

**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 ("Owner"), has petitioned that land owned by the City adjacent to Washington County State Aid Highway 12, in Section 29, 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 18.92 acres and is contiguous to the City and 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, the proposed Fire Station and Armory will not add more housing units nor cause conflict with growth limitations contained in the Orderly Annexation Agreement; 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, 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 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.

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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 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.

BE IT 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 Planning Board.

Adopted by the City Council of the City of Stillwater this 4th day of December, 2012.

ATTEST:



Diane Ward, City Clerk


Ken Harycki, Mayor

Exhibit A

Parcel 1:

That part of the West 1/2 of the Northwest 1/4, Section 29, Township 30 North, Range 20 West, described as follows:

Commencing at the West 1/4 corner of said Section 29; thence Easterly along the East-West 1/4 line, a distance of 460 feet to the hereinafter referred to "Point B"; thence continuing Easterly, along said East-West 1/4 line, a distance of 295.8 feet; thence Northerly parallel with the West line of Northwest 1/4 to the point of beginning at the point of intersection with the Northerly right of way line 75th Street North as described on Document No. 345261; thence continuing Northerly, parallel with said West line of the Northwest 1/4 to the center line of Boutwell Road North; thence Northwesterly, along said center line of Boutwell Road North to the point of intersection with a line drawn Northerly, parallel with said West line of the Northwest 1/4; from said "Point B"; thence Southerly, along said parallel line to said Northerly right of way line of 75th Street North; thence Southeasterly, along said Northerly right of way line to the point of beginning. Together with an easement for ingress and egress over, under and across the part of the West 1/2 of the Northwest 1/4, Section 29, Township 30 North, Range 20 West, described as follows: Commencing at the West 1/4 corner of said Section 29; thence Easterly; along the East-West 1/4 line a distance of 755.80 feet; thence Northerly parallel with the West line of said Northwest 1/4, a distance of 1,102 feet, to the point of beginning; thence Northeasterly deflecting to the right 5 degrees 40 minutes, a distance of 355 feet, more or less, to the point of intersection with the center line of Boutwell Road North; thence Northwesterly, along said center line of Boutwell Road North to the point of intersection with a line drawn Northerly parallel with the West line of said Northwest 1/4, Section 29 from the point of beginning; thence Southerly, along said parallel line to the point of beginning.

Parcel 2:

That part of the Southwest Quarter of the Northwest Quarter, Section 29, Township 30 North, Range 20 West, Washington County, Minnesota, described as follows:

Commencing at the West quarter corner of said Section 29; thence Easterly, along the East-West quarter line, a distance of 755.80 feet; thence Northerly, parallel with the West line of said Northwest Quarter, a distance of 777 feet to the point of beginning; thence Easterly, at a right angle 373 feet, more or less, to the West line of the East 189.75 feet (11.5 rods) of said Southwest Quarter of the Northwest Quarter; thence Southerly, along said West line to the Northerly right-of-way line of 75th Street North as described on Document No. 345261; thence Northwesterly, along said Northerly right-of-way line to the point of intersection with a line drawn Southerly parallel with the West line of said Northwester Quarter, Section 29 from the point of beginning; thence Northerly, along said parallel line to the point of beginning.










Parcel 3:

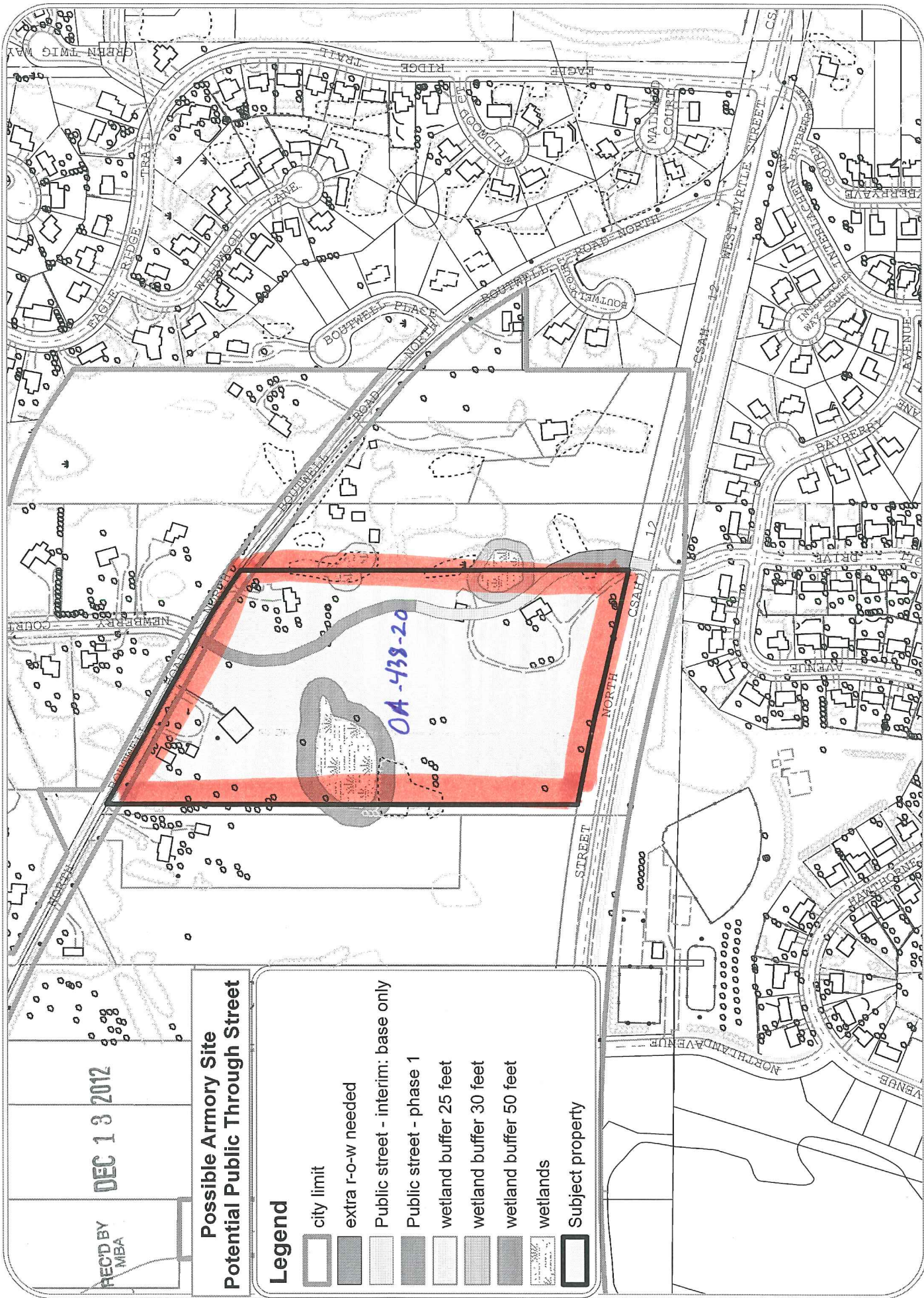
That part of the West 1/2 of the Northwest 1/4, Section 29, Township 30 North, Range 20 West, Washington County, Minnesota, described as follows:

Commencing at the West Quarter corner of said Section 29; thence Easterly, along the East-West Quarter line, a distance of 755.80 feet; thence Northerly, parallel with the West line of said Northwest 1/4, a distance of 777 feet to the point of beginning; thence Easterly, at a right angle 373 feet, more or less, to the West line of the East 189.75 feet (11.5 rods) of said West 1/2 of the Northwest 1/4; thence Northerly, along said West line to the center line of Boutwell Road North; thence Northwesterly, along said center line of Boutwell Road North to the point of intersection with a line drawn Northerly parallel with the West line of said Northwest 1/4, Section 29 from the point of beginning; thence Southerly, along said parallel line to the point of beginning.

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Legend

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|---|------------------------------------|
|  | city limit |
|  | extra r-o-w needed |
|  | Public street - interim; base only |
|  | Public street - phase 1 |
|  | wetland buffer 25 feet |
|  | wetland buffer 30 feet |
|  | wetland buffer 50 feet |
|  | wetlands |
|  | Subject property |



Development District #1

Corporate Limits
As existing
Dec 4, 2012

REC'D BY
MBA
DEC 13 2012

