

**RESOLUTION NO. 2007-85****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, Stephen and Barbara Kochendorfer ("Owners"), have petitioned that land owned by them at 8080 Neal Avenue North, 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 1.25 acres and is contiguous to the City. The Land is improved with one residential home and is suitable for further development into 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, there was capacity for 400 dwelling units in the Orderly Annexation Area without exceeding the growth limitations in the Orderly Annexation Agreement and the projected 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.

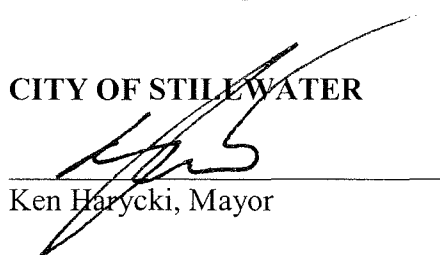
2. For the purpose of this annexation proceeding, the City Council hereby determines that the Land described in Exhibits "A" is now or about to become urban and the City is capable of providing the services required by the area within a reasonable time. It is further determined that the annexation of 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 3rd day of April, 2007.

**CITY OF STILLWATER**

  
Ken Harycki, Mayor

ATTEST:

  
Diane F. Ward, Clerk

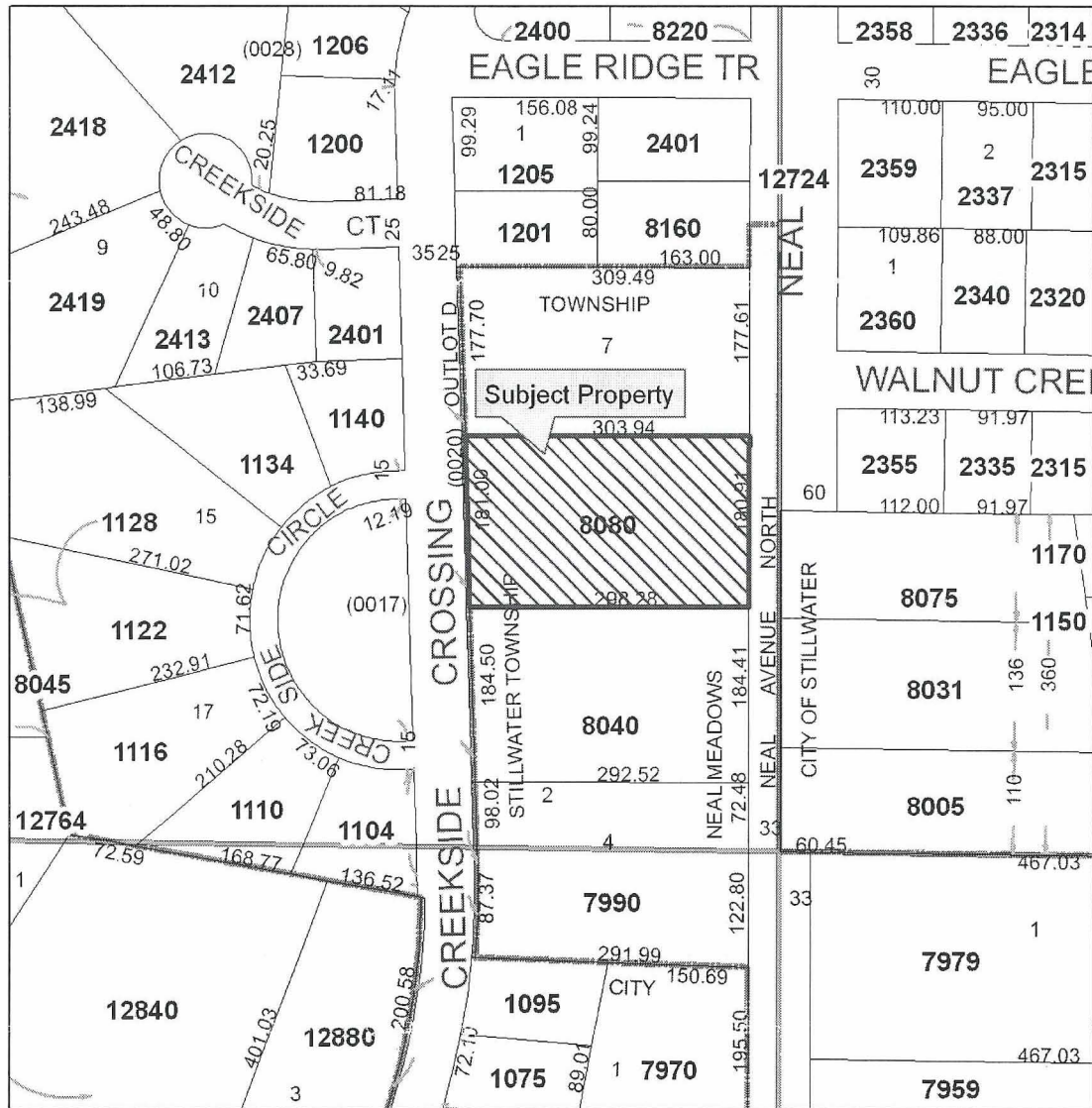
REC'D BY  
MMS

APR 23 2007

# **EXHIBIT A**

All of Lot 6, Block 2, Neal Meadows, according to the plat thereof on file  
and of record in the office of the Washington County Recorder.

**Exhibit "B"**  
**Case 07-11**  
**8080 Neal Ave N**



City of Stillwater, MN  
Community Development Department  
216 North Fourth Street  
Stillwater, MN 55082  
651-430-8820 – 651-430-8810 fax