

CITY OF STACY

RESOLUTION NO. 2005-12-5

RESOLUTION FOR ANNEXATION OF UNINCORPORATED PROPERTY BY
DIRECTOR'S ORDER PURSUANT TO MINNESOTA STATUTES SECTION 414.031.

WHEREAS, the City of Stacy (hereinafter "City") is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Minnesota Statutes Section 414.031 provides that the City may initiate annexation proceedings by submitting a resolution to the Director of Municipal Boundary Adjustments; and

WHEREAS, the City has determined that, for the reasons set forth in the body of this Resolution, annexation of the property depicted and described on attached Exhibit "A" (hereinafter "Annexation Property") is in the best interest of the City and the Annexation Property, protecting the public health, safety and welfare; and

WHEREAS, the City Council considered the matter at its meeting of December 29, 2005.

NOW, THEREFORE, the City Council of the City of Stacy makes the following:

FINDINGS

1. The Annexation Property is part of Wyoming Township (hereinafter "Township") and is adjacent to the City on the City's Southern Boundary.
2. The Annexation Property consists of 777.6 acres.
3. The City and the Township are experiencing rapid growth and intense pressure for residential development.
4. The character of the Township, especially the Annexation Property, is shifting from rural to urban/sub-urban. The Annexation Property is able to be served by City sewer.
5. The annexation of the Annexation Property is in the best interest of the City and the Annexation Property because:
 - a. The City is able to provide City sewer services to the Annexation Area.
 - b. The City has the ability to best provide necessary governmental services to the Annexation Property including, but not limited to, road maintenance, utility services, blight enforcement, fire and police protection and planning.

- DEC 29 2005
- c. The character of the Township is shifting from rural to urban/sub-urban.
5. The parties entitled to notice under Minnesota Statutes Section 414.09 are as

follows:

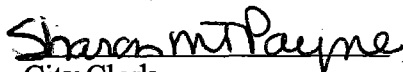
- a. Township of Wyoming
7665 Wyoming Trail
Wyoming, MN 55092
- b. County of Chisago
313 North Main Street
Center City, MN 55012

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Stacy, based upon the information received and the above Findings, to initiate a proceeding for the annexation of the Annexation Property and hereby directs the City Staff to submit this Resolution and any other documentation necessary to the Director of Municipal Boundary Adjustments and the Township of Wyoming pursuant to Minnesota Statutes Section 414.031 seeking annexation of the Annexation Property.

Adopted this 29 day of December 2005, by the City Council of City of Stacy.


Mayor

ATTEST:


City Clerk

RECEIVED
JAN 05 2006

JAN 05 2006

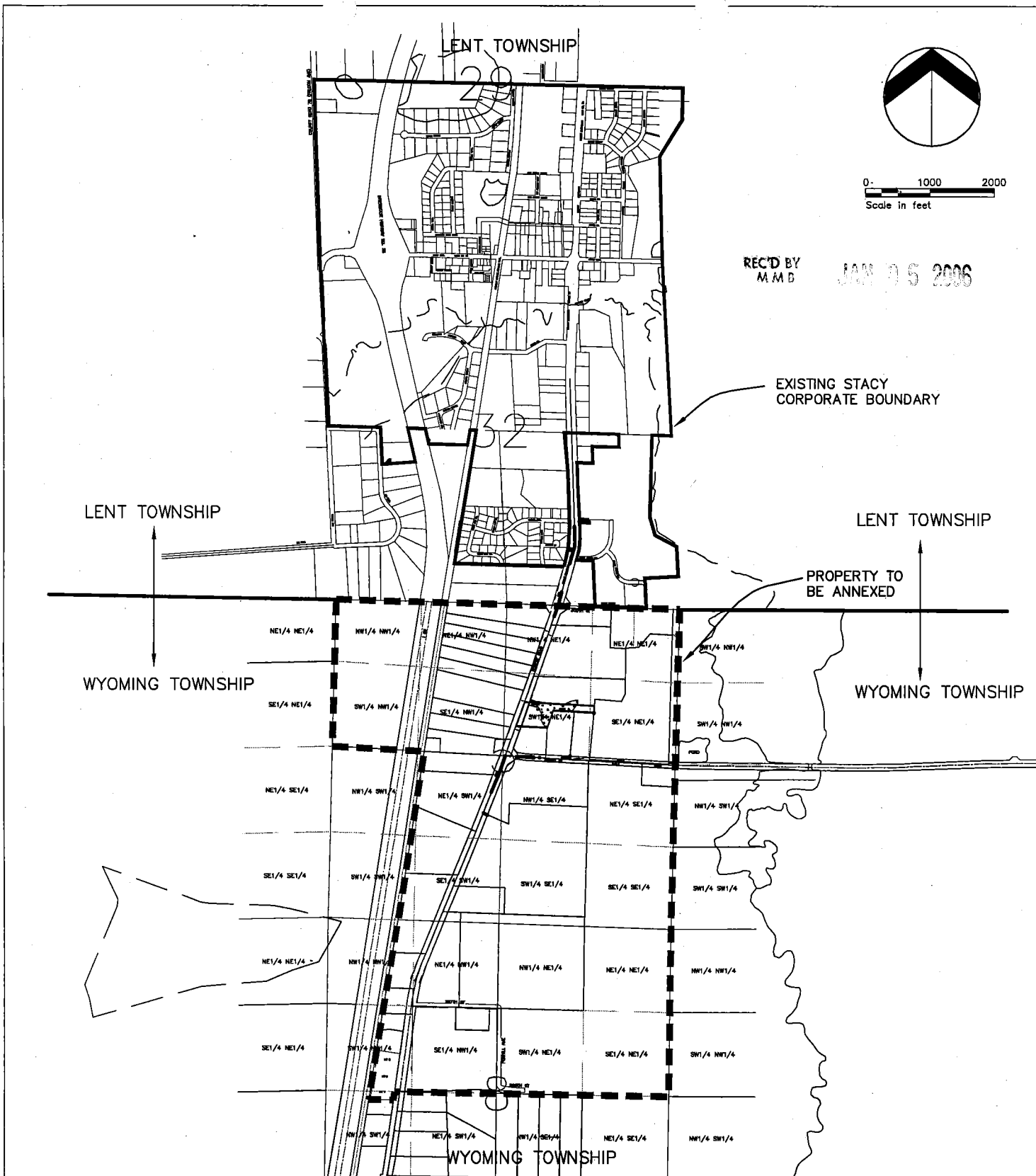
ANNEXATION LEGAL DESCRIPTION STACY, MINNESOTA

All of the Northwest Quarter, the Northeast Quarter, the Southeast Quarter and that part of the Southwest Quarter lying east of the easterly Right of Way Line of Interstate Highway No. 35, all in Section 5, Township 33 North, Range 21 West, Chisago County, Minnesota.

Together with:

All of the Northeast Quarter, that part of the Northwest Quarter lying east of the easterly Right of Way Line of Interstate Highway No. 35 and that part of the Southwest Quarter lying within the plat of Miller Estates First Addition, a plat that is on file and of record in the office of the County Recorder, Chisago County, Minnesota, all in Section 8, Township 33 North, Range 21 West, Chisago County, Minnesota.





CORPORATE BOUNDARY MAP

STACY, MINNESOTA

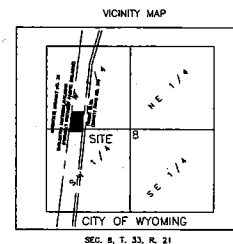
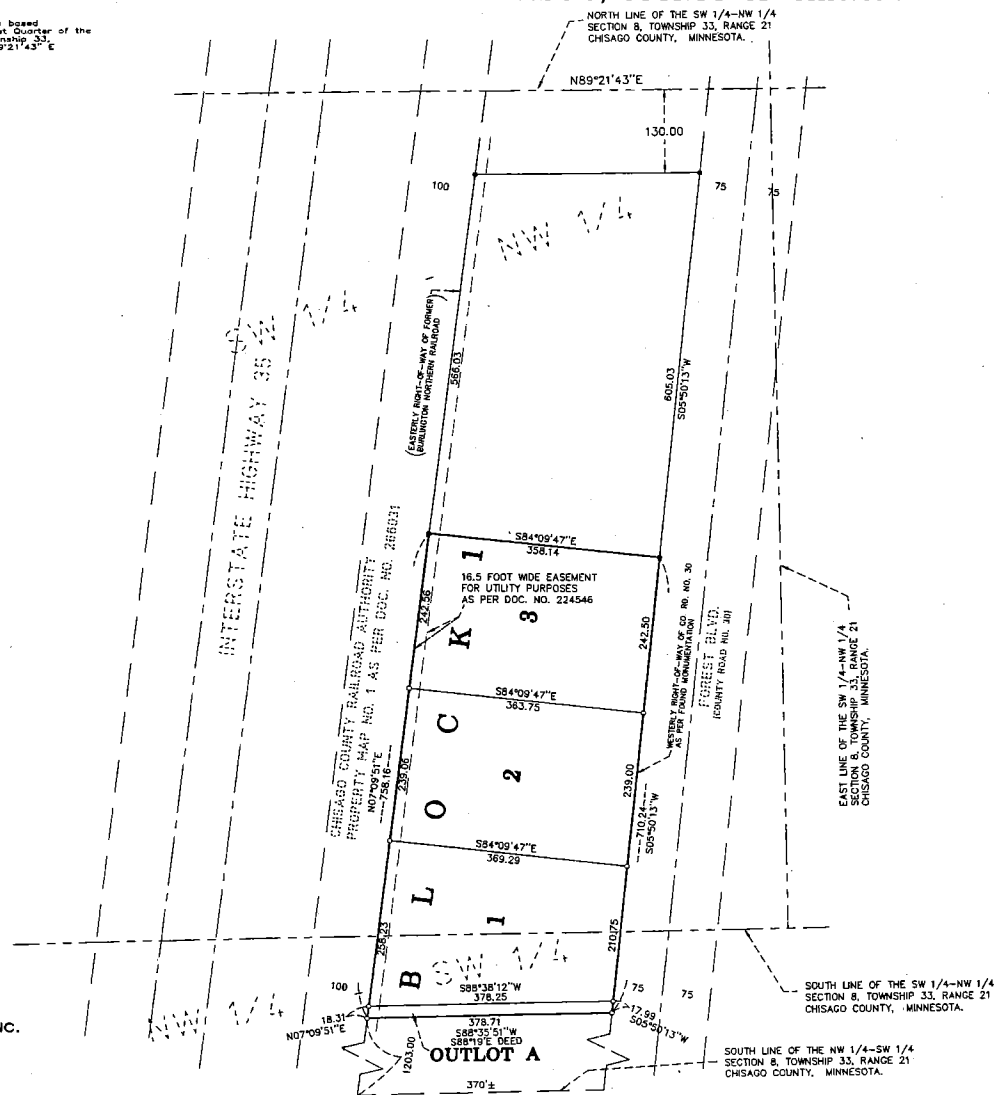
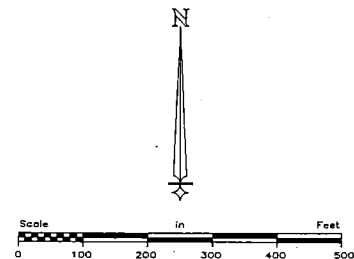
PLATE NO. A

**Bonestroo
Rosene
Anderlik &
Associates**
Engineers & Architects

TOWNSHIP OF WYOMING, COUNTY OF CHISAGO

o denotes 5/8" x 18" Reber Monument
set & marked by Minn. Lic. No. 17259
• denotes found Iron Monument

Orientation of this bearing system is based upon the North line of the Southwest Quarter of the Northwest Quarter of Section 8, Township 33, Range 21, having a bearing of N 89°21'43" E



SHEET 1 OF 1 SHEETS

ULTEIG ENGINEERS, INC.

MILLER ESTATES FIRST ADDITION

TOWNSHIP OF WYOMING, COUNTY OF CHISAGO

KNOW ALL PERSONS BY THESE PRESENTS: That Mark D. Miller and Vicki A. Miller, husband and wife, owners and mortgagors, and First State Bank of Wyoming, a Minnesota Banking Corporation, Mortgagee of the following described property situated in the County of Chisago, State of Minnesota to wit:

That part of the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4), Section Eight (8), Township Thirty-three (33), Range Twenty-one (21), lying westerly of the westerly right-of-way line of County Road No. 30 (formerly U. S. #61); lying easterly of the easterly right-of-way line of Burlington Northern Railroad (formerly Northern Pacific Railroad); and lying southerly of a line lying 130 feet South and parallel to the north line of said Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4);

And

That part of the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4), of Section Eight (8), Township Thirty-three (33), Range Twenty-one (21), lying westerly of the westerly right-of-way line of County Road No. 30 (formerly U. S. #61); lying easterly of the easterly right-of-way line of Burlington Northern Railroad (formerly Northern Pacific Railroad); and lying northerly of the following described line:

Beginning at the intersection of the south line of said NW 1/4 of SW 1/4 with the westerly line of County Road No. 30 (formerly U. S. #61); thence West along said south line, 370 feet, more or less, to the easterly right-of-way line of the Burlington Northern Railroad (formerly Northern Pacific Railroad); thence northerly, along said right-of-way line, 1203 feet, to the point of beginning of said described line; thence South 88 degrees 19 minutes East 378 feet to the westerly right-of-way line of County Road No. 30 and there terminating.

Said parcel being more particularly described as commencing at a point on the westerly right-of-way line of said County Road No. 30 (formerly U. S. #61) said point being 130 feet South of the north line of said Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4); thence South 05 degrees 50 minutes 13 seconds West, assumed basis for bearings, 605.03 feet along said westerly right-of-way, to the point of beginning of the parcel to be described; thence continuing along said westerly right-of-way, South 05 degrees 50 minutes 13 seconds West 710.24 feet to the southerly line of the above described parcel; thence South 88 degrees 19 minutes 51 seconds West 378.71 feet along said southerly line to the easterly right-of-way line of the Burlington Northern Railroad (formerly Northern Pacific Railroad); thence North 07 degrees 09 minutes 51 seconds East 758.16 feet along said easterly right-of-way, thence South 84 degrees 09 minutes 47 seconds East 358.14 feet to the point of beginning.

Have caused the same to be surveyed and platted as MILLER ESTATES FIRST ADDITION.

In witness whereof, said Mark D. Miller and Vicki A. Miller, husband and wife, have hereunto set their hands this 16th day of MARCH, 1999

Mark D. Miller Vicki A. Miller
Mark D. Miller Vicki A. Miller

State of Minnesota
County of Chisago

The foregoing instrument was acknowledged before me this 17th day of MARCH, 1999
by Mark D. Miller and Vicki A. Miller, husband and wife.

Deborah A. Ashby
Notary Public, Chisago County, Minnesota
My commission expires JAN 31, 2000

Also in witness whereof, said First State Bank of Wyoming, a Minnesota Banking Corporation, has caused these presents to be signed by its proper officers this 17th day of MARCH, 1999

FIRST STATE BANK OF WYOMING

By Tom Zamb
Its Esse V. President
By Joe J. Salup
Its VICE PRESIDENT

State of Minnesota
County of Chisago

The foregoing instrument was acknowledged before me this 17th day of MARCH, 1999 by Tom Zamb its Esse V. President and Joe J. Salup its VICE PRESIDENT First State Bank of Wyoming, a Minnesota Banking Corporation, on behalf of the corporation.

Deborah A. Ashby
Notary Public, Chisago County, Minnesota
My commission expires JAN 31, 2000

I, Marvin G. Lovlein, hereby certify that I have surveyed and platted the property described on this plat as MILLER ESTATES FIRST ADDITION, that this plat is a correct representation of the survey, that all distances are correctly shown on the plat in feet and hundredths of a foot, that all monuments have been correctly placed in the ground as shown or will be correctly placed in the ground as designated; that the outside boundary lines are correctly designated on the plat; and that there are no wet lands as defined in MS 505.02, Subd. 1, or public highways to be designated other than as shown.

Marvin G. Lovlein
Marvin G. Lovlein, Land Surveyor
Minnesota License Number 17259

State of Minnesota
County of Chisago

The foregoing Surveyor's Certificate was acknowledged before me this 17th day of MARCH, 1999 by Marvin G. Lovlein, Minnesota License No. 17259

Bradley J. Robinson
Notary Public, Chisago County, Minnesota
My commission expires JAN 31, 2000

Approved by the Planning Commission of Wyoming Township, Minnesota, this 16th day of February, 1999

Signed: Joseph M. Shatt
Chairman
Signed: Norma W. Olson
Secretary

Approved by the Wyoming Township Board, Minnesota, this 15 day of MARCH, 1999, and is in compliance with the provisions of Chapter 505.03, Subdivision 2, Minnesota Statutes.

Signed: Eugene M. Peterson
Chairman
Signed: Norma W. Olson
Clerk

This plat was approved as to form and execution this 16th day of MARCH, 1999
Thomas M. Fitzpatrick
Township Attorney

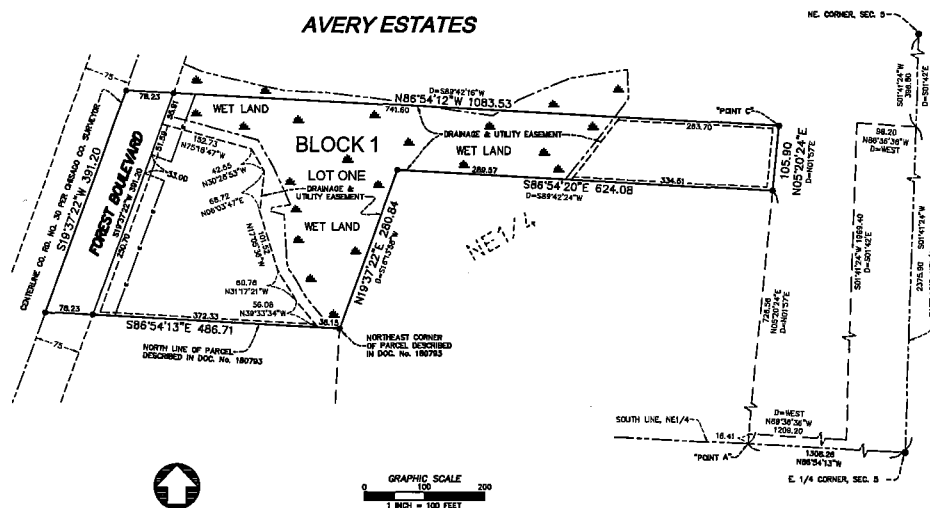
No delinquent taxes and transfer entered this 17th day of MARCH, 1999
Donna J. Hest
County Auditor

I hereby certify that the taxes for the year 1999 on the property described herein are paid this 17th day of MARCH, 1999
Donna J. Hest
County Treasurer

Document No. 333 006

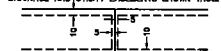
I hereby certify that this instrument was filed in the Office of the County Recorder for record on this 18th day of MARCH, 1999 at 10:02 o'clock A.M., and was duly recorded in Chisago County Records.
Elaine Speltz
County Recorder

AVERY ESTATES



- DENOTES A 1/2 INCH BY 1/4 INCH IRON PIPE MONUMENT, MARKED RLS 13540, THAT WILL BE SET WITHIN ONE YEAR OF THE RECORDING OF THIS PLAT.
- DENOTES A FOUND IRON PIPE MONUMENT
- DENOTES CHICAGO COUNTY MONUMENT
- DENOTES CONTROLLED ACCESS
- WET LAND

DRAINAGE AND UTILITY EASEMENTS SHOWN THIS:



BENING 10 FEET WIDE, ADJOINING STREET LINE AND REAR LOT LINE AND 5 FEET WIDE ADJOINING SIDE LOT LINES, UNLESS OTHERWISE SHOWN ON THE PLAT.

THE ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE EAST LINE OF THE NE 1/4 SEC. 5 T.33N. R.21W, CHICAGO COUNTY, MINNESOTA, HAVING AN ASSUMED BEARING OF 301°42'34\".

NOTE: THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES, UNITED STATES CORPS OF ENGINEERS AND OTHER WATER MANAGEMENT AGENCIES HAVE CATEGORIZED VARIOUS WETLANDS, WHICH ARE NOT ACKNOWLEDGED BY CHAPTER 305.02, SUBDIVISION 1 OF MINNESOTA STATUTES AND MAY NOT BE SHOWN HEREON. DEVELOPMENT OF LANDS CONTAINING SAID WETLANDS MAY BE SUBJECT TO SPECIAL CONDITIONS OR LIMITATIONS.



NE CORNER, SEC. 5

KNOW ALL MEN BY THESE PRESENTS: That Bennett J. Montzko and Emily S. Montzko, husband and wife, owners and proprietors, of the following described property situated in the County of Chicago, State of Minnesota:

That part of the Northeast Quarter, Section 5, Township 33 North, Range 21 West, Chicago County, Minnesota, described as follows:

Commencing at the northeast corner of said Section 5; thence South 1 degree 42 minutes East, assumed bearing along the east line of said Section 5, a distance of 398.80 feet; thence on a bearing of West, a distance of 95.20 feet; thence South 1 degree 42 minutes East, a distance of 1988.40 feet; thence on a bearing of West, a distance of 1209.20 feet; thence South 1 degree 57 minutes West, a distance of 18.50 feet to the East-West quarter line of said Section 5; and a point hereafter referred to as "Point A"; thence North 1 degree 57 minutes East, 832.45 feet to a point hereafter referred to as "Point C"; thence South 89 degrees 42 minutes 16 seconds West, 1063.53 feet to the centerline of Forest Boulevard and the point of beginning of the parcel to be described; thence North 89 degrees 42 minutes 16 seconds East to said "Point C"; thence South 1 degree 57 minutes West, 105.90 feet to a point distant 725.56 feet from said "Point A"; thence South 89 degrees 42 minutes 24 seconds West, 624.08 feet; thence southeasterly to the northeast corner of the property described in Document No. 180793; thence westerly along the north line of said property described in Document No. 180793 to the centerline of Forest Boulevard; thence northeasterly, along said centerline, to the point of beginning.

have caused the same to be surveyed and plotted as AVERY ESTATES, and do hereby donate and dedicate to the public for public use Forest Boulevard and the easements as shown on this plat for drainage and utility purposes only. Also dedicating to Chicago County the controlled access as shown on the plat.

In witness whereof Bennett J. Montzko and Emily S. Montzko, husband and wife, have hereunto set their hands, this ____ day of _____, 20 ____.

Bennett J. Montzko

Emily S. Montzko

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument by Bennett J. Montzko and Emily S. Montzko, husband and wife, was acknowledged before me, this ____ day of _____, 20 ____.

Notary Public, _____ County, Minnesota
My Commission Expires _____

I hereby certify that I have surveyed and plotted the property described on this plat as AVERY ESTATES, that this plat is a correct representation of the survey; that all distances are correctly shown on the plat in feet and hundredths of a foot; that all monuments will be correctly placed in the ground as shown within one year of recording; that the outside boundary lines are correctly designated on the plat; and that there are no wet lands as defined in MS 305.02, Subd. 1, or public highways to be designated other than as shown.

Dale F. Hebelson, Minnesota Licensed Surveyor No. 13590

STATE OF MINNESOTA
COUNTY OF CHICAGO

The foregoing Surveyor's Certificate by Dale F. Hebelson, Minnesota License No. 13590, was acknowledged before me this ____ day of _____, 20 ____.

Notary Public, _____ County, Minnesota
My Commission Expires _____

Approved by the Planning Commission of the Town of Wyoming, Minnesota, this ____ day of _____, 20 ____.

Signed _____
Chairman

Approved by the Town Board of Town of Wyoming, Minnesota, this ____ day of _____, 20 ____, and is in compliance with the provisions of Chapter 305.03, Subdivision 2, Minnesota Statutes.

Signed _____
Chairman

Clark

This plat was approved as to form and execution this ____ day of _____, 20 ____.

Township Attorney

Pursuant to Chicago County Subdivision Ordinance Number 99-2, I hereby certify that this plat has been checked and approved as to compliance with Chapter 305, Minnesota Statutes, this ____ day of _____, 20 ____.

Chicago County Surveyor

This plat was recommended for approval this ____ day of _____, 20 ____.

Chicago County Engineer

No delinquent taxes and transfer entered this ____ day of _____, 20 ____.

Chicago County Auditor

I hereby certify that the taxes for the year 20 ____ on the property described herein are paid this ____ day of _____, 20 ____.

Chicago County Treasurer

Document No. _____
I hereby certify that this instrument was filed in the Office of the County Recorder for record on this ____ day of _____, 20 ____, at _____ o'clock _____ M., and was duly recorded in the Chicago County Records.

Chicago County Recorder

HULT & ASSOCIATES, INC.
SURVEYORS, ENGINEERS
& WETLAND SPECIALISTS
PHONE 345-1100
FAX 345-1101
68-11-02