

**CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION NO. 2010-072**

*A RESOLUTION OBJECTING TO THE PROPOSED DETACHMENT  
OF REAL PROPERTY FROM THE CITY OF LAKE ELMO*

**WHEREAS**, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, the City of Lake Elmo has been presented with a petition for detachment of the land identified in Exhibit A hereto; and

**WHEREAS**, the City of Lake Elmo has never previously been approached by the petitioners concerning the real property in question; and

**WHEREAS**, the property is currently partially developed for commercial purposes and used for such purposes, specifically part of the property is used for materials recycling and composting; and

**WHEREAS**, the property is bordered on its north by a major geographic boundary between it and the municipality it purports to request detachment to (Stillwater Township) because the property is bordered on its north by Highway 36; and

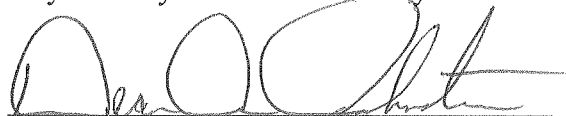
**WHEREAS**, the request for detachment would be disruptive and does not remotely satisfy the requirements contained in the statutes governing detachment or the cases applying those statutes; and

**WHEREAS**, there are numerous other factors which clearly establish that detachment is not reasonable, appropriate or necessary in this case.

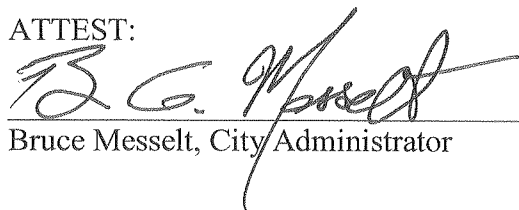
**NOW, THEREFORE**, be it resolved by the City Council of the City of Lake Elmo, Minnesota as follows:

That the City of Lake Elmo objects to and opposes the detachment demanded in the petition of Bernard and Loella Nass and Robert Buberl attached hereto.

Passed and duly adopted this 7<sup>th</sup> day of December, 2010 by the City Council of the City of Lake Elmo, Minnesota.

  
Dean A. Johnston, Mayor

ATTEST:

  
Bruce Messelt, City Administrator



## City of Lake Elmo

651/777-5510

3800 Laverne Avenue North / Lake Elmo, MN 55042

December 7, 2010

Christine M. Scotillo  
Minnesota Office of Administrative Hearings  
600 North Robert Street  
St. Paul, MN 55101


**RE: D-478 Lake Elmo/Stillwater Township (Nass/Buberl Properties; 50.74 acres)**

Dear Ms. Scotillo:

The City of Lake Elmo is in receipt of a notice from the Office of Administrative Hearings – Municipal Boundary Adjustments regarding the above-referenced petition for detachment of property from the City of Lake Elmo. Please be advised that the Lake Elmo City Council will be considering adoption of a resolution *opposed* to the detachment at its December 7, 2010 meeting. Should this resolution be adopted by the City, the final document will be forwarded to your office for review.

Please contact me at 651-777-5510 if you have any questions about the City of Lake Elmo's position on this matter.

Sincerely,



Bruce Messelt  
City Administrator