be approved by a four/fifths vote of each community.

CITY OF OAK PARK HEIGHTS

BAYTOWN TOWNSHIP

By:   
David Schaaf  
Mayor

By:   
Supervisor - CHAIRMAN

By:   
Thomas Melena  
City Administrator

By:   
Town Clerk

*June 1, 1998*

EXHIBIT "A"

<u>Property Owner</u>	<u>Address</u>	<u>Legal Description</u>
Joseph D. and Laura H. Ackerman 5769 Oakgreen Ave No.		04.029.20.22.0010.
Simon O. and Jordyce M. Johnson 5725 Oakgreen Ave No.		04.029.20.23.0065
Allan H. and Margaret L. Palmer 5625 Oakgreen Ave No.		04.029.20.23.0063
Allan T. and Georgann E. Palmer 5715 Oakgreen Ave No.		04.029.20.23.0064
Hasse		05.029.20.11.0029
Emmett F. Graber 5830 Oakgreen Ave No.		05.029.20.11.0028
Paul W. and Alice E. Engstrom 5770 Oakgreen Ave No.		05.029.20.11.0025 05.029.20.11.0030
Patrick L. Estes 5770 Oakgreen Ave No.		05.029.20.11.0026
Pamela C. MCLellan 5754 Oakgreen Ave No.		05.029.20.11.0027
Harold and Ly Splittstoesser 5710 Oakgreen Ave No.		05.029.20.14.0003
Richard and Charlotte Jorgenson 5676 Oakgreen Ave No.		05.029.20.14.0004
Quentin W. and Evelyn E. Nordeen 5565 Oakgreen Ave No.		04.029.20.23.0066
Helen J. Ritzer and John A. Ritzer 919 So 5th St Stillwater Mn 55082		PID 60005-2350

TC906D 10 T82 BRC Tax System

Inquiry

Bill No. Parcel No.  
R 60573 R 04.029.20.23.0065  
1998

Name Taxpayer/Legal Info  
SIMON O & JORDYCE M JOHNSON 0  
STILLWATER MN 55082

Tax Codes District Code 101  
Twn/Sch 0002 0834  
Spec Dist 916 505 507 509  
User Codes  
TIF District

Taxpayer 14521  
SIMON O & JORDYCE M JOHNSON  
5725 OAKGREEN AVE N  
STILLWATER MN 55082

Property Address  
5725 OAKGREEN AVE N  
STILLWATER 55082

Legal Description  
Sect/Twn/Range 04 029 020  
Plat  
Lot/Block  
PT SW1/4 OF NW1/4  
042920 BEING N 153.0 FT OF W  
485.52 FT

Alternate

Escrow

Other

A=CSM B=ASM C=DQ D=NAL E=TR F=SP P=PA S=GS U=CAMA  
More Legal? N

More Addresses? Y  
Mod? Action?

Parcel No. Year  
 R 04.029.20.22.0009 1998  
 Taxpayer 14523 Calc thru 052298  
 JOSEPH D & LAURA H ACKERMAN  
 5769 OAKGREEN AVE N  
 STILLWATER MN 55082

General Prompt  
 MP# R 04.029.20.22.0010  
 Total: EMV LMV Deeded Acres  
 20,000 20,000  
 Dist 101 SD 0834 Bk Pg  
 Plat  
 Sec Twn Rn Lot Block  
 04 029 020  
 PT NW1/4 OF NW1/4  
 BEG AT SW CORNER OF SD  
 Class 201-1-001 1 of 1  
 Hmst Decl Status HSTD

Alternate

Escrow

Prop Addr  
 NO GPAS RECORD

	Original	Abat/Addn	Collections	Balance
Net Tax	346.00		346.00	
Special Asmts				
Total before P&I	346.00		346.00	
Penalty				
Interest				
Fees				
* * TOTALS	346.00		346.00	

FINAL '98 TAXES Notice Proposed Screen? N  
 A=CSM B=ASM C=DQ D=NAL E=TR F=SP P=PA S=GS U=CAMA

Mod? .. Action? ..

TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 60575 R 04.029.20.22.0009  
1998

Inquiry  
Name Additional Legal Lines  
JOSEPH D & LAURA H ACKERMAN 0

Book/Page  
/

PT NW1/4 OF NW1/4  
BEG AT SW CORNER OF SD  
TRACT & RUN EAST ON SOUTH LINE  
OF SD TRACT A DIST OF 429 FT  
THENCE NORTH & PAR WITH WEST  
LINE OF SD SEC 4 A DIST OF 550  
FT THENCE WEST & PAR TO NORTH  
LINE OF SD SEC 4 A DIST OF 429  
FT TO WEST LINE OF SD SEC 4  
THENCE SOUTH ON WEST LINE OF  
SD SEC 4 A DIST OF 550 FT TO  
THE PLACE OF BEG. EXC.S 210  
FT EXC 60004-4250

Action? ..



TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R R 04.029.20.22.0001  
1998

Inquiry  
Name Additional Legal Lines  
CITY OF OAK PARK HEIGHTS 0

Book/Page PT OF NW1/4-NW1/4  
/ 042920 BEING N 66FT OF W 429FT  
OF S 550FT THEREOF & S 70FT OF  
N 136FT OF E 200FT OF W 429FT  
OF S 550FT THEREOF SUBJ TO  
EASE

Action? ..

TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 60571 R 04.029.20.23.0063  
1998

Inquiry  
Name Additional Legal Lines  
ALLAN H & MARGARET L PALMER 0

Book/Page / PT OF SW1/4 OF NW1/4  
042920 BEG AT THE NW COR OF  
SW1/4 OF NW1/4 RUN THENCE S  
ALONG THE W LINE THEREOF 897.2  
FT RUN THENCE E & PAR WITH THE  
N LINE THERE OF 485.52 FT TO A  
PT RUN THENCE N & PAR WITH THE  
W LINE THEREOF 897.2 FT TO THE  
N LINE THEREOF RUN THEN W  
ALONG THE N LINE THEREOF  
485.52 FT TO THE PT OF BEG EXC  
N 153 FT OF W 485.52 FT EXC  
78004-2152 & 2250

Action? ..

TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 60572 R 04.029.20.23.0064  
1998

Inquiry  
Name Additional Legal Lines  
ALLAN T & GEORGANN E PALMER 0

Book/Page  
/

PT SW1/4-NW1/4  
042920 DESC AS FOLLOWS BEG AT  
A PT ON THE W LINE THEREOF 153  
FT S OF THE NW COR THENCE E  
PAR WITH THE N LINE 485.52 FT  
M/L TO INTERS THE W LINE OF  
TRACT A OF REG LAND SURVEY #70  
THENCE S A- LONG SD W LINE OF  
SD REG LAND SURVEY 100 FT  
THENCE W PAR WITH THE N LINE  
OF SD SW1/4 OF NW1/4 TO THE W  
LINE THEREOF THENCE N ALONG  
THE W LINE 100 FT TO THE PT OF  
BEG. SUBJECT TO OAKGREEN AVE.

Action? ..

TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 60574 R 04.029.20.23.0066  
1998

Inquiry  
Name Additional Legal Lines  
QUENTIN W & EVELYN E NORDEEN 0

Book/Page PT SW1/4-NW1/4  
/ 042920 BEG AT A PT ON W LINE  
OF SW1/4 OF NW1/4 SEC4 797.2  
FT S OF NW COR OF SD SW1/4 OF  
NW1/4 THENCE S ALONG SD W LINE  
OF SW1/4 OF NW1/4 100 FT  
THENCE E & PAR WITH N LINE OF  
SD SW1/4 OF NW1/4 183 FT  
THENCE N & PAR WITH SD W LINE  
OF SW 1/4 OF NW1/4 SEC 4 100  
FT THEN W & PAR WITH SD N LINE  
183 FT TO PT OF BEG.

Action? ..

TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 60598 R 05.029.20.11.0029  
1998

Inquiry  
Name Additional Legal Lines  
ELMER & RUTH HAASE 0

Book/Page / PT OF NE1/4 OF NE1/4  
052920 BEG AT A PT ON THE E  
LINE OF THE SD NE1/4 OF THE  
NE1/4 472 FT N OF THE SE COR  
THEREOF THE NCE W ON A LINE  
PAR WITH THE S LINE THEREOF  
275 FT TO A PT THENCE N ON A  
LINE PAR TO THE E LINE THEREOF  
110 FT TO A PT THENCE E ON A  
LINE PAR WITH THE S LINE  
THEREOF 275 FT TO A PT ON THE  
E LINE THEREOF THEN S ON THE E  
LINE THEREOF 110 FT TO THE PT  
OF BEG SUBJECT TO THE PUB LIC  
HWY ON THE E SIDE OF SD TRACT

Action? ..

78005-3000

TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 60572 R 04.029.20.23.0064  
1998

Inquiry  
Name Additional Legal Lines  
ALLAN T & GEORGANN E PALMER 0

Book/Page PT SW1/4-NW1/4  
/ 042920 DESC AS FOLLOWS BEG AT  
A PT ON THE W LINE THEREOF 153  
FT S OF THE NW COR THENCE E  
PAR WITH THE N LINE 485.52 FT  
M/L TO INTERS THE W LINE OF  
TRACT A OF REG LAND SURVEY #70  
THENCE S A- LONG SD W LINE OF  
SD REG LAND SURVEY 100 FT  
THENCE W PAR WITH THE N LINE  
OF SD SW1/4 OF NW1/4 TO THE W  
LINE THEREOF THENCE N ALONG  
THE W LINE 100 FT TO THE PT OF  
BEG. SUBJECT TO OAKGREEN AVE.

Action? ..

TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 60597 R 05.029.20.11.0028  
1998

Inquiry  
Name Additional Legal Lines  
EMMETT F GRABER 0

Book/Page PT OF NE1/4 OF NE1/4  
/ 052920 BEG AT A PT ON THE E  
LINE OF SD NE1/4 OF NE1/4 357  
FT N OF THE SE COR THEREOF  
THENCE W ON A LINE PAR WITH  
THE S LINE THEREOF 275 FT TO A  
PT THENCE N ON A LINE PAR TO  
THE E LINE THEREOF 115 FT TO A  
PT THENCE E ON A LINE PAR WITH  
THE S LINE THEREOF 275 FT TO A  
PT ON THE E LINE THEREOF  
THENCE S ON THE E LINE THEREOF  
115 FT TO THE PT OF BEG.

Action? ..

TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 60594 R 05.029.20.11.0025  
1998

Inquiry  
Name Additional Legal Lines  
PAUL W & ALICE E ENGSTROM 0

Book/Page  
/

PT NE1/4-NE1/4  
052920 BEG AT A PT ON EAST  
LINE OF SD NE1/4 OF NE1/4 242  
FT N OF SE COR THEREOF THENCE  
WEST ON A LINE PAR WITH SOUTH  
LINE THEREOF 150 FT TO A PT  
THENCE NORTH ON A LINE PAR TO  
EAST LINE THEREOF 115 FT TO A  
PT THENCE EAST ON A LINE PAR  
WITH SOUTH LINE THEREOF 150 FT  
TO A PT ON EAST LINE THEREOF  
THENCE S ON E LINE THEREOF  
115FT TO PT OF BEG SUBJECT TO  
EASEMENT

Action? ..



TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 60599 R 05.029.20.11.0030  
1998

Inquiry  
Name Additional Legal Lines  
PAUL W & ALICE E ENGSTROM 0

Book/Page  
/

PT NE1/4 OF NE1/4  
052920 BEG AT A PT 242 FT N OF  
S LINE OF SD NE1/4 OF NE1/4  
150 FT W OF E LINE OF SD NE1/4  
OF NE 1/4 SD PT OF BEG BEING  
THE SW COR OF THE TRACT OF  
LAND PREVIOUSLY CON- VEYED BY  
1ST PARTIES TO 2ND PARTIES  
THEN W ON A LINE PAR WITH S  
LINE OF SD NE1/4 OF NE1/4 125  
FT TO A PT THEN N ON A LINE  
PAR TO E LINE THERE OF 115 FT  
TO PT THENCE E ON A LINE PAR  
WITH S LINE THEREOF 125 FT TO  
A PT THENCE S ON A LINE PAR  
WITH E LINE THEREOF 115 FT TO

PT OF BEG.

Action? ..

TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 60595 R 05.029.20.11.0026  
1998

Inquiry  
Name Additional Legal Lines  
PATRICK L ESTES & 0

Book/Page  
/

PT NE1/4-NE1/4  
052920 BEG AT A PT ON EAST  
LINE OF SD NE1/4 OF NE1/4 110  
FT N OF SE COR THEREOF THENCE  
WEST ON A LINE PAR WITH SOUTH  
LINE THEREOF 150 FT TO A PT  
THENCE NORTH ON A LINE PAR TO  
EAST LINE THEREOF 132 FT TO A  
PT THENCE EAST ON A LINE PAR  
WITH SOUTH LINE THEREOF 150 FT  
TO A PT ON EAST LINE THEREOF  
THENCE SOUTH ON EAST LINE  
THEREOF 132 FT TO PT OF BEG  
SUBJECT TO EASEMENT

Action? ..

Parcel No. Year  
R 05.029.20.11.0027 1998  
Taxpayer 79242 Calc thru 052298  
PAMELA C MCLELLAN  
5754 OAKGREEN AVE N  
STILLWATER MN 55082

General Prompt  
MP#  
Total: EMV LMV Deeded Acres  
40,000 40,000  
Dist 101 SD 0834 Bk Pg  
Plat

Alternate

Sec Twn Rn Lot Block  
05 029 020

Escrow

PT OF NE1/4 OF NE1/4  
052920 BEG AT SE CORN THEREOF

Prop Addr  
5754 OAKGREEN AVE N  
STILLWATER 55082

Class 201-1-000 1 of 1  
Hmst Decl Status HSTD

	Original	Abat/Addn	Collections	Balance
Net Tax	400.00			400.00
Special Asmts	38.00			38.00
Total before P&I	438.00			438.00
Penalty	4.38			4.38
Interest				
Fees				
* * TOTALS	442.38			442.38

FINAL '98 TAXES Notice Proposed Screen? N  
A=CSM B=ASM C=DQ D=NAL E=TR F=SP P=PA S=GS U=CAMA

Mod? .. Action? ..

TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 60596 R 05.029.20.11.0027  
1998

Inquiry  
Name Additional Legal Lines  
PAMELA C MCLELLAN 0

Book/Page PT OF NE1/4 OF NE1/4  
/ 052920 BEG AT SE CORN THEREOF  
& RUN THENCE W ALONG THE S  
LINE THEREOF 150 FT TO A POINT  
THENCE N ON A LINE PAR TO THE  
E LINE THEREOF 80 FT TO A PT  
THENCE E ON A LINE PAR WITH  
THE S LINE THEREOF 150 FT TO A  
PT ON THE E LINE THERE OF  
THENCE S 80 FT TO THE BEG

Action? ..

TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 00591 R 05.029.20.14.0003  
1998

Inquiry  
Name Additional Legal Lines  
HAROLD R & LY SPLITTSTOESSER 0

Book/Page PT N1/2 OF SE1/4 OF NE1/4  
/ 052920 COM AT SE CORN SD N1/2  
OF SD1/4 1/4 THEN N ALONG E  
LINE 560 FT TO PT BEG THIS  
DESC.THEN WLY AT R ANG TO LAST  
DES LINE 200 FT TO PT THEN N &  
PAR TO E LINE SD1/4 1/4 100 FT  
TO PT THEN E ALONG N LINE 200  
FT TO E LINE SD1/2 1/2 THEN S  
ALONG SD E LINE 100 FT TO PT  
BEG. SUBJ EASEMENTS

Action? ..

TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 60592 R 05.029.20.14.0004  
1998

Inquiry  
Name Additional Legal Lines  
RICHARD & CHARLOTTE JORGENSEN 0

Book/Page PT N1/2 OF SE1/4 OF NE1/4  
/ 052920 COM AT SE COR OF SD1/2  
1/4 1/4 THEN N ALONG E LINE  
THEREOF 182 FT TO PT OF BEG OF  
THIS DES THEN CON NLY ALONG SD  
E LINE 218 FT O A PT THEN W &  
PERPENDICULAR TO LAST DES LINE  
200 FT TO A PT THEN S & PAR TO  
E LINE OF SD1/4 1/4 218 FT TO  
A PT THEN E & PER TO LAST DES  
LIN 200 FT TO PT OF BEG.-EASE.

Action? ..

TC906D 30 T82 BRC Tax System  
Bill No. Parcel No.  
R 60574 R 04.029.20.23.0066  
1998

Inquiry  
Name Additional Legal Lines  
QUENTIN W & EVELYN E NORDEEN 0

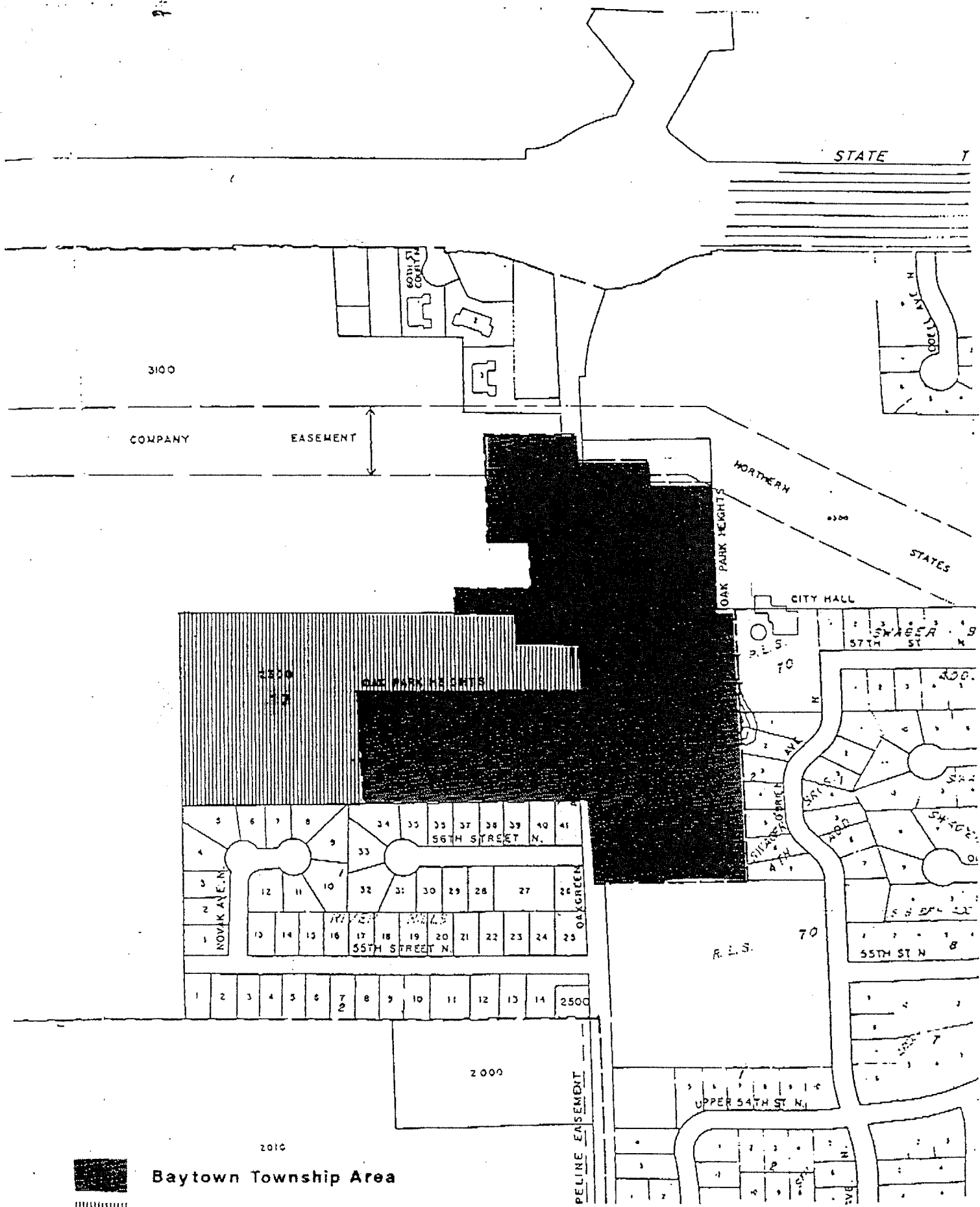
Book/Page PT SW1/4-NW1/4  
/ 042920 BEG AT A PT ON W LINE  
OF SW1/4 OF NW1/4 SEC4 797.2  
FT S OF NW COR OF SD SW1/4 OF  
NW1/4 THENCE S ALONG SD W LINE  
OF SW1/4 OF NW1/4 100 FT  
THENCE E & PAR WITH N LINE OF  
SD SW1/4 OF NW1/4 183 FT  
THENCE N & PAR WITH SD W LINE  
OF SW 1/4 OF NW1/4 SEC 4 100  
FT THEN W & PAR WITH SD N LINE  
183 FT TO PT OF BEG.

Action? ..

RITZER PROPERTY.

*Total Property: The north 1/2 of the southeast quarter of the northeast quarter of section 5, township 29 north, range 20 west, except the north 100' of the east 200', and except the north 218' of the south 400' of the east 200' thereof, Washington county, state of Minnesota.*





**Baytown Township Area**

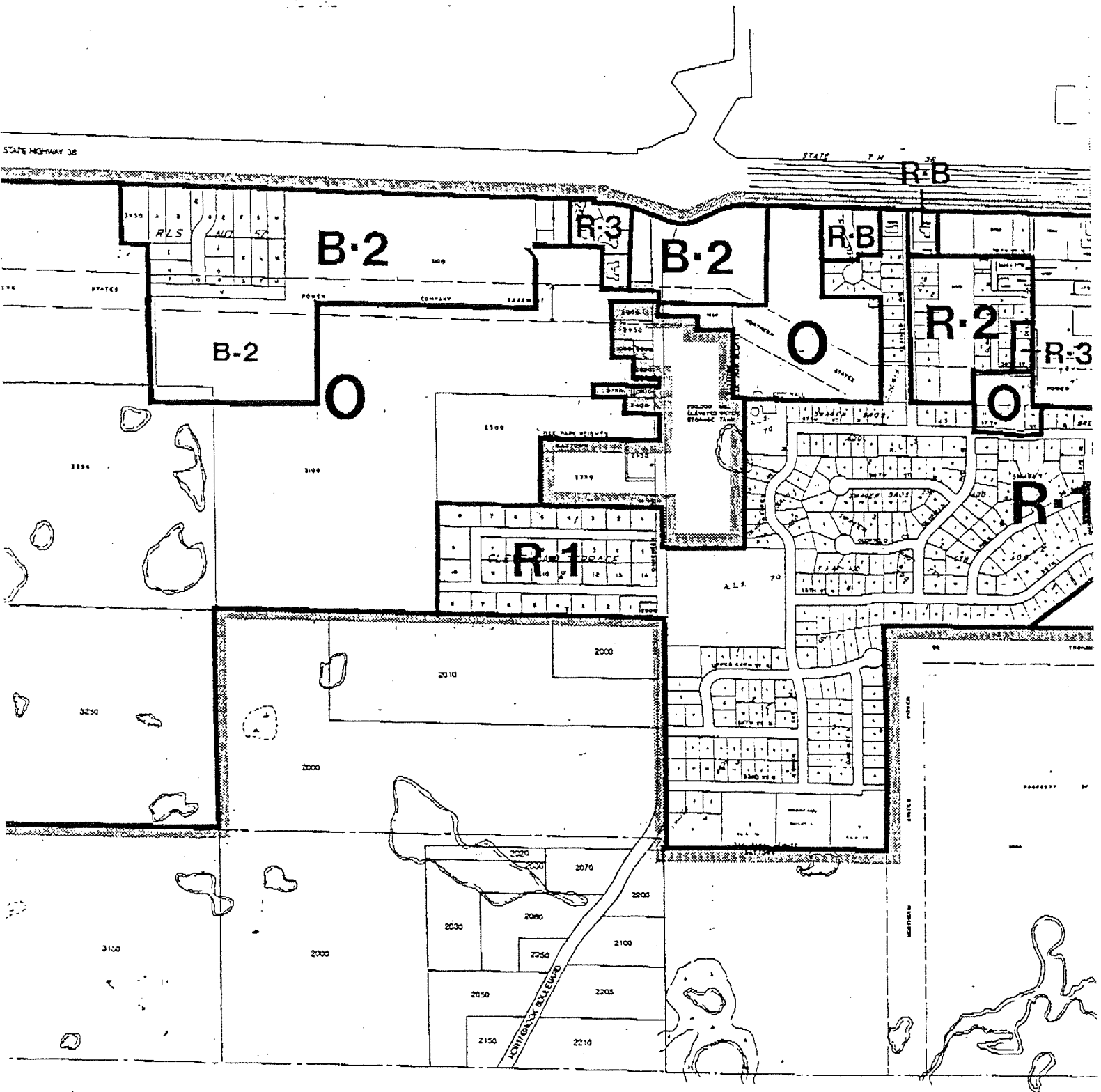
**Property in Oak Park Heights**

**EXHIBIT A**

# CITY OF

# OAK PARK HEIGHTS

WASHINGTON COUNTY, MINNESOTA



## EXHIBIT D