

RESOLUTION NO. 16-07

**RESOLUTION ACCEPTING PETITION AND APPROVING ANNEXATION  
UNDER OA-276 SARTELL/LESAUK TOWNSHIP  
STUART N. SWENSON PROPERTY  
PARCEL #17.09086.000**

**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 January 17, 2007; 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 January 22, 2007; 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 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 the redevelopment of this site. 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:

That part of the Northwest Quarter of the Northeast Quarter (NW of NE) of Section Twenty-nine (29) in Township One Hundred Twenty-five (125) of Range Twenty-eight (28), described as follows, to-wit:

Beginning at a point on the East Line of said Northwest Quarter of Northeast Quarter (NW of NE), 250 feet South of the Northeast corner thereof; Thence West parallel with the North line of said Northwest Quarter of Northeast Quarter (NW of NE), a distance of 15 rods; thence South 195.5 feet; thence East parallel with the North line of said Northwest Quarter of Northeast Quarter (NW of NE) a distance of 15 rods; thence North on the East line of said Northwest Quarter of Northeast Quarter (NW of NE) a distance of 195.5 feet to the point of beginning.

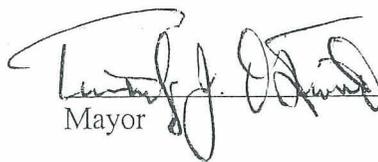
Less and except Parcel 69 as shown in Stearns County Highway Right of Way Plat No. 13, filed June 20, 2000 as document number 940518;

Also less and except the lands (formerly) owned by David A. Heim and Sharon A. Heim as shown in Judgment filed July 12, 2001, as document number 973984;

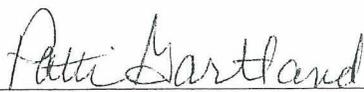
Together with all hereditaments and appurtenances belonging thereto.

Said property is being annexed to the City of Sartell under zoning classification of R-1, Single Family Residential, is 1 acre in size, and has a current population of 2.

**ADOPTED BY THE SARTELL CITY COUNCIL THIS 22<sup>ND</sup> DAY OF JANUARY, 2007.**

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Administrator

REC'D BY  
MMB

JAN 25 2007

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 22<sup>nd</sup> day of January, 2007.



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

REC'D BY  
MMB

JAN 25 2007

# CITY OF SARTELL, MN

ANNEXATION MAP - JANUARY 2007

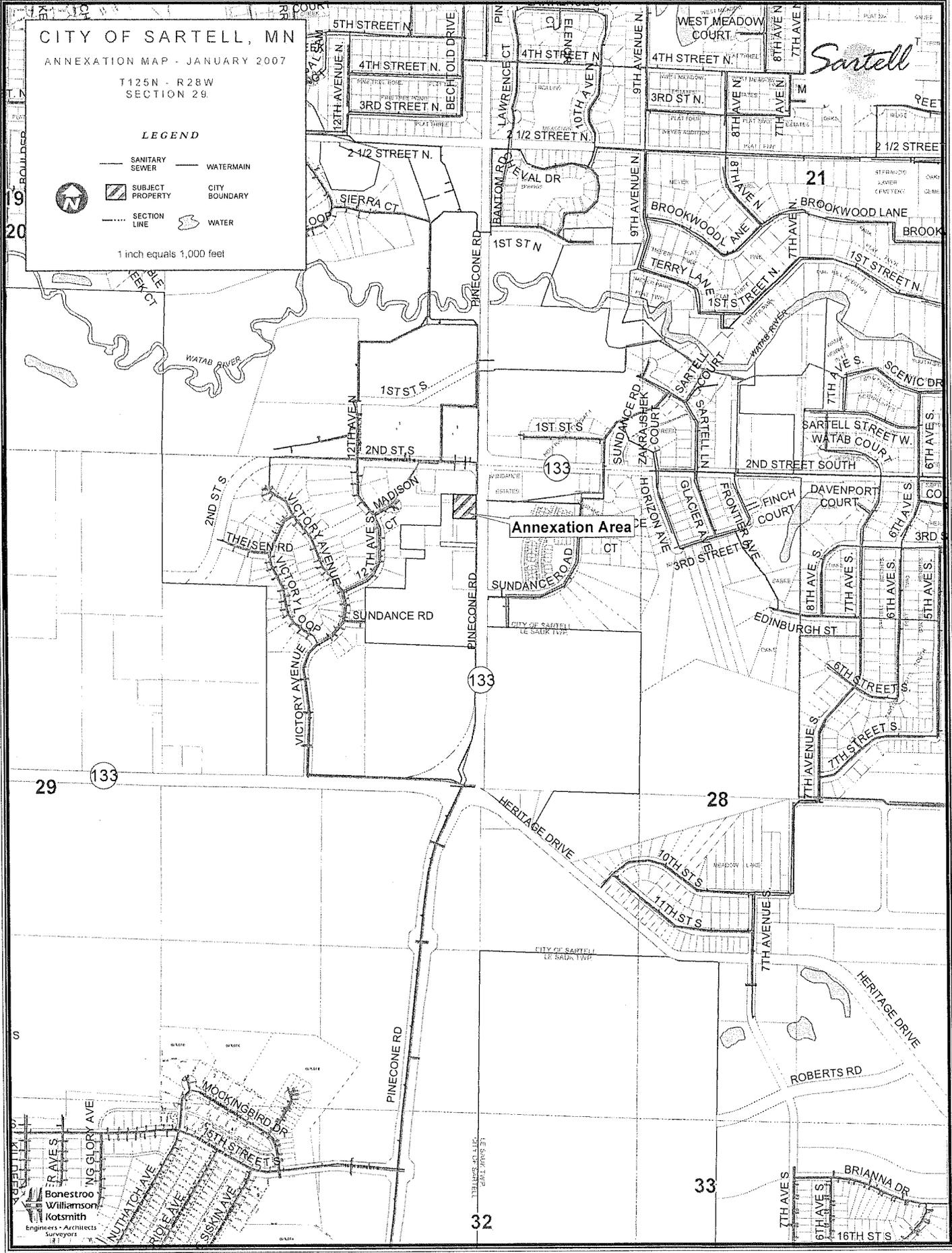
T125N - R28W  
SECTION 29.

### LEGEND

- SANITARY SEWER
- WATERMAIN
- SUBJECT PROPERTY
- CITY BOUNDARY
- SECTION LINE
- WATER

1 inch equals 1,000 feet

# Sartell



**Annexation Area**

**Bonestroom**  
**Williamson**  
**Kotsmith**  
 Engineers • Architects  
 Surveyors