

RESOLUTION NO. 2006-16

**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, Croix Capital Group, Inc., a Minnesota Corporation ("Owner"), has petitioned that land owned by him, adjacent to Washington County State Aid Highway 15, in Section 30, Township 30 North, Range 20 West, in the Town of Stillwater ("Town"), described on Exhibit "A" and shown on the map attached as Exhibit "B" (the "Land") be annexed to the City of Stillwater ("City") pursuant to the provisions of the Joint Resolutions as to Orderly Annexation of the City and Town of Stillwater, dated August 16, 1996; and

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

WHEREAS, the Land contains 7.8 acres and is contiguous to the City. The Land is improved with two residential homes and is proposed for further development as 20 single family lots. 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 the Land is "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, that as of the date of this Resolution, 1,019 building permits for dwelling units have been issued for the Orderly Annexation Area since 1996 and the number of allowed dwelling units (to the extent not built) aggregates each year. That as of the date of this Resolution, there was capacity for 301 dwelling units in the Orderly Annexation Area without exceeding the growth limitations in the Orderly Annexation Agreement and the projected 20 units expected to be yielded on the Land will not cause conflict with growth limitations contained in the Orderly Annexation Agreement.

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, and has been approved by the Joint Board that was created by the Joint Resolution for administration for certain planning functions within the Orderly Annexation Area; and for a period of 30 days, as provided by Section 2.01 of the Orderly Annexation Agreement, the Minnesota Municipal Board may review and comment only before ordering the annexation.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Stillwater as follows:

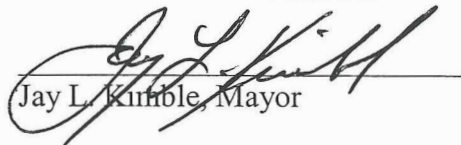
1. That this Resolution be submitted, forthwith, by the City Clerk to the Executive Director of the Minnesota Municipal Board for the purpose of annexing the Land described in Exhibit "A" to the City, all as provided by Subdivision 1 of Section 414.0325 of the Minnesota Statutes relating to orderly annexations within a designated area; and for a period of 30 days, as provided for by Section 2.01 of the Orderly Annexation Agreement, the Minnesota Municipal Board may review and comment only before ordering the annexation.
2. For the purpose of this annexation proceeding, the City Council hereby determines that the Land described in Exhibits "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. After the annexation, the real estate taxes, with respect to the land, will be divided as provided by Section 7.03 of the Joint Resolution.

BE IF 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.

BE IF FURTHER RESOLVED, that the Clerk submit copies of this Resolution with copies of the map to the Town Board of the Town of Stillwater and the Joint Powers Committee.

Adopted by the City Council of the City of Stillwater this 30th day of January, 2006.

CITY OF STILLWATER


Jay L. Kimble, Mayor

ATTEST:


Diane F. Ward, Clerk

EXHIBIT A

REC'D BY
MMB

JAN 27 2006

PARCEL A (legal description as provided by Croix Capital Group)

All that part of the Southwest 1/4 of the Southwest 1/4, Section 30, Township 30 North, Range 20 West of the 4th Principal Meridian, described as follows: Commencing at the Southwest corner of said Section 30; thence North 00 degrees 45 minutes 54 seconds West, grid bearing, Minnesota State Coordinate System, Southern Zone, (recorded as North 00 degrees 37 minutes 00 seconds East) along the West line of said Southwest 1/4 of the Southwest 1/4, a distance of 390.00 feet; thence South 89 degrees 31 minutes 26 seconds East, (recorded as South 88 degrees 07 minutes 32 seconds East) a distance of 385.00 feet; thence North 00 degrees 28 minutes 34 seconds East, (recorded as North 01 degrees 52 minutes 28 seconds East) a distance of 60.00 feet; thence North 18 degrees 02 minutes 04 seconds East, (recorded as North 19 degrees 25 minutes 58 seconds East) a distance of 160.00 feet to the point of beginning of the parcel to be described; thence North 73 degrees 41 minutes 36 seconds West (recorded as North 72 degrees 17 minutes 42 seconds West) a distance of 210.30 feet; thence North 59 degrees 16 minutes 08 seconds West, (recorded as North 57 degrees 52 minutes 10 seconds West) a distance of 277.77 feet to the West line of said Section 30; thence North 00 degrees 46 minutes 54 seconds West, along said West line, a distance of 310.53 feet; thence North 89 degrees 13 minutes 06 seconds East, a distance of 550.88 feet; thence South 11 degrees 32 minutes 29 seconds West, a distance of 529.72 feet to the point of beginning.

and

PARCEL B (legal description as provided by Croix Capital Group)

A tract of land in the Southwest Quarter of the Southwest Quarter of Section 30, Township 30 North, Range 20 West, Washington County, Minnesota, described as follows: Commencing at the southwest corner of Section 30; thence North 00 degrees 37 minutes 00 seconds East along the westerly line of Section 30 a distance of 390.00 feet to the point of beginning; thence South 88 degrees 07 minutes 32 seconds East a distance of 385.00 feet; thence North 01 degrees 52 minutes 28 seconds East a distance of 60.00 feet; thence North 19 degrees 25 minutes 58 seconds East a distance of 160.00 feet; thence North 72 degrees 17 minutes 42 seconds West a distance of 210.30 feet; thence North 57 degrees 52 minutes 10 seconds West a distance of 277.77 feet to a point on the westerly line of Section 30, thence South 00 degrees 37 minutes 00 seconds West along the westerly line of Section 30 a distance of 410.00 feet to the point of beginning.

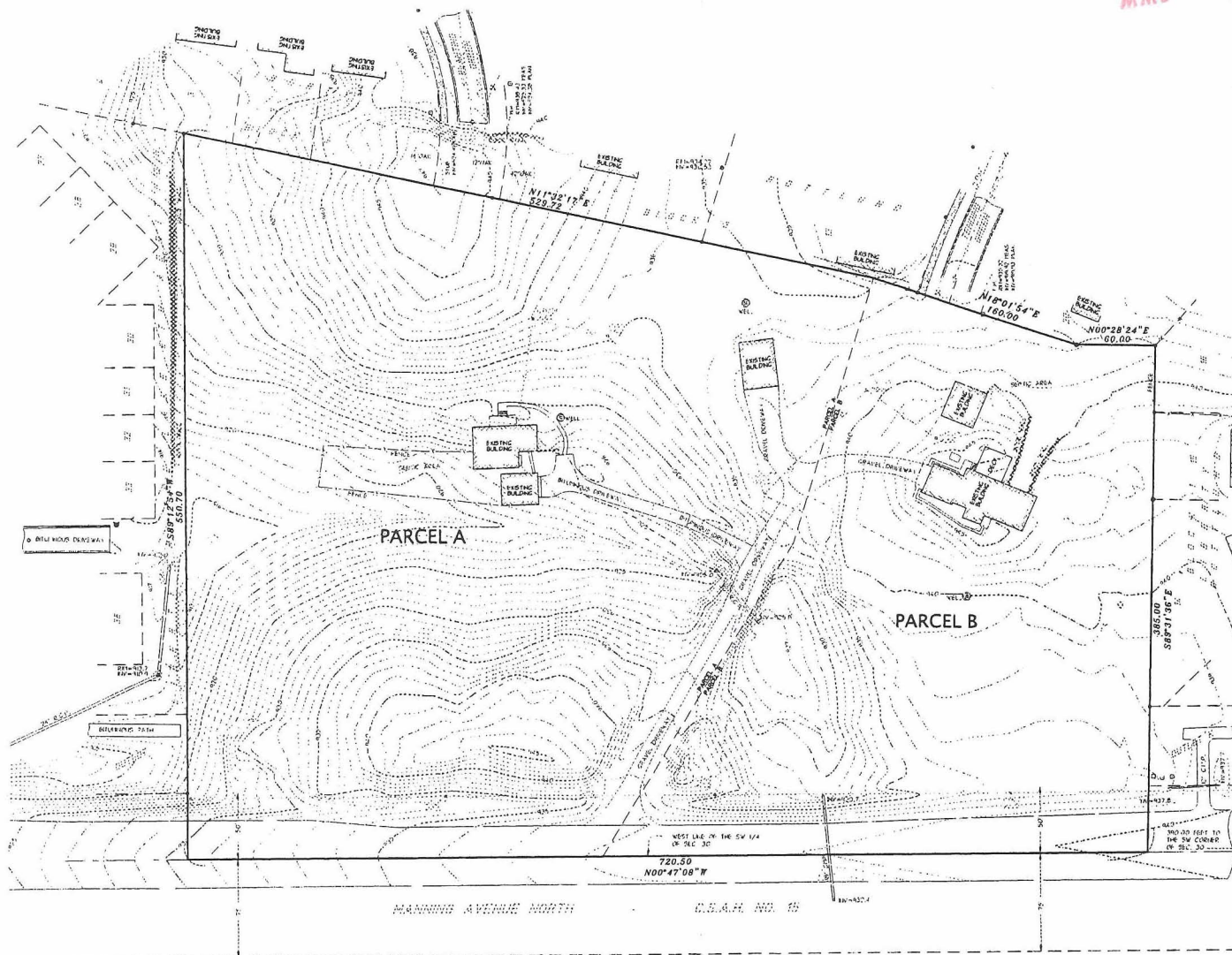
Together with an easement for ingress and egress over the following tract: A strip of land on either side of, perpendicular to and parallel with the following described centerline; Commencing at the southwest corner of Section 30, Township 30 North, Range 20 West; thence North along the west line of Section 30 a distance of 390.00 feet; thence South 88 degrees 07 minutes 32 seconds East a distance of 385.00 feet to the point of beginning; thence North 01 degrees 52 minutes 28 seconds East a distance of 60.00 feet; thence North 19 degrees 25 minutes 58 seconds East a distance of 160.00 feet; thence North 72 degrees 17 minutes 42 seconds West a distance of 210.30 feet; thence North 57 degrees 52 minutes 10 seconds West a distance of 277.77 feet to the west line of Section 30. The last Northerly easement line to be extended to the west line of Section 30. The last southerly easement line to be extended to the west line of Section 30, except highway easements, until such time as said roadway shall be dedicated to and accepted by the public at which time said easement will expire.

REC'D BY
MMB

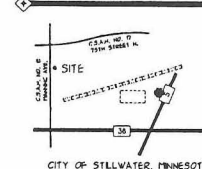
JAN 27 2006

REC'D BY
M M B

JAN 27 2006



VICINITY MAP



EXISTING LEGAL DESCRIPTION

PARCEL A (legal description as provided by Croix Capital Group)
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and

PARCEL B (legal description as provided by Croix Capital Group)
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Together with an easement for ingress and egress over the following tract: A strip of land on either side of, perpendicular to and parallel with the following described centerline: Commencing at the southwest corner of Section 30, Township 30 North, Range 20 West; thence North along the west line of Section 30 a distance of 390.00 feet; thence South 88 degrees 07 minutes 32 seconds East a distance of 385.00 feet to the point of beginning; thence North 01 degrees 52 minutes 28 seconds East a distance of 60.00 feet; thence North 19 degrees 25 minutes 58 seconds East a distance of 160.00 feet; thence North 72 degrees 17 minutes 42 seconds West a distance of 210.30 feet; thence North 57 degrees 52 minutes 10 seconds West a distance of 277.77 feet to the west line of Section 30. The last northerly easement line to be extended to the west line of Section 30, except highway easements, until such time as said easement shall be dedicated to and accepted by the public at which time said easement will expire.

SYMBOLS:

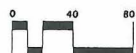
- MANHOLE
- CULVERT
- GAS ELECTRIC HOOKUP
- CONCRETE
- DENOTES FOUND
- DENOTES SET 1/2" IRON PIPE MARKED RLS 25718 TO BE SET
- CATCH BASIN
- HYDROMANT
- WATER VALVE
- UTILITY POLE
- TELE/ELEC BOX
- CAS VALVE
- OVERHEAD WIRES
- WELL

EASEMENTS

THESE PARCELS ARE SUBJECT TO THE FOLLOWING EASEMENTS:
1 - HIGHWAY EASEMENT PER BOOK 231 OF DEEDS, PAGE 231. THIS EASEMENT COVERS THE WESTERLY 50.00 FEET OF PARCELS A & B.
2 - MSP EASEMENT PER BOOK 202 OF DEEDS, PAGE 541. NO DOCUMENT AVAILABLE.
3 - SUBJECT INGRESS AND EGRESS EASEMENT AS SHOWN ON THE LEGAL DESCRIPTION FOR PARCEL B. THIS EASEMENT IS AMBIGUOUS BECAUSE THERE IS NO WIDTH OF THE STRIP.

AREA

PARCEL A = 217,798 SQ.FT. - 5.00 ACRES
PARCEL B = 121,940 SQ.FT. - 2.80 ACRES
OVERALL = 339,738 SQ.FT. - 7.80 ACRES



CALL BEFORE YOU DIG
Gopher State One Call
TOWN CITY AREA: 851-341-0088
TOLL FREE: 1-800-333-1186

LIBERTY
WEST

CONTACT:
CHRIS AAMODT
CROIX CAPITAL GROUP
502 SECOND STREET #301
HUDSON, WI 54016

COUNTY/CITY:
WASHINGTON COUNTY
CITY OF STILLWATER

SEAL:
THE STATE OF MINNESOTA DOES NOT
REQUIRE A SEAL

CERTIFICATION:
I hereby certify that this plan was prepared
by me, or under my direct supervision, and
that I am a duly Licensed Land Surveyor
under the laws of the State of Minnesota.
Daniel L. Thurnes
Daniel L. Thurnes Registration No: 25718
Date: 11-21-05

REVISIONS:
DATE REVISION
11-21-05 EXISTING CONDITIONS

PROJECT LOCATION:
**7143 & 7135
MANNING AVE. N.**

P.I.D.#3003020330001
P.I.D.#3003020330002

Suite #B100
200 East Chestnut Street
Stillwater, MN 55082
Phone 651.275.5060
Fax 651.275.8976
OR call 800.444.4444
mcs@cornerstone.net

**CORNERSTONE
LAND SURVEYING, INC**

FILE NAME SURVPP01
PROJECT NO. PPS0101

EXISTING
CONDITIONS