

REC'D BY
MMB

OCT 26 2006

RESOLUTION NO. 186-06

**RESOLUTION ACCEPTING PETITION AND APPROVING ANNEXATION
UNDER OA-276 SARTELL/LESAUK TOWNSHIP
LINDA D. SPANIER PROPERTY
PARCEL #17.09295.000**

WHEREAS, the city of Sartell and the Town of LeSauk are parties to a orderly annexation agreement by the Office of Administrative Hearings, Municipal Boundary Adjustment Unit as OA-276 executed by the parties in October of 1995; and

WHEREAS, OA-276 represented the entire agreement between the parties. In OA-276 the City and the Town negotiated financial arrangements that stand in lieu of any other reimbursements to the Town. Those arrangements can be found in paragraph 6, 7 and 10 of OA-276. They include provisions for the dedication of property taxes for over sizing of public sanitary sewers; a phase-in of property taxes for newly annexed residents and cost sharing arrangements for cooperative projects including the fire department and government center; and

WHEREAS, in OA-276 the Town and the City mutually stated that the agreement set forth all the conditions for annexation of the area designated for orderly annexation and that no consideration by the Office of Administrative Hearings, Municipal Boundary Adjustments Unit is necessary. The Office of Administrative Hearings, Municipal Boundary Adjustments Unit may review and comment, but shall, within thirty (30) days order annexation in accordance with the terms and conditions of this agreement; and

WHEREAS, a petition for annexation under OA-276 was filed by the city of Sartell; with the city clerk on October 17, 2006; and

WHEREAS, the petition was signed by 100% of the affected property owners; and

WHEREAS, the petition was presented to the city council for their review at a regular meeting held on October 23, 2006; and

WHEREAS, the quantity of land embraced within the area described in the petition and bounded herein is not in excess of 200 acres of land, no part of which is included within the limits of any other incorporated city; and

WHEREAS, a public hearing is not required to be held by the city because 100% of the property owners of the land to be annexed signed the petition; and

WHEREAS, the land described in the petition does not abut upon the present city limits thereof and is included in an existing orderly annexation agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SARTELL, MINNESOTA: That the city council hereby determines that the annexation will be in the best interest of the city and of the territory affected; that the territory described herein does abut upon the city limits and is now urban or suburban in character; and that none of said territory is now included within the limits of any incorporated city.

BE IT ALSO RESOLVED: That by petitioning for annexation, the property owners agree to connect to the municipal water and sanitary sewer services and pay the connection fees that are applicable at the time of connection. The property owners will also be responsible for the payment of all assessments that have or will accrue on the property.

BE IT FURTHER RESOLVED: That the following described property is hereby annexed to the City of Sartell, Minnesota, the same as if it had originally been made a part thereof:

Lot 1 and that part of Lot 2 lying northerly of a line drawn parallel to and distant 210.00 feet (as measured at right angles) from the south line of Lot 6, all in FIRST ADDITION TO EDGEWATER PARK, according to the recorded plat thereof, Stearns County, Minnesota. Together with that part of Government Lot 2, Section 16, Township 125 North, Range 28 West, Stearns County, Minnesota that lies easterly of the centerline of County State Aid Highway 1, westerly of the westerly line of the above described property, northerly of the westerly extension of the south line of the above described property and southerly of the westerly extension of the north line of the above described property. Containing 1.1 acres, more or less.

Said property is being annexed to the City of Sartell under zoning classification of R-1, Single Family Residential, is 1.1 acre in size, and has a current population of 3.

ADOPTED BY THE SARTELL CITY COUNCIL THIS 23RD DAY OF OCTOBER, 2006.



Acting Mayor

ATTEST:

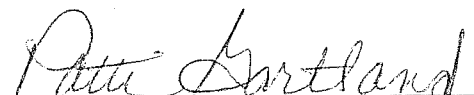


Administrator

SEAL

CERTIFICATION

I, Patti Gartland, Administrator-Clerk-Treasurer of the City of Sartell, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Council of the City of Sartell at a regular meeting held on the 23rd day of October, 2006.



Patti Gartland
Administrator-Clerk-Treasurer
City of Sartell, Minnesota

CITY OF SARTELL, MN

ANNEXATION MAP - OCTOBER 2006

T125N - R28W
SECTION 16

LEGEND

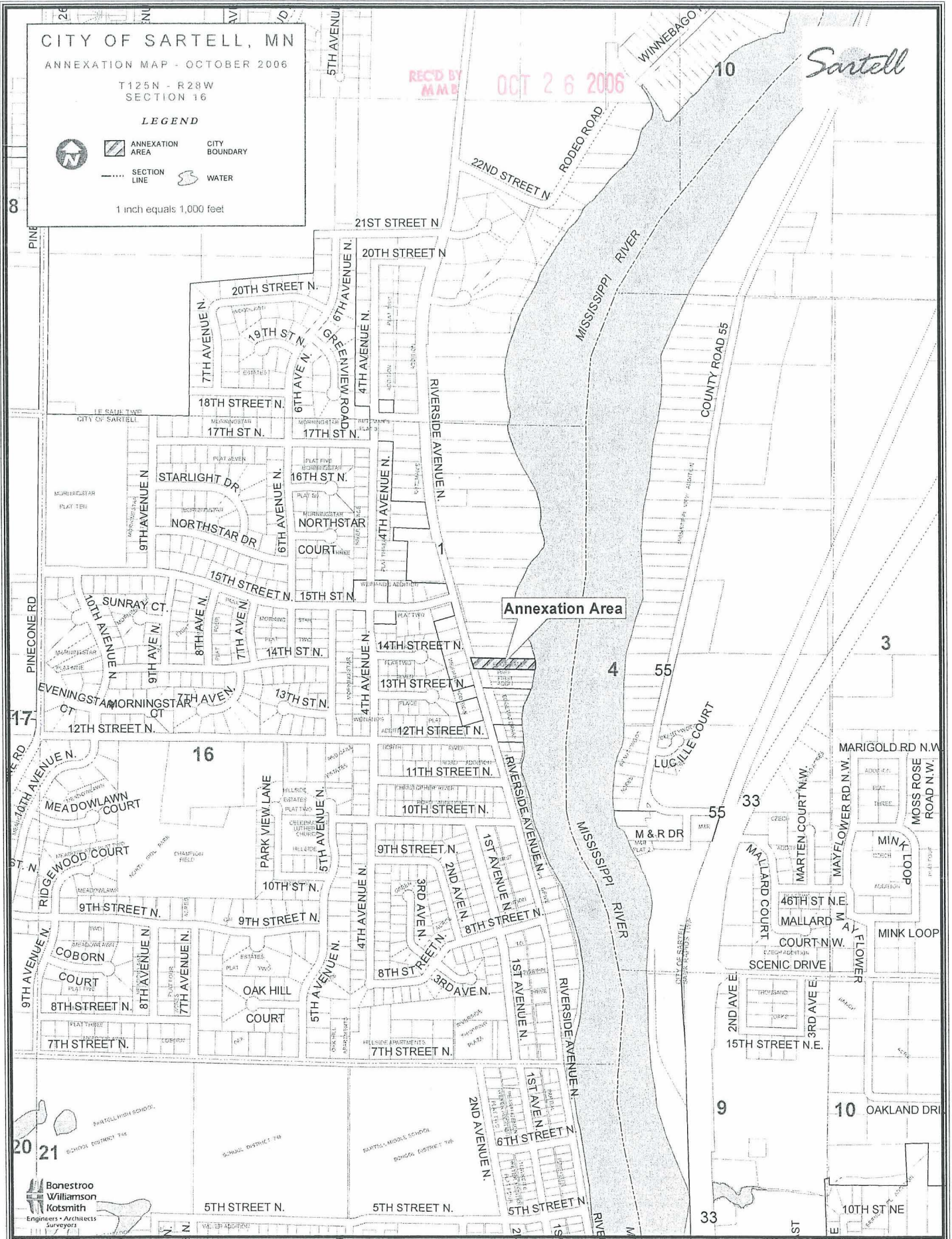


- ANNEXATION AREA
- CITY BOUNDARY
- SECTION LINE
- WATER

1 inch equals 1,000 feet

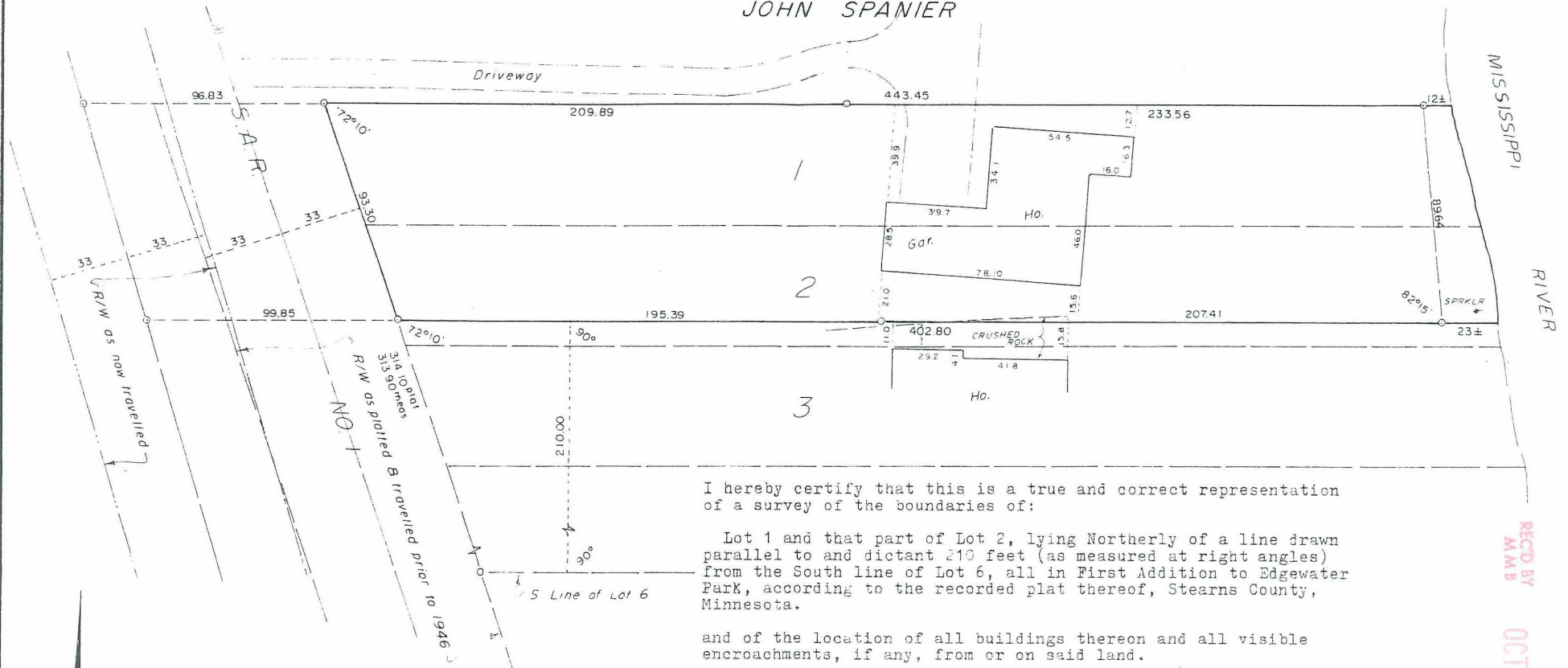
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MAM
OCT 26 2006

Sartell



Bonestroo
Williamson
Kotsmith
Engineers - Architects
Surveyors

Surveyor's Certificate for;
JOHN SPANIER



I hereby certify that this is a true and correct representation of a survey of the boundaries of:

Lot 1 and that part of Lot 2, lying Northerly of a line drawn parallel to and distant 210 feet (as measured at right angles) from the South line of Lot 6, all in First Addition to Edgewater Park, according to the recorded plat thereof, Stearns County, Minnesota.

and of the location of all buildings thereon and all visible encroachments, if any, from or on said land.

As surveyed by me this 3rd day of August, 1982.

William F. Lunser
Minn. Reg. No. 9394

WILLIAM F. LUNSER
LAND SURVEYOR, INC.

RECD BY
M.M.B.
OCT 26 2006