

JOINT RESOLUTION AS TO ORDERLY ANNEXATION
CITY AND TOWN OF STILLWATER

WHEREAS, the Municipal Commission of the State of Minnesota presently has before it for hearing and consideration the matter of annexing certain portions of Stillwater Township to the City of Stillwater; and ,

WHEREAS, the Township and City of Stillwater are parties to said proceedings; and,

WHEREAS, there is a basis for agreement between the parties upon which the matters presently before the Minnesota Municipal Commission be settled, and the governmental parties hereto desire to set forth such terms of settlement by means of this resolution,

NOW, THEREFORE, BE IT RESOLVED by the Township and City of Stillwater, as follows:

1. That the following described area in Stillwater Township is properly subject to orderly annexation under and pursuant to Minnesota Statutes 414.032 and the parties hereto do hereby designate this area as in need of orderly annexation as provided by statute:

All portions of Stillwater Township lying in Sections 32 and 33 and the East Half of Section 31, Township 30 North, Range 20 West, Washington County, Minnesota and Cochrane's Long Lake Addition according to the plat thereof on file and of record in the office of the Register of Deeds for Washington County.

That the Township of Stillwater does upon passage of this resolution and its adoption by the Council of the City of Stillwater, confer jurisdiction upon the Minnesota Municipal Commission so as to accomplish said orderly annexation in accordance with the terms of this resolution.

2. In that portion of the orderly annexation area located east of County Road No. 5, the City may annex all property now developed as zoned which is contiguous to the City; and property which is not now developed as zoned may be annexed as provided in paragraph 3 below. As an exception to this paragraph, no property developed as a single family residence on two acres or more of land shall be annexed, except upon petition of the owners.

3. Land within the orderly annexation area not subject to immediate annexation under paragraph 2 above may be annexed by the City when it is developed as zoned or about to be developed as zoned, and there is available municipal services such as water, sanitary sewer and storm sewer, etc., which will be extended to the property within two years, and if such land is contiguous to the City.

As an exception to this paragraph, no property developed as a single family residence on two acres or more of land which is situated in that part of the orderly annexation area west of County Road No. 5, shall be annexed except upon petition of the owners.

4. Notwithstanding any contrary provisions of paragraphs 2 and 3 above, the township will not oppose any unanimous petitions of the owners of any lands within the orderly annexation area which are contiguous to the City of Stillwater, regardless of whether those lands are developed or undeveloped.

The purpose of this agreement is to preserve the option of owners of single family residential properties situated on tracts of two acres or more to remain in the township during the term of this agreement, including existing residential properties and those which may be developed hereafter; and, to provide for the annexation of other property which is, or about to be, developed for other than single family residential purposes and which will require municipal water and sewer service; and, to grant the right to owners of any property which is contiguous to the City to petition for annexation without opposition by the township.

5. That any property annexed to the City pursuant to this agreement shall receive a graduated increase in mill rates from the town rate to the city rate over a three to five year period depending on the length of time necessary to provide full municipal services to the area annexed.

Both the city and township agree to apply for the maximum five year step-up in all such annexations, in accordance with the following schedule:

<u>Year After Actual Annexation</u>	<u>Maximum increase not to exceed % amount city and town levies</u>
1	20% of difference
2	25% of then existing difference
3	33% of then existing difference
4	50% of then existing difference
5	Full city mill rate

6. That all undeveloped non urban lands annexed to the City shall be placed in the city's Rural Taxing District until such time as they are actually developed. In the Rural Taxing District, the city's property tax levy will be 100% of the bonded indebtedness levy and 10% of the general levy.

7. That in the case of annexation of developed property, the City agrees to compensate the township for lost tax revenue over a five year period to ease the financial adjustment burden on the remainder of the township. Cash payments will be made to the township based on the assessed value of the annexed properties as of the date of annexation as applied to the township's mill rate for the year of payment, in accordance with the following schedule:

Year After Actual Annexation	Percent of Above computed tax to be returned to the township
1	100%
2	80%
3	60%
4	40%
5	20%

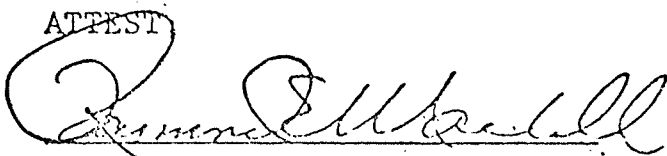
8. That the city agrees not to approve the proposed plat of the Croixwood Seventh Addition, until traffic access is restricted from Croixwood to 72nd Street and drainage into Long Lake is approved by the Department of Natural Resources and Stillwater Township.
9. That the city agrees not to extend sanitary sewer into any other areas of the township without the permission of the town board. All extensions will be in accordance with the Metropolitan Waste Control Commission's approved Comprehensive Sewer Plan for the area. This section shall not apply if the city is ordered to extend sewer to abate a public health nuisance by an order of the Minnesota Pollution Control Agency or the State Health Department.
10. That the city agrees to assume the responsibility for the administration of the township sanitary sewer system and the maintenance of all sewer lines currently located in the area covered by this agreement. All customer revenues and Sewer Board services charges shall accrue to the city.
11. That the city agrees to assist the town board in petitioning the Metropolitan Sewer Board to restrict the size of the area in which the town board must collect SAC charges and if possible, to obtain rebates for those who have already paid SAC charges but who in all probability will never have sanitary sewer services available to them.
12. That the city agrees not to accept any annexations of territory outside the orderly annexation area for ten years from the date of signing this agreement, without township approval.

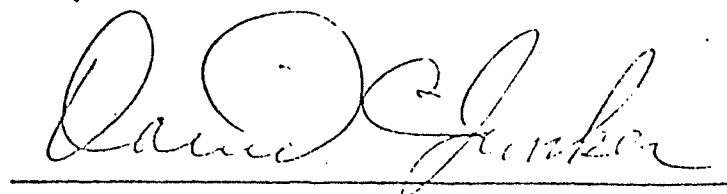
13. That the town board agrees not to approve any subdivisions with lots of, or building permits on lots of, less than 2½ acres in size, which are contiguous to the city without central sewer and water being available, except where approved by the city council.
14. That the City agrees to enter into a Fire Protection Contract with the Township for the period of May 1, 1976 to April 30, 1979, for the sum of \$7,000 per year. In determining charges for Fire Protection Contracts for subsequent years, the city shall calculate the loss of assessed valuation which the township has sustained due to annexation of property to the city and increases shall be adjusted downward accordingly.
15. That the city agrees to investigate the possibility of sharing facilities, equipment and manpower with the township to forestall the duplication of facilities and to reduce the overall costs of government in the area.
16. That both parties agree to the dismissal of all pending court appeals involving commission orders, relative to the City of Stillwater and Stillwater Township.
17. That it is agreed and understood by the parties that this agreement shall terminate after ten years and be renegotiated between the parties to better reflect the conditions of that time.
18. That it is agreed and understood by the parties that the terms of this Joint Resolution and those of the accompanying Joint Power Planning Agreement will not take effect until they have been approved by the Minnesota Municipal Commission in the format approved by the City and the Township.

CITY OF STILLWATER

Passed and adopted by the City of Stillwater this 21st
day of AUGUST, 1975

ATTEST


City Clerk


By Its Mayor

TOWN OF STILLWATER

Passed and adopted by the town of Stillwater this 21ST
day of August, 1975.

ATTEST:

Pat Benth.

Town Clerk

A. M. Berdine

By Its Chairman

WASHINGTON COUNTY

Passed and adopted by the Washington County Board of
Commissioners this _____ day of _____, 1975.

Attest:

By Its Chairman

"The foregoing statement has been duly adopted by
the City of Stillwater, Washington County and the
Town of Stillwater and certified copies of the
resolutions adopting said agreement having been
filed with the Commission, the Minnesota Municipal
Commission does hereby approved the foregoing agreement."

MINNESOTA MUNICIPAL COMMISSION

BY

[Signature]
Chairman,

Minnesota Municipal Commission

0A-117-1 Stillwater, city/town
OCT 28 1975

CITY OF STILLWATER

