

RESOLUTION NO.6-2010

**RESOLUTION ACCEPTING PETITION AND APPROVING ANNEXATION  
KENNETH & DIANE JONES PROPERTY PARCEL #17.09238.0006  
RICHARD & KAY BASCHKY PROPERTY PARCEL #17.09246.0000  
DANI WESTRA PROPERTY PARCEL #17.09243.0000  
JAMES NOONAN PROPERTY PARCEL #17.09238.0000  
PATSY SCHELSKE PROPERTY PARCEL #17.09270.0000**

**WHEREAS**, a petition for annexation was filed by the city of Sartell; with the city clerk on December 30, 2009; 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 11, 2010; 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 the Town and the City mutually state that the joint resolution and agreement sets forth all the conditions for annexation of the area designated herein for orderly annexation and that no consideration by the Department of Administration/Municipal Boundary Adjustments is necessary. The Department of Administration/Municipal Boundary Adjustments may review and comment, but shall, within thirty (30) days order annexation in accordance with the terms and conditions of this agreement.

**BE IT ALSO RESOLVED:** That by petitioning for annexation, the property owners agree to connect in 2010 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 would pay 2009 SAC and WAC rates for connections in 2010 because the petitions were received in on December 30, 2009.

**BE IT ALSO RESOLVED:** That the property owners and /or their Contractor must consult with the City Engineer as to the best and most efficient point of connection to the City's Sewer and Water system. All connection locations must be approved by the City prior to construction. Construction of the connections shall occur on or before June 1, 2010.

**BE IT ALSO RESOLVED:** The property owners will also be responsible for the payment of all assessments that have or will accrue on the property. The property owners have the option of paying current assessments, interest free, if paid in full by October 1, 2010. If the assessments are not paid in full by October 1, 2010, the assessments will accrue interest at the rate of 6% per annum from October 1, 2010 and the unpaid assessment, together with accrued interest, will be certified against the property for a payment period not to exceed 10 years with the first payment due with property taxes payable in 2011.

**BE IT FURTHER RESOLVED:** That the following described properties are hereby annexed:

**Kenneth & Diane Jones**  
Parcel No. 17.09238.0006

That part of Lot 1 and Lot 16, Auditor's Subdivision #2, Stearns County, Minnesota, according to the recorded plat thereof, described as follows: Beginning at a point on the West bank of the Mississippi River, said point being North 49 degrees 30 minutes West 1298.30 feet from the northeast corner of said Lot 1; thence South 34 degrees 55 minutes West 395 feet, more or less, to a point lying North 34 degrees 55 minutes East 262.49 feet from the center line of Stearns County Road 1; thence North 53 degrees 18 minutes 53 seconds West 141.00 feet; thence North 34 degrees 55 minutes East 399 feet, more or less to the west bank of the Mississippi River; thence southeasterly, along said west bank to the point of beginning.

**Richard & Kay Baschky**  
Parcel No. 17.09246.0000

That part of Lots 1 and 16, AUDITOR'S SUBDIVISION NUMBER 2, a duly recorded plat in Stearns County, Minnesota, described as follows: Commencing at the east quarter corner of Section 34, Township 125, Range 28, in said county and state; thence North 1 degree 11 minutes 22 seconds West (assumed bearing) along the east line of said Section 34 for 10.75 feet; thence North 66 degrees 20 minutes 01 seconds West for 375.38 feet; thence South 78 degrees 52 minutes 07 seconds West for 473.47 feet; thence North 51 degrees 48 minutes 29 seconds West for 934.61 feet to the point of beginning of the tract to be described; thence continue North 51 degrees 48 minutes 29 seconds West for 151.63 feet; thence North 41 degrees 58 minutes 23 seconds East for 622 feet, more or less, to the westerly shoreline of the Mississippi River; thence southeasterly along said shoreline for 87 feet; more or less, to a line drawn North 35 degrees 57 minutes 26 seconds East from the point of beginning; thence South 35 degrees 57 minutes 26 seconds West for 635 feet, more or less, to the point of beginning.

**Dani Westra**  
Parcel No. 17.09243.0000

A tract of land in Lot One (1) of Auditors Subdivision No. 2 of Section 34, Township 125, Range 28 described as follows: Commencing at a point on the bank of the Mississippi River 1010 feet North 48 degrees 55 minutes West of the Northeast corner of said Lot One (1); thence South 34 degrees 55 minutes West 588 feet to the center of State Aid Road No. 1; thence North 53 degrees West along the center line of said road 74.5 feet; thence North 34 degrees 55 minutes East 605 feet to the right bank of the Mississippi River; thence South 48 degrees 50 minutes East along the bank of said river to the place of beginning.

Less and except that part of the above described tract described as follows: Beginning at a point on the right bank of the Mississippi River, 48 degrees 55 minutes West of the Northeast corner of Lot One (1), Auditors Subdivision No. 2, of Section 34, Township 125, Range 28, said point being 1010 feet distant from said Northeast corner of Lot One (1) and running thence South 34 degrees 55 minutes West 200 feet to a point; thence North 53 degrees West 74.5 feet; to a point; thence North 34 degrees 55 minutes East a distance of 200 feet to the right bank of the Mississippi River; thence South 48 degrees 50 minutes East along the bank of said river to the place of beginning and there terminating.

**James Noonan**

Parcel No. 17.09238.0000

That part of Lot 1 and Lot 16, Auditor's Subdivision Number 2, Stearns County, Minnesota, according to the recorded plat thereof, described as follows:

Commencing at a point on the west bank of the Mississippi River, said point being North 49 degrees 30 minutes West 1298.30 feet from the northeast corner of said Lot 1; thence South 34 degrees 55 minutes West 395 feet, more or less to the point of beginning of the land to be described; thence continuing South 34 degrees 55 minutes West 262.49 feet to the center line of Stearns County Road 1; thence North 53 degrees 14 minutes West, along said center line 141.00 feet; thence North 34 degrees 55 minutes East 262.29 feet; thence South 53 degrees 18 minutes 53 seconds East 141.00 feet to the point of beginning.

**Patsy Schelske**

Parcel No. 17.09270.0000

Lot 13 and that part of Lot 12, BRAUCH'S SUB-DIVISION LOT 17, AUDITORS SUB-DIV. NO. 2 SEC. 34, T125N, R28W (Lot 12), according to the plat and survey thereof on file and of record in the office of the County Recorder, in and for said Stearns County, Minnesota, lying southeasterly of the following described Line A:

**Line A**

Commencing at the point of intersection of the south line of Lot 17, AUDITORS SUBDIVISION NO. 2 OF THE E1/2 AND THE E1/2 OF NW1/4 OF SEC. 34, T125N, R28W according to the plat and survey thereof on file and of record in the office of the County Recorder, in and for said Stearns County, Minnesota (Lot 17) with the southwesterly line of said Lot 12, designated by an iron pipe, 3/4 inch in diameter; thence easterly along said south line of Lot 17 on an assumed bearing of South 74 degrees 08 minutes 51 seconds East for 228.32 feet to the southeast corner of said Lot 17, said corner designated by a found iron pipe, 2 inches in diameter; thence South 64 degrees 46 minutes 09 seconds West for 141.35 feet to the point of intersection with the northeasterly right of way line of River Vista Lane, f/k/a County Road No. 1; thence North 36 degrees 57 minutes 32 seconds West, along said northeasterly right of way line for 81.09 feet to the point of beginning of the line to be described, an iron pipe, 3/4 inch in diameter, marked DELEO RLS 40341, has been set to mark said point; thence North 58 degrees 14 minutes 30 seconds East for 558.14 feet, an iron pipe, 3/4 inch in diameter, marked DELEO RLS 40341, has been set to mark said point; thence continue North 58 degrees 14 minutes 30 seconds East for 37 feet more or less to the point of intersection southwesterly shoreline of the Mississippi River said point of intersection being the most easterly corner of said Lot 12, and there terminate said line.

together with;

That part of Lot 16, AUDITORS SUBDIVISION NO. 2 OF THE E1/2 AND THE E1/2 OF NW1/4 OF SEC. 34, T125N, R28W, according to the plat and survey thereof on file and of record in the office of the County Recorder, in and for said Stearns County, Minnesota (Lot 16) lying southeasterly of the above described Line A and lying northeasterly of the northeasterly right of way line of River Vista Lane, f/k/a County Road No. 1, described as follows:

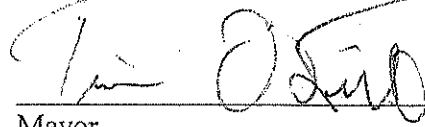
Beginning at the point of beginning of the above described Line A; thence; thence northerly along the above described Line A on an assumed bearing of North 58 degrees 14 minutes 30 seconds East for 59.40 feet to the point of intersection with the north line of said Lot 16; thence South 74 degrees 08 minutes 51 seconds East, along the north line of said Lot 16 for 119.15 feet to the southeast corner of Lot 17, said AUDITORS SUBDIVISION NO. 2 OF THE E1/2 AND THE E1/2 OF NW1/4 OF SEC. 34, T125N, R28W, said corner designated by a found iron pipe, 2 inches in diameter; thence South 64 degrees 46 minutes 09 seconds West for 173.27 feet to the point of intersection with the centerline of River Vista Lane, f/k/a County Road No. 1; thence North 36 degrees 57 minutes 32 seconds West for 77.46 feet along said centerline to the southwesterly extension of said Line A; thence North 58 degrees 14 minutes 30 seconds East, along said Line A, 31.57 feet to the point of beginning.

REC'D BY  
MSA

JAN 29 2010

Said properties are being annexed to the City of Sartell under zoning classification of R-1, Single Family Residential, with the total of 5.4 acres in size, and has a current population of 9.

ADOPTED BY THE SARTELL CITY COUNCIL THIS 11<sup>TH</sup> DAY OF JANUARY, 2010.



Mayor

ATTEST:

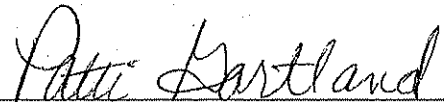


Administrator

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 11<sup>th</sup> day of January, 2010.



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

# CITY OF SARTELL, MN

ANNEXATION MAP - JANUARY 2010

T125N - R28W  
SECTION 34

## LEGEND



ANNEXATION  
AREA

CITY  
BOUNDARY



SECTION  
LINE



WATER

1 inch = 800 feet

*Sartell*

RECD BY  
MRA

JAN 29 2010

**Annexation Areas  
5.4 Acres Total**

