

## RESOLUTION NO. 21-07

**RESOLUTION ACCEPTING PETITION AND APPROVING ANNEXATION  
UNDER OA-276 SARTELL/LESAUK TOWNSHIP  
WATAB RIVER HOLDINGS LLC PROPERTY  
PARCEL #17.09069.000**

**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 February 5, 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 February 12, 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 development of this site. The property owners will also be responsible for the payment of all assessments and fees 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:

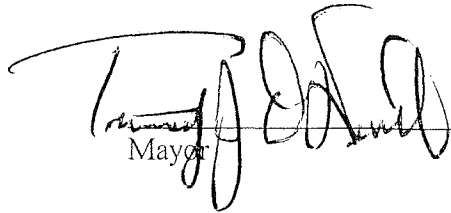
A tract of land lying in and being a part of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Twenty-one (21), Township One Hundred Twenty-five (125) North, Range Twenty-eight (28) West, described as follows: starting at the point of intersection of the center line of Overly Avenue in the Village of Sartell, MN, with the South line of said Section Twenty-one (21), Township One Hundred Twenty-five (125), Range Twenty-eight (28), said point being marked by an iron monument in place; thence due West along the said South line of Section Twenty-one (21), 528 feet to the Southeast corner of said Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Twenty-one (21), Township One Hundred Twenty-five (125), Range Twenty-eight (28); thence continuing due West along said South line of said Section Twenty-one (21), 1,311.65 feet; thence deflect 90 degrees 57 minutes to the right and in a Northerly direction 545 feet to the point of beginning of the tract herein to be conveyed; thence due East and parallel with the said South line of said Section Twenty-one (21), 150 feet; thence deflect 89 degrees 3 minutes to the left and in a Northerly direction to the intersection to the thread of the stream of the Watab River; thence Southerly and Westerly along the thread of said River to the point of intersection of said thread with a line drawn from the point of beginning of the tract to be described herein on a bearing of North 0 degrees 57 minutes East; thence Southerly on said last described line to the point of beginning and there terminating; subject to and together with a perpetual easement for roadway purposes over and across the following described roadway, the center line of which is described as follows: Commencing at a point 2 rods West of the Southeast corner of the Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) of Section Twenty-one (21), Township One Hundred Twenty-five (125), Range Twenty-eight (28); thence West 90 degrees 57 minutes North a distance of 802.30 feet and there terminating.

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

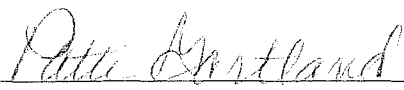
REC'D BY  
M M S

FEB 23 2007

ADOPTED BY THE SARTELL CITY COUNCIL THIS 12<sup>TH</sup> DAY OF FEBRUARY, 2007.

  
\_\_\_\_\_  
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 12<sup>th</sup> day of February, 2007.

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



# CITY OF SARTELL, MN

ANNEXATION MAP - FEBRUARY 2007

T125N - R28W  
SECTION 21

## LEGEND



1 inch equals 1,000 feet

SUBJECT PROPERTY

CITY BOUNDARY

SECTION LINE

WATER

