

DEC 4 1980

RESOLUTION No. 6876

CITY OF STILLWATER  
WASHINGTON COUNTY, MINNESOTA

A RESOLUTION REQUESTING ANNEXATION OF CERTAIN LAND  
IN THE CITY OF STILLWATER PURSUANT TO THE JOINT  
RESOLUTION OF THE CITY AND TOWN OF STILLWATER AS  
TO ORDERLY ANNEXATION DATED AUGUST 20, 1975.

WHEREAS, Immuno Nuclear Corporation, a Minnesota corporation and the Spirit of St. Croix, a limited partnership under the laws of the State of Minnesota (hereinafter referred to collectively as "Owners") have filed a Petition with the City Clerk praying that certain lands owned by them, in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section Thirty-two (32) in the Town of Stillwater (more fully described in Exhibit "A" attached hereto and made a part hereof by this reference) be annexed to the City of Stillwater, pursuant to the Joint Resolution of the City of Stillwater and the Town of Stillwater dated August 20, 1975; and

WHEREAS, it appears that said lands are included within the area designated for orderly annexation by that Resolution; and

WHEREAS, the City Council has considered the said Petition and finds:

- (1) The said property contains approximately fifteen (15) acres.
- (2) That approximately three (3) acres of said fifteen (15) acres is owned by Immuno Nuclear Corporation. The tract owned by Immuno Nuclear Corporation is legally described as follows:

The North 270.00 feet of the South  
915.00 feet of the West 450.00 feet of  
the Southeast Quarter of the Southeast  
Quarter (SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section Thirty-  
two (32), Township Thirty (30) North,  
Range Twenty (20) West, Stillwater Township,  
Washington County, Minnesota.

The other part of said property is owned by Spirit of St. Croix.

- (3) The entire fifteen (15) acre tract is unimproved. However, a building permit has been issued for the construction of a 20,000 square foot building on the three (3) acre tract owned by Immuno Nuclear Corporation. That building will be used by Immuno Nuclear Corporation for its business purposes; that use is a light industrial use.
- (4) The property is presently zoned for commercial and/or light industrial use and Spirit of St. Croix proposes to develop part or all of its twelve (12) acre tract for mixed commercial and/or light industrial use, or sell part or all thereof to third parties for such purposes.
- (5) Municipal services such as water, sanitary sewer and storm sewer are available to said land and the land is subject to special assessments for such services as hereinafter described.
- (6) The Owners petitioning for annexation are the only "property owners" having an interest in the said land within the meaning of Chapter 414 of the Minnesota Statutes.
- (7) The said land should be annexed to the City of Stillwater, at this time, in order to fulfill the purposes of the said Joint Resolution as set out in paragraph 4 thereof - namely to provide for the annexation of property which is or is about "to be developed for other than single-family residential purposes and which will require municipal sewer and water service."
- (8) The proposed annexation does not conflict, in any way, with the provisions of said Joint Resolution.

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

1. That this resolution be submitted, forthwith, by the City Clerk to the Executive Director of the Minnesota Municipal Board for the purpose of initiating proceedings to annex the land described in Exhibit "A" to the City of Stillwater all as provided by Subdivision 1 of Section 414.0325 of the Minnesota Statutes relating to orderly annexations within a designated area.

2. For the purpose of said annexation proceedings, the City Council hereby determines that the land described in said Exhibit "A" is now or is about to become urban and the City of Stillwater is now capable of providing the municipal services required by that land. It is further determined that the annexation to the City of Stillwater would be in the best interests of the area proposed for annexation.

3. After the annexation thereof, the real estate taxes with respect to the said lands shall be levied as provided by Paragraph 5 of the said Joint Resolution dated August 20, 1975.

4. With respect to the special assessments levied against said land for local improvements, the following balances remain unpaid.

<u>Improvement</u>	<u>Remaining Balance</u>	<u>Remaining Installments</u>	<u>Installment Amounts</u>	<u>Interest Rate</u>
129-1	\$91,064.00	8	\$11,383.00	5.5%
157	\$24,307.19	19	\$ 1,279.33	6.5%
171	\$26,401.61	20	\$ 1,320.08	(1) 7.25%

(1) 8.8125% for first year (certify 1980, payable 1981) and 7.25% thereafter. The said special assessments shall be collected, in installments, as stated above, which is the basis on which said special assessments have been levied.

5. The foregoing provisions of this Resolution relating to the levy and payment of taxes and special assessments on the land proposed for annexation shall, subject to approval of the Minnesota Municipal Board, be included in the order of said Board providing for annexation.

BE IT FURTHER RESOLVED, that a copy of the City of Stillwater Zoning Map with the said land proposed for annexation designated thereon in writing, shall be marked as Exhibit "B" and attached to this Resolution.

BE IT FURTHER RESOLVED, that the City Clerk shall file a certified copy of this Resolution with attached Exhibits with the Minnesota Municipal Board along with the request that the Minnesota Municipal Board initiate annexation proceedings in accordance with the provisions of Section 414.0325 of the Minnesota Statutes. The Clerk shall further file copies of this Resolution with attached Exhibits with the Town Board of the

Town of Stillwater and the Joint Powers Board having land use regulation jurisdiction in the so-called "orderly annexation area".

Adopted by the City Council of the City of Stillwater  
this 2nd day of December, 1980.

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David C. Junker, Mayor

ATTEST:

\_\_\_\_\_  
Dorothy R. Schnell, Clerk

\* \* \* \* \*

I, Dorothy R. Schnell, City Clerk of the City of Stillwater,  
Minnesota do hereby certify that the foregoing is a true and correct  
copy of a resolution adopted by the Stillwater City Council.

*Dorothy R. Schnell*  
Dorothy R. Schnell, City Clerk

EXHIBIT "A"

The Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Thirty-two (32), Township Thirty (30), Range Twenty (20), except the East Ten (10) acres thereof and except the Southerly 645 feet thereof subject to the right-of-way of Minnesota Highway 212 as the same now exists. Together with an easement for roadway purposes for ingress to and egress from said tract to said Highway 212 described as follows:

(1) Over the Easterly 60 feet of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section Thirty-two (32) extending from the North right-of-way line of said Highway North 800 feet.

(2) Over the Easterly 30 feet of the Southerly 645 feet of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) except the East ten (10) acres of the said Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of said Section Thirty-two (32) being an easement over the Easterly 30 feet of the tract of land previously conveyed by the grantors to John H. Hooley et al. Said easements to be used in common with grantors, the said Hooleys and their assigns. Grantees agree to join in and consent to a dedication of said easements as public roads in the future in the event other owners of said easements or the fee owners of the property desire to so dedicate said roadways;  
Washington County, Minnesota.



