

RESOLUTION NO. 2005-64

**A RESOLUTION ANNEXING LAND TO THE CITY OF STILLWATER
PURSUANT TO THE JOINT RESOLUTION OF THE CITY
AND TOWN OF STILLWATER AS TO ORDERLY ANNEXATION
DATED AUGUST 16, 1996**

WHEREAS, the City of Stillwater, Minnesota, ("City"), has petitioned that land owned by it, in the Northeast quarter (NE ¼) of the Southeast quarter (SE ¼) of Section 19, Township 30 north, Range 20 west, in the Town of Stillwater ("Town"), (collectively, the "Land") described on Exhibit "A", as depicted on the map attached hereto as Exhibit "B", be annexed to the City pursuant to the provisions of the Joint Resolutions as to Orderly Annexation of the City and Town of Stillwater, dated August 16, 1996 (the "Orderly Annexation Agreement"); and

WHEREAS, the Land is included within Phase IV of the area designated for orderly annexation; and

WHEREAS, the Land, contains 6.93 acres more or less, and is contiguous to the City. The Land is unimproved and is dedicated and used for public park and open space purposes, except for one dwelling house. The Land is proposed for further development with one more residential lot and the remainder will be used for public park purposes. Municipal services such as water, sanitary sewer and storm sewer are available to the Land; and

WHEREAS, Section 4.01 of the Orderly Annexation Agreement provides that "Phase IV" land and may be annexed to the City pursuant to Section 4.09 of the Agreement provided that the annexation will not create a level of growth that will not exceed a one hundred twenty (120) dwelling unit per year limitation; and

WHEREAS, it further appears to the City Council, that the annexation does not conflict, in any way, with the Joint Resolution Agreement of the City and Town of Stillwater, relating to orderly annexation dated August 16, 1996.

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 Director of Municipal Boundary Adjustments, Department of Administration, successor in interest to the Minnesota Municipal Board for the purpose of annexing the Land described in Exhibit "A" to the City, 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 this annexation proceeding, the City Council hereby determines that the Land described in Exhibit "A" is now or about to become urban and the City is capable of providing the services required by the area within

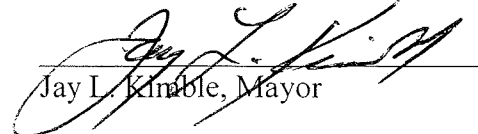
a reasonable time. It is further determined that the annexation of the City would be in the best interests of the Land.

3. That all conditions of annexation have been provided for in this Resolution and, as provided in §2.01 of the Orderly Annexation Agreement, the Minnesota Municipal Board (now Director of Municipal Boundary Adjustments) may review and comment only, and shall, within 30 days of receipt of this Resolution, order the annexation as prayed for.
4. After the annexation, the real estate taxes, if any, with respect to the land, will be divided as provided by Section 7.03 of the Joint Resolution.

BE IT FURTHER RESOLVED, that a map with the Land proposed for annexation designated thereon and marked as Exhibit "B" to this Resolution be submitted to the Minnesota Municipal Board along with a certified copy of this Resolution.

Adopted by the City Council of the City of Stillwater this 15th day of March, 2005

CITY OF STILLWATER


Jay L. Kimble, Mayor

ATTEST:


Diane F. Ward, Clerk

EXHIBIT "A"

That part of the East one-half of the Northeast Quarter of the Southeast Quarter of Section 19, Township 30, Range 20 West, Washington County, which lies Southerly of the South right-of-way line of the former Burlington Northern Railroad right-of-way.

Parcel ID No. 19-030-20-41-0003

EXHIBIT "B"

