

IN THE MATTER OF THE PETITION OF THE
PROPERTY OWNERS FOR
ANNEXATION OF UNINCORPORATED ADJOINING PROPERTY
TO THE CITY OF OAK PARK HEIGHTS, MINNESOTA
PURSUANT TO MINNESOTA STATUTES M.S. 414.031, SUB. 1(c)

TO: Minnesota Municipal Board
165 Metro Square Building
St. Paul, Minnesota 55101

The Minnesota Municipal Board is hereby requested to hold a public hearing on the question of annexing certain property to the City of Oak Park Heights, Minnesota.

The petitioners for annexation are the property owners who are identified at the conclusion of this petition.

The area proposed for annexation is described as follows:

All that part of Section 6, Township 29 North, Range 20 West, lying and being easterly of the center line of Stillwater Boulevard North, also known as Minnesota Trunk Highway 5, formerly known as Minnesota Trunk Highway 212, except the South 1,733.15 feet thereof.

The West 1/2 of the Southwest 1/4 of Section 5, Township 29 North of Range 20 West, except the South 1,733.15 feet thereof.

The Northeast 1/4 of the Southwest 1/4 of Section 5, Township 29 North of Range 20 West.

The Southwest 1/4 of the Northwest 1/4 of Section 5, Township 29 North of Range 20 West.

The North 1/2 of the Northwest 1/4 of Section 5, Township 29 North of Range 20 West, excepting therefrom that part thereof lying and being within the City of Oak Park Heights, Washington County, Minnesota.

All of the above lying and being in the County of Washington, State of Minnesota.

1. The petitioners have submitted a copy of this petition to the affected Township of Baytown on October 3, 1990.

2. The area proposed for annexation abuts the city on the city's West boundary thereof, and none of it is presently a part of any incorporated city or in an area designated for orderly annexation.

3. The total acreage of the area proposed for annexation is 392 acres.

4. The petitioners believe that all of this property is or is about to become urban or suburban in character.

5. The reason for requesting the annexation is:

a. Independent School District No. 834 has acquired and/or holds an option to a large tract of land within the land proposed for annexation which has been acquired for the purpose of constructing a senior high school. That facility will require municipal utilities and services.

b. The petitioners own lands which are urban or suburban in character and which desire and need municipal water and sewer services and other municipal services for purposes of development and use.

c. That it is in the best interests of the property proposed for annexation that it be annexed to the City of Oak Park Heights.

d. That Baytown Township or the lands that remain within it can continue to carry on the functions of government without undue hardship.

6. Parties entitled to notice under Minnesota Statutes 414.09 are:

Ms. Patricia St. Claire, Clerk
Town of Baytown
14949 - 30th Street North
Stillwater, MN 55082

Ms. K. Schmoeckel, Clerk
Town of Stillwater
Planning Commission
8335 Manning Avenue North
Stillwater, MN 55082

Mr. Jerry Fontaine
Planning Commission Chairman
City of Stillwater
1618 West Willard Street
Stillwater, MN 55082

Mr. Dennis Trender
Planning Commission Chairman
Town of Baytown
14105 North 45th Street
Stillwater, MN 55082

City of Stillwater
216 North 4th Street
Stillwater, MN 55082

Mr. Steve Russell, Planner
City of Stillwater
216 North 4th Street
Stillwater, MN 55082

County of Washington
Washington County Government Center
14900 - 61st Street North
Stillwater, MN 55082

Washington County Planner
Washington County Government Center
14900 - 61st Street North
Stillwater, MN 55082

7. Pursuant to Minnesota Statute 414.031, Subdivision 1(c), the required number of petitioners to commence a proceeding is 20% of the property owners or 100 property owners, whichever is less, in the area to be annexed.

8. This Petition has been executed by six property owners and Independent School District No. 834, which is the process of purchasing real property from Violet Kern, the O. L. Kern of Irrevocable Trust and from Beverly Kern. Seven property owners are affected by this Petition and the only property owner not executing the Petition is Mr. Frank Fahrendorff, being the fee owner of property referenced by Washington County Property Identification No. 78006-2175.

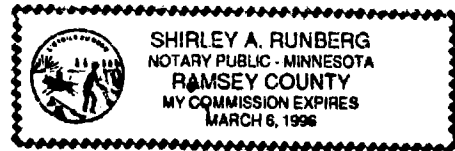
REC'D. BY OCT 12 1990
MMB

Violet Kern
Violet Kern

STATE OF MINNESOTA)
COUNTY OF Ramsey) ss.

On this 24th day of September, 1990, before me, a Notary Public, within and for said County and State, personally appeared Violet Kern, a single person, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

Shirley A. Runberg
Notary Public



RECD. BY OCT 12 1990
MMB

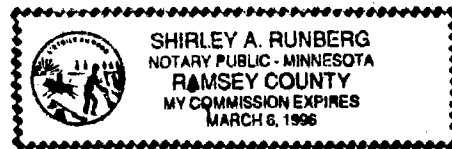
O. L. KERN IRREVOCABLE TRUST

By Violet Kern
Violet Kern, Trustee

STATE OF MINNESOTA)
COUNTY OF Ramsey) ss.

On this 24th day of September, 1990, before me, a Notary Public, within and for said County and State, personally appeared Violet Kern, a single person, to me known to be the Trustee of the O. L. Kern Irrevocable Trust who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed as Trustee of the O. L. Kern Irrevocable Trust.

Shirley A Runberg
Notary Public



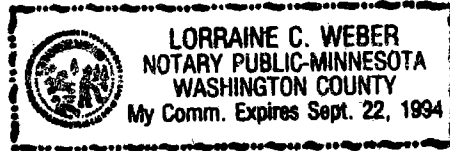
Fritz T. Oltmanns
Fritz T. Oltmanns

Carol A. Oltmanns
Carol A. Oltmanns

STATE OF MINNESOTA)
COUNTY OF Washington) ss.

On this 22nd day of September, 1990, before me, a Notary Public, within and for said County and State, personally appeared Fritz T. Oltmanns and Carol A. Oltmanns, husband and wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Lorraine C. Weber
Notary Public



Elmer Haase

Elmer Haase

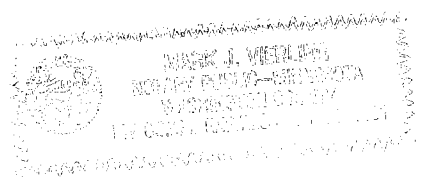
Ruth Haase

Ruth Haase

STATE OF MINNESOTA)
) ss.
COUNTY OF WASHINGTON)

On this 1st day of October, 1990, before me, a Notary Public, within and for said County and State, personally appeared Elmer Haase and Ruth Haase, husband and wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

[Signature]
Notary Public



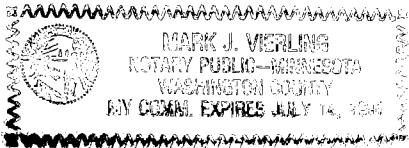
REC'D BY MMB OCT 12 1990

Alvin J. Krueger
Alvin J. Krueger

Elaine K. Krueger
Elaine K. Krueger

STATE OF MINNESOTA)
) ss.
COUNTY OF WASHINGTON)

On this 18th day of September, 1990, before me, a Notary Public, within and for said County and State, personally appeared Alvin J. Krueger and Elaine K. Krueger, husband and wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.



[Signature]
Notary Public

INDEPENDENT SCHOOL DISTRICT NO. 834
1875 South Greeley Street
Stillwater, MN 55082

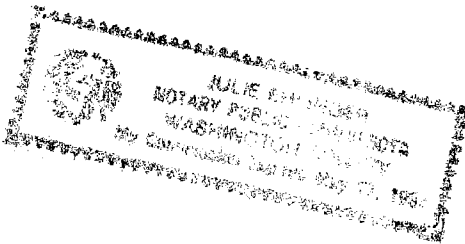
By Louise W. Jones
Louise W. Jones

By Lynn M. L. Schmidt
Lynn M. L. Schmidt

STATE OF MINNESOTA)
) ss.
COUNTY OF WASHINGTON)

On this 21 day of September, 1990, before me a Notary Public, in and for said County and State appeared Louise W. Jones and Lynn M. L. Schmidt, to me personally known, who being by me first duly sworn, did say that they are respectively the Chair and Clerk of Independent School District No. 834, who by authority of Independent School District No. 834 acknowledge said instrument to be the free act and deed of said Independent School District No. 834.

Julie Ehlers
Notary Public



REC'D. BY OCT 12 1990
MMB

Beverly Kern
Beverly Kern

STATE OF MINNESOTA)
COUNTY OF Washington) ss.

On this 2nd day of October, 1990, before me, a Notary Public, within and for said County and State, personally appeared Beverly Kern, a single person, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

Kathleen M. Post
Notary Public



REGD. BY
MAB OCT 04 1990

IN THE MATTER OF THE PETITION OF THE
PROPERTY OWNERS FOR
ANNEXATION OF UNINCORPORATED ADJOINING PROPERTY
TO THE CITY OF OAK PARK HEIGHTS, MINNESOTA
PURSUANT TO MINNESOTA STATUTES M.S. 414.031, SUB. 1(c)

TO: Minnesota Municipal Board
165 Metro Square Building
St. Paul, Minnesota 55101

The Minnesota Municipal Board is hereby requested to hold a public hearing on the question of annexing certain property to the City of Oak Park Heights, Minnesota.

The petitioners for annexation are the property owners who are identified at the conclusion of this petition.

The area proposed for annexation is described as follows:

All that part of Section 6, Township 29 North, Range 20 West, lying and being easterly of the center line of Stillwater Boulevard North, also known as Minnesota Trunk Highway 5, formerly known as Minnesota Trunk Highway 212, except the South 1,733.15 feet thereof.

The West 1/2 of the Southwest 1/4 of Section 5, Township 29 North of Range 20 West, except the South 1,733.15 feet thereof.

The Northeast 1/4 of the Southwest 1/4 of Section 5, Township 29 North of Range 20 West.

The Southwest 1/4 of the Northwest 1/4 of Section 5, Township 29 North of Range 20 West.

The North 1/2 of the Northwest 1/4 of Section 5, Township 29 North of Range 20 West, excepting therefrom that part thereof lying and being within the City of Oak Park Heights, Washington County, Minnesota.

All of the above lying and being in the County of Washington, State of Minnesota.

1. The petitioners have submitted a copy of this petition to the affected Township of Baytown on October 3, 1990.

2. The area proposed for annexation abuts the city on the city's West boundary thereof, and none of it is presently a part of any incorporated city or in an area designated for orderly annexation.

3. The total acreage of the area proposed for annexation is 392 acres.

4. The petitioners believe that all of this property is or is about to become urban or suburban in character.

5. The reason for requesting the annexation is:

a. Independent School District No. 834 has acquired and/or holds an option to a large tract of land within the land proposed for annexation which has been acquired for the purpose of constructing a senior high school. That facility will require municipal utilities and services.

b. The petitioners own lands which are urban or suburban in character and which desire and need municipal water and sewer services and other municipal services for purposes of development and use.

c. That it is in the best interests of the property proposed for annexation that it be annexed to the City of Oak Park Heights.

d. That Baytown Township or the lands that remain within it can continue to carry on the functions of government without undue hardship.

6. Parties entitled to notice under Minnesota Statutes 414.09 are:

✓ Ms. Patricia St. Claire, Clerk
Town of Baytown
14949 - 30th Street North
Stillwater, MN 55082

✓ Ms. K. Schmoeckel, Clerk
Town of Stillwater
Planning Commission
8335 Manning Avenue North
Stillwater, MN 55082

✓ Mr. Jerry Fontaine
Planning Commission Chairman
City of Stillwater
1618 West Willard Street
Stillwater, MN 55082

Mr. Dennis Trenda
Planning Commission Chairman
Town of Baytown
14105 North 45th Street
Stillwater, MN 55082

City of Stillwater
216 North 4th Street
Stillwater, MN 55082

Mr. Steve Russell, Planner
City of Stillwater
216 North 4th Street
Stillwater, MN 55082

County of Washington
Washington County Government Center
14900 - 61st Street North
Stillwater, MN 55082

Washington County Planner
Washington County Government Center
14900 - 61st Street North
Stillwater, MN 55082

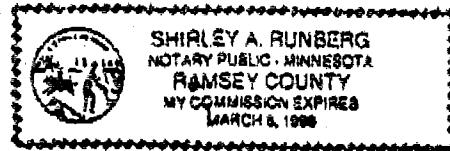
RECD. BY OCT 24 1990
MMB

Violet Kern
Violet Kern

STATE OF MINNESOTA)
COUNTY OF Ramsey) ss.

On this 24th day of September, 1990, before me, a Notary Public, within and for said County and State, personally appeared Violet Kern, a single person, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

Shirley A. Runberg
Notary Public



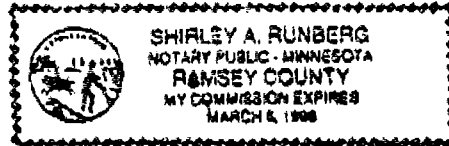
O. L. KERN IRREVOCABLE TRUST

By Violet Kern
Violet Kern, Trustee

STATE OF MINNESOTA)
COUNTY OF Ramsey) ss.

On this 24th day of September, 1990, before me, a Notary Public, within and for said County and State, personally appeared Violet Kern, a single person, to me known to be the Trustee of the O. L. Kern Irrevocable Trust who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed as Trustee of the O. L. Kern Irrevocable Trust.

Shirley A. Runberg
Notary Public



REC'D. BY
MAB OCT 04 1990

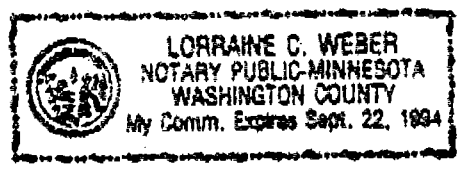
Fritz T. Oltmanns
Fritz T. Oltmanns

Carol A. Oltmanns
Carol A. Oltmanns

STATE OF MINNESOTA)
COUNTY OF Washington) ss.

On this 22nd day of September, 1990, before me, a Notary Public, within and for said County and State, personally appeared Fritz T. Oltmanns and Carol A. Oltmanns, husband and wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Lorraine C. Weber
Notary Public



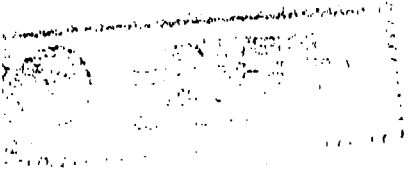
Elmer Haase
Elmer Haase

Ruth Haase
Ruth Haase

STATE OF MINNESOTA)
) ss.
COUNTY OF Washington)

On this 1st day of October, 1990, before me,
a Notary Public, within and for said County and State, personally
appeared Elmer Haase and Ruth Haase, husband and wife, to me
known to be the persons described in and who executed the
foregoing instrument and acknowledged that they executed the same
as their free act and deed.

[Signature]
Notary Public



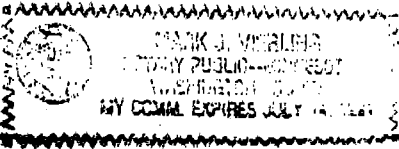
Alvin J. Krueger
Alvin J. Krueger

Elaine K. Krueger
Elaine K. Krueger

STATE OF MINNESOTA)
) ss.
COUNTY OF CASHER)

On this 18th day of September, 1990, before me, a Notary Public, within and for said County and State, personally appeared Alvin J. Krueger and Elaine K. Krueger, husband and wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

[Signature]
Notary Public



INDEPENDENT SCHOOL DISTRICT NO. 834
1875 South Greeley Street
Stillwater, MN 55082

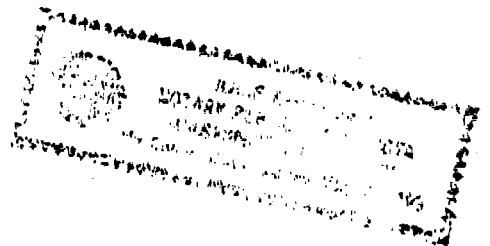
By *Louise W. Jones*
Louise W. Jones

By *Lynn M. L. Schmidt*
Lynn M. L. Schmidt

STATE OF MINNESOTA)
) ss.
COUNTY OF WASHINGTON)

On this 21 day of September, 1990, before me a Notary Public, in and for said County and State appeared Louise W. Jones and Lynn M. L. Schmidt, to me personally known, who being by me first duly sworn, did say that they are respectively the Chair and Secretary of Independent School District No. 834, who by authority of Independent School District No. 834 acknowledge said instrument to be the free act and deed of said Independent School District No. 834.

Julie Ehler
Notary Public



REC'D. BY
MMB OCT 04 1990

Beverly Kern
Beverly Kern

STATE OF MINNESOTA)
COUNTY OF Washington) ss.

On this 2nd day of October, 1990, before me, a Notary Public, within and for said County and State, personally appeared Beverly Kern, a single person, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

Kathleen M. Post
Notary Public

KATHLEEN M. POST
NOTARY PUBLIC - MINNESOTA
WASHINGTON COUNTY
My Commission Expires Feb. 25, 1991

REC'D. BY
MMB OCT 04 1990

RESOLUTION 90-09-34

CITY OF OAK PARK HEIGHTS
WASHINGTON COUNTY, MINNESOTA

WHEREAS, Minnesota Statute 414.031, Subdivision 1 provides for the initiation of proceedings for the annexation of unincorporated property to abutting municipalities, allowing same to be initiated by Resolution of the annexing municipality; and,

WHEREAS, the City of Oak Park Heights, a Minnesota statutory city, has been requested to annex certain lands within Baytown Township by affected property owners; and,

WHEREAS, the area proposed for annexation is legally described as follows:

All that part of Section 6, Township 29 North, Range 20 West, lying and being easterly of the center line of Stillwater Boulevard North, also known as Minnesota Trunk Highway 5, formerly known as Minnesota Trunk Highway 212, except the South 1,733.15 feet thereof.

The West 1/2 of the Southwest 1/4 of Section 5, Township 29 North of Range 20 West, except the South 1,733.15 feet thereof.

The Northeast 1/4 of the Southwest 1/4 of Section 5, Township 29 North of Range 20 West.

The Southwest 1/4 of the Northwest 1/4 of Section 5, Township 29 North of Range 20 West.

The North 1/2 of the Northwest 1/4 of Section 5, Township 29 North of Range 20 West, excepting therefrom that part thereof lying and being within the City of Oak Park Heights, Washington County, Minnesota.

All of the above lying and being in the County of Washington, State of Minnesota.

and,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR
THE CITY OF OAK PARK HEIGHTS AS FOLLOWS:**

1. That pursuant to Minnesota Statute Section 414.031, Subdivision 1 (A) and (C), the City of Oak Park Heights herewith requests the annexation of the following described real property now located within Baytown Township to be annexed to the City of Oak Park Heights. The property sought for annexation to the City of Oak Park Heights is legally described as follows, to-wit:

All that part of Section 6, Township 29 North, Range 20 West, lying and being easterly of the center line of Stillwater Boulevard North, also known as Minnesota Trunk Highway 5, formerly known as Minnesota Trunk Highway 212, except the South 1,733.15 feet thereof.

The West 1/2 of the Southwest 1/4 of Section 5, Township 29 North of Range 20 West, except the South 1,733.15 feet thereof.

The Northeast 1/4 of the Southwest 1/4 of Section 5, Township 29 North of Range 20 West.

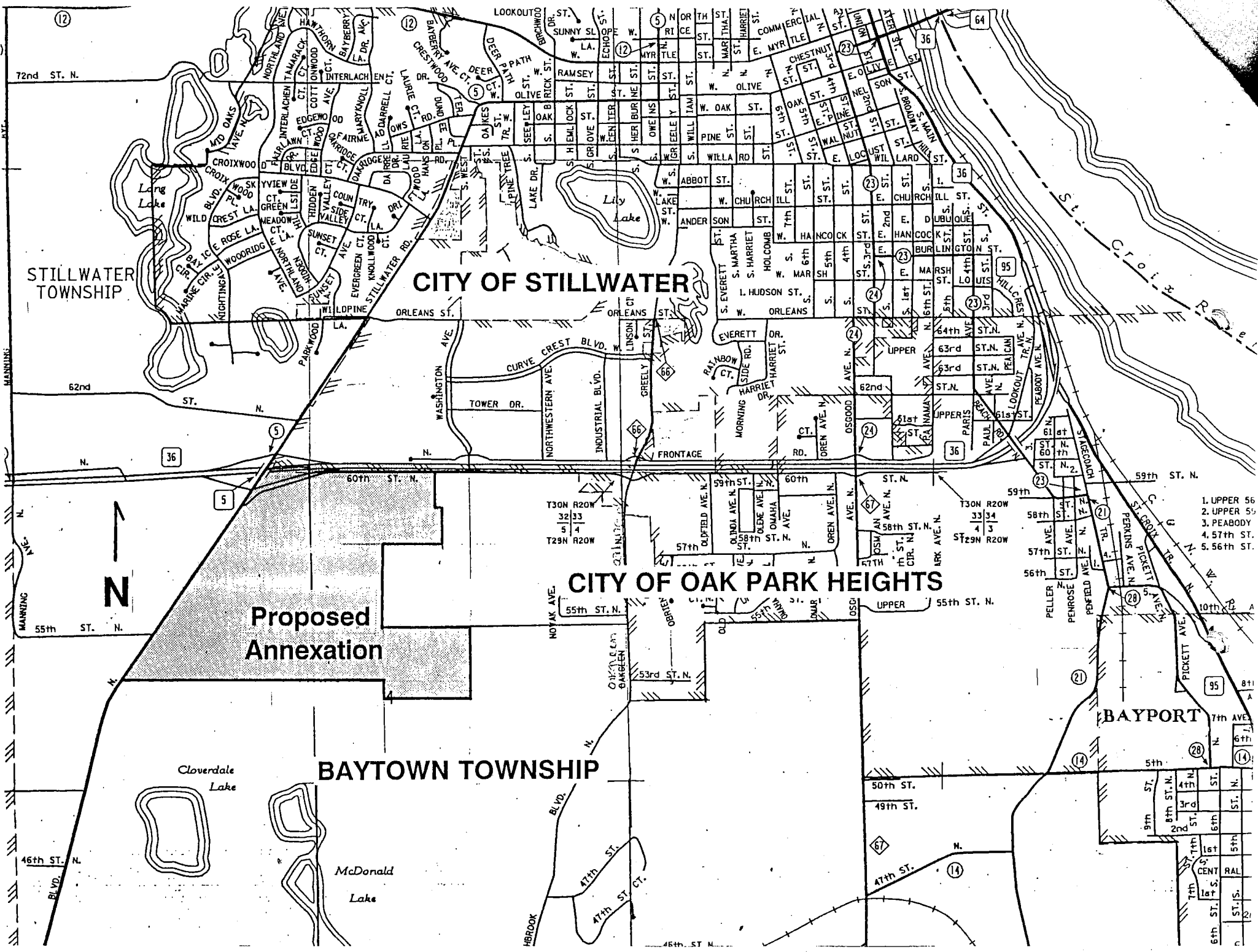
The Southwest 1/4 of the Northwest 1/4 of Section 5, Township 29 North of Range 20 West.

The North 1/2 of the Northwest 1/4 of Section 5, Township 29 North of Range 20 West, excepting therefrom that part thereof lying and being within the City of Oak Park Heights, Washington County, Minnesota.

All of the above lying and being in the County of Washington, State of Minnesota.

2. The City of Oak Park Heights herewith requests the Minnesota Municipal Board to schedule a public hearing upon notice in the manner provided pursuant to Minnesota Statute 414.031, Subd. 2 for purposes of hearing of this request.

3. That the City Clerk for the City of Oak Park Heights is herewith directed and authorized to execute a certified copy



CITY OF STILLWATER

CITY OF OAK PARK HEIGHTS

**Proposed
Annexation**

BAYTOWN TOWNSHIP

BAYPORT

STILLWATER
TOWNSHIP

- 1. UPPER 56
- 2. UPPER 55
- 3. PEABODY
- 4. 57th ST.
- 5. 56th ST.

T30N R20W
32 33
5 4
T29N R20W

T30N R20W
33 34
4 3
T29N R20W

