

BOARD OF COUNTY COMMISSIONERS
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 97-090

DATE July 1, 1997 DEPARTMENT Administration
ACTION BY COMMISSIONER Hauser SECONDED BY COMMISSIONER Engstrom

**RESOLUTION ADOPTING BROWN'S CREEK
WATERSHED TAX DISTRICT**

WHEREAS, on August 26, 1996, the Board of Water and Soil Resources determined that the Brown's Creek Water Management Organization was not implementing the watershed management plan for the watershed; and

WHEREAS, by letter dated September 12, 1996, the Board of Water and Soil Resources notified Washington County of its obligation to prepare, adopt and implement the watershed plan for the area pursuant to MINN. STAT. § 103B.231; and

WHEREAS, on January 14, 1997, by Board resolution, Washington County agreed to act as the Watershed Management Organization for this area on a temporary basis; and

WHEREAS, Washington County, acting as the Watershed Management Organization, has incurred and will continue to incur expenses in connection with their responsibilities as the Watershed Management Organization; and

WHEREAS, MINN. STAT. § 103B.245 authorizes counties to establish a Watershed Management Tax District -For the purposes of paying the general costs incurred pursuant to MINN. STAT. § 103B.231; and

WHEREAS, these general costs will benefit all taxable property in the Watershed District on an ad valorem basis.

NOW, THEREFORE, BE IT RESOLVED, that for the foregoing reasons, the Board of Commissioners of Washington County, acting as a Watershed Management Organization pursuant to MINN. STAT. § 103B.231 ordains:

1. The Washington County/Brown's Creek Watershed Management Tax District, Ordinance No. 126, attached hereto is hereby adopted in its entirety.
2. Taxes levied to pay the general costs of planning, capital improvements and maintenance shall be apportioned on all taxable property within the district on an ad valorem basis.
3. The cost of specific capital improvements contained in an approved Watershed Management Plan and authorized pursuant to MINN. STAT. § 103B.251 will be apportioned

according to benefits through the creation of Sub-Watershed Tax Districts, if necessary to apportion the costs proportionate to benefits.

4. This Ordinance shall be effective on July 1, 1997 and the Washington County Administrator is directed to file this ordinance with the County Recorder and County Auditor/Treasurer.

ATTEST:

		YES	NO
James R. Schug COUNTY ADMINISTRATOR	ABRAHAMSON	<u>X</u>	<u> </u>
	ENGSTROM	<u>X</u>	<u> </u>
	HAUSER	<u>X</u>	<u> </u>
Dennis C. Hegberg VICE CHAIRMAN, COUNTY BOARD	HEGBERG	<u>X</u>	<u> </u>
	PETERSON	<u>Absent</u>	<u> </u>

WASHINGTON COUNTY/BROWN'S CREEK WATER
MANAGEMENT TAX DISTRICT

ORDINANCE NO. 126

The Board of Commissioners of Washington County, Minnesota hereby ordains:

Section 1. Pursuant to MINN. STAT. § 103B.231, SUBD. 3(b) wherein Washington County is obligated to prepare, adopt and implement the watershed plan for the Brown's Creek Watershed District and pursuant to MINN. STAT. § 103B.211 to 103B.255 wherein Washington County, acting as the water management organization has planning, review, permitting and financing authority in the watershed district, and pursuant to Mm. STAT. § 103B.245, SUBD. 1, wherein Washington County, acting as the water management organization, may establish a watershed management tax district for the purposes of paying for the costs of the planning required by law, there is hereby established a special tax district to be known as the Brown's Creek Watershed Management Tax District.

Section 2. The territory of the Brown's Creek Watershed District is comprised of all lands listed below, including all 40 acre tracts, fractional 40 acre tracts, and Government Lots of land within the listed tracts, together with all platted lands which are in the following listed tracts, together with all platted lands which are in the following listed tracts:

Township 29 North, Range 20 West (Baytown)

NW1/4	Section 5
That part of the W1/2 of the NE1/4 lying northerly of the north line of Tract F, REGISTERED LAND SURVEY NO. 114.	Section 5
That part of the NE1/4 of the NE1/4 lying westerly of the following described line: beginning at the southwest corner of Tract A, REGISTERED LAND SURVEY NO. 114; thence northerly along the west line of said Tract A to its intersection with the centerline of 59th Street North; thence west along said centerline 180 feet, more or less, to its intersection with the east line of HAASE ADDITION; thence north along the east line of HMSE ADDITION to the north line of said NE1/4 of the NE1/4, and said line there terminating.	Section 5
N1/2 of the NE1/4	Section 6
N 1/2 of the NW1/4	Section 6
SW1/4 of the NW1/4	Section 6

Township 29 North, Range 21 West (Lake Elmo)

NE1/4	Section 1
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Township 30 North, Range 20 West (Stillwater)

N1/2 of the NW1/4	Section 6
NW1/4 of the SW1/4	Section 6
S 1 /2 of the S W 1 /4	Section 7
W1/2 of the SW1/4	Section 16
SE1/4 of the SW1/4	Section 16
S1/2 of the NE1 /4	Section 17
SE1/4	Section 17
SE1/4 of the SW1/4	Section 17
WI/2	Section 18
S 1 /2	Section 19
S1/2 of the NE1/4	Section 19
S1/2 of the NW1/4	Section 19
NW1/4 of the NW1/4	Section 19
NI/2	Section 20

That part of the SW1/4 lying northerly of the following described line: beginning at the southwest corner of said SW1/4; thence east along the south line of said SW1/4 to the southwest corner of Lot 16, Block 1, OAK GLEN 12TH ADDITION; thence northerly along the west line of said Block 1 to the northwest corner of Lot 14. of said Block 1; thence easterly and northerly along the northerly and northwesterly lines of Lots 14, 13, 12 and 11 of said Block 1 to the northerly most corner of said Lot 11; thence northeasterly to the southeast corner of Lot 36, Block 1, OAK GLEN 13TH ADDITION and the westerly right of way line of Thorene Place; thence northeasterly, easterly and southerly along the right of way line of said Thorene Place to the northerly most corner of Lot 42 of said Block 1; thence southeasterly along the north line of said Lot 42, to the westerly line of OAK GLEN 6TH ADDITION; thence northeasterly along said westerly line to the northerly most corner of said Block 1; thence southeasterly to the northerly most corner of Lot 35 of said Block 1; thence southerly along the westerly line of said Lot 35 to the northerly right of way line of Lecuyer Circle; thence easterly and southerly along said right of way line to the southwest corner of Lot 33 of said Block 1, thence east along the south line of said Lot 33 to the west line of Lot 30 of said Block 1; thence southeasterly along said west line to the northerly right of way line of Lecuyer Court; thence easterly and southerly along said right of way line to the northerly most corner of Lot 27 of said Block 1; thence southeasterly to the most easterly corner of said Lot 27; thence southwestly to the most southerly corner of said Lot 27, and the northerly right of way line of Lecuyer Drive; thence southeasterly along said right of way line to the northwest corner of Lot 23 of said Block 1; thence northeasterly along the northerly line of said Lot 23 to the easterly line of said Block 1; thence southeasterly along said easterly line of Block 1 to the south line of said SW1/4 thence east along said south line to the southeast corner of said SW1/4, and said line there terminating.

That part of the SE1/4 lying northerly, westerly and easterly of the following described line: Beginning at the southwest corner of said SE1/4; thence east along the south line of said SE1/4 to the centerline of McKusick Road; thence northerly 800 feet, more or less, along said centerline to its intersection

Section 20

with the centerline of McKusick Road Lane; thence easterly along the centerline of said McKusick Road Lane to its intersection with the southerly extension of the west line of Block 1, THE GARDENS 2ND ADDITION; thence northerly along said west line of Block 1 and the southerly extension thereof, to the northwest corner of said Block 1; thence northeasterly along the north line of said Block 1, to the northeast corner of said Block 1; thence southerly along the easterly line of said Block 1 to the south line of said SE1/4; thence east along said south line to the west line of Block 4, OAK GLEN, thence northerly along the west line of said Block 4 to the northwest corner of Lot 15 of said Block 4; thence northeasterly along the north line of said Lot 15 and the northeasterly extension thereof, to a point on the west line of Lot 9, Block 5, OAK GLEN; thence northwesterly along said west line to the northwest corner of said Lot 9; thence easterly along the north line of said Lot 9 to the east line of said Block 5; thence northerly, easterly and northerly along said east line to the south line of DALLAGER ESTATES; thence east along said south line to the southeast corner of Lot 9, Block 1, DALLAGER ESTATES; thence northerly along the east line of said Lot 9 to the northeast corner of said Lot 9, and the easterly right of way line of Dallager Court; thence northerly along said right of way line of Dallager Court to the northwest corner of Lot 8 of said Block 1; thence east along the north line of said Lot 8 to the northeast corner of said Lot 8, thence northeasterly along the northwesterly line of Lot 6 of said Block 1 and the extension thereof, to the centerline of Old Stonebridge Trail; thence southeasterly along said centerline to the east line of said SE1/4, and said line there terminating.

Gov't Lot 1	Section 21
Gov't Lot 2	Section 21
NW1/4	Section 21

That part of the SW1/4 lying northerly, easterly and westerly of the following described line: Beginning at a point where the centerline of West Sycamore Street intersects the west line of said SW1/4; thence easterly along said centerline to its intersection with the northerly extension of the west line of Block 7, COOPER'S ADDITION; thence south along said west line and the northerly extension thereof, to the northerly right of way line of West St. Croix Avenue; thence easterly along said right of way line to its intersection with the northerly extension of the west line of Lot 12, Block 6, COOPER'S ADDITION; thence south along the west line of Lots 12 - 8 of said Block 6 and the northerly extension thereof, to the north line of LUX'S MEADOWVIEW ADDITION; thence east along said north line to the northeast corner of LUX'S MEADOWVIEW ADDITION; thence south along the east line of LUX'S MEADOWVIEW ADDITION and the southerly extension thereof, to the centerline of West Stillwater Avenue; thence east along said centerline to the centerline of North Owens Street; thence continuing east along the centerline of vacated Stillwater Avenue to its intersection with the southerly extension of the centerline of North Carnelian Street; thence north along the centerline of North Carnelian Street and the southerly extension thereof, to the north line of COOPER'S ADDITION; thence easterly along said north line to the southeast corner of the NW1/4 of said SW1/4, thence north along the east line of said NW1/4 of the SW1/4 to the north line of said SW1/4. and said line there termination

Section 21

That part of the SE1/4 lying easterly and northerly of the following described line: beginning at a point where the centerline of North Second Street intersects the north line of said SE1/4; thence south along said centerline

Section 21

to its intersection with the westerly extension of the north line of the south 9.43 feet of vacated East Spruce Street as platted in CARLI AND SCHULENBURG'S ADDITION; thence east along said north line and the easterly extension thereof, to the centerline of North First Street; thence north along said centerline to the centerline of Ridge Lane Drive; thence east and northeasterly along the centerline of said Ridge Lane Drive to the south line of Lot 23, Block 32, CARLI AND SCHULENBURG'S ADDITION; thence east along said south line of Lot 23 and the easterly extension thereof, to the east shore of the St. Croix River, and said line there terminating.

All that part of REGISTERED LAND SURVEY NO. 73

Section 22

That part of the W 1/2 of the NW 1/4 which lies
westerly and southerly of the following described line: Beginning at the northwest corner of Lot 1, Block 1, TROLLEY TRAIL ACRES; thence southerly along the west line of said Block 1 to the southwest corner of Lot 3 of said Block 1; thence east along the south line of said Lot 3 to the west line of Block 1, VALLEY HIGH ESTATES; thence southerly along said west line to the southwest corner of Lot 2 of said Block 1; thence easterly along the south line of said Lot 2 to the southeast corner of said Lot 2; thence northeasterly to the northwest corner of Lot 7 of said Block 1; thence east along the north line of said Lot 7 to the east line of said plat of VALLEY HIGH ESTATES; thence south along said east line to the southeast corner of said plat; thence northwesterly along the southerly line of said plat to the west line of the easterly 11.5 rods of said W1/2 of the NW1/4; thence south along the west line of said easterly 11.5 rods to the south line of said NW1/4, and said line there terminating.

Section 29

That part of the SWIM lying westerly and southerly
of the following described line: Beginning at the northwest corner of Lot 1, Block 2, CROIXWOOD SEVENTH ADDITION; thence southerly along the west line of said Lot 1 to the southwest corner of said Lot 1; thence southwesterly to the northwest corner of Lot 17, Block 3, CROIXWOOD SEVENTH ADDITION; thence southerly along the west line of Lots 17, 16 and 15 of said Block 3 to the southwest corner of Lot 15 of said Block 3; thence easterly along the south line of said Lot 15 to the southeast corner of said Lot 15, thence easterly to the northwest corner of Lot 4, Block 4, CROIXWOOD SEVENTH ADDITION; thence easterly along the north line of said Lot 4 to the east line of CROIXWOOD SEVENTH ADDITION, thence south along said east line to the northerly line of FAIRMEADOWS NO. 3; thence easterly, southerly and easterly along said northerly line to the northeast corner of Lot 4, Block 1, FAIRMEADOWS NO. 3; thence southerly along the east line of said Lot 4 to the northeast corner of Lot 3, of said Block 1; thence southwesterly along the northerly line of said Lot 3 to the easterly right of way line of Laurie Court; thence southerly along said easterly right of way line to the northerly line FAIRMEADOWS NO. 1; thence easterly along said northerly line to its intersection with the northerly extension of the west line of Lot 32, Block 1, FAIRMEADOWS NO. 1; thence southerly along the west line of Lots 32, 31 and 30 of said Block 1 and the northerly extension thereof, to the southwest corner of said Lot 30; thence easterly along the south line of said Lot 30 and the easterly extension thereof, to the centerline of Hanson Place; thence southerly along said centerline to the centerline of Oak Ridge Road; thence east along said centerline of Oak Ridge Road to its intersection with the northerly extension of the east line of Lot 3, Block 1, FAIRMEADOWS NO. 1; thence south along said east line and the northerly extension thereof, to the south line of said SW1/4, and said line there terminating.

Section 29

All of Section Section 30

All of Section Section 31

SW 1/4 /4 Section 32

W1/2 of the SE1/4 Section 32

NW 1/4, except that part lying easterly of the Section 32
centerline of Stillwater Boulevard and northerly of the following described line:
Beginning at a point on the east line of said NW1/4, said point being 169.09 feet
southerly of the northeast corner of said NW 1/4; thence northwesterly to a point on the
centerline of Stillwater Boulevard, said point being 215 feet, more or less,
southwesterly of the intersection of said centerline and the north line of said NW1/4,
and said line there terminating.

That part of the NE1/4, lying westerly, southerly and easterly of the following described line: Beginning at the intersection of the easterly line of Block 2, THE HIGHLANDS OF STILLWATER 5TH ADDITION, and the south line of said NE1/4; thence northeasterly along said easterly line of Block 2 to the southwest corner of Lot 3 of said Block 2; thence northerly along the westerly line of said Lot 3 to the southerly right of way line of Trotter Court; thence easterly, northerly and westerly along the right of way line of said Trotter Court to the southwest corner of Lot 1, Block 1, THE HIGHLANDS OF STILLWATER 5TH ADDITION and the easterly right of way line of Driving Park Road; thence northerly and westerly along the right of way line of said Driving Park Road to the southeast corner of Lot 1, Block 2, THE HIGHLANDS OF STILLWATER 6TH ADDITION; thence northerly along the easterly line of said Lot 1 to the southeast corner of Block 3, THE HIGHLANDS OF STILLWATER 4TH ADDITION; thence northerly and westerly along the easterly line of said Block 3 to the northwesterly corner of Lot 1 of said Block 3; thence southerly along the westerly line of said Lot 1 to the northerly right of way line Benson Boulevard East; thence westerly along the right of way line of said Benson Boulevard East to its intersection with the easterly right of way line of Gilbert Court; thence northerly and westerly along the right of way line of said Gilbert Court to its intersection with the northerly line of Block 1, THE HIGHLANDS OF STILLWATER 3RD ADDITION; thence westerly along said northerly line to the northwest corner of said Block 1; thence southerly along the westerly line of said THE HIGHLANDS OF STILLWATER 3RD ADDITION and the west line of Lot 11, Block 1, THE HIGHLANDS OF STILLWATER 2ND ADDITION to the northeasterly corner of Lot 10 of said Block 1; thence west along the north line of said Block 1, to the west line of said NE1/4, and said line there terminating.

That part of the NE1/4 of the SE1/4 lying Section 32
northerly and westerly of the following described line: Beginning at the northwest
corner of Lot 7, Block 3, FEELEY'S ADDITION; thence easterly along the northerly
line of said Lot 7 to the east line of the westerly 29.28 feet of Lot 2 of said Block 3;
thence northerly along said easterly line and the northerly extension thereof, to the
centerline of Curve Crest Boulevard; thence easterly along said centerline to its
intersection with the centerline of West Orleans Street; thence northerly along the
centerline of said West Orleans Street to its intersection with the westerly extension of
southerly line of Outlot C, FEELEY'S ADDITION; thence easterly along said southerly
line and the extension thereof, to the southeast corner of said Outlot C; thence northerly
along the east line of said Outlot C to the north line of said NE1/4 of the SE1/4, and said
line there terminating.

Township 30 North, Range 21 West (Grant)

NE1/4	Section 1
W 1 /2	Section 1.
N1/2 of the SE1/4	Section 1
SW1/4 of the SE1/4	Section 1
All of Section	Section 2
All of Section lying southerly of the centerline of the Soo Line Railroad.	Section 3
NE1/4	Section 9
N1/2 of the SE1/4	Section 9
SE1/4 of the SE1/4	Section 9
All of Section	Section 10
All of Section	Section 11
W 1/2	Section 12
W1/2 of the NE1/4	Section 12
W1/2 of the SE1/4	Section 12
SE1/4 of the SE1/4	Section 12
All of Section	Section 13
All of Section	Section 14
All of Section	Section 15
SE1/4	Section 16
S1/2 of the NE1/4	Section 16
NE1/4 of the NE1/4	Section 16
E1/2	Section 22
E1/2 of the SW1/4	Section 22
E1/2 of the NW1/4	Section 22
NW1/4 of the NW1/4	Section 22
All of Section	Section 23
All of Section	Section 24
All of Section	Section 25
E1/2	Section 26
NW1/4	Section 26

E1/2 of the SW1/4	Section 26
NW1 /4 of the SW1 /4	Section 26
NE1/4	Section 27
That part of the N1/2 of the NW1/4 that lies southerly of the centerline of Jeffrey Boulevard North.	Section 27
N1/2 of the NE1/4	Section 35
E 1 /2	Section 36
NW1/4	Section 36

Township 31 North, Range 20 West (May)

S1/2	Section 19
SW1/4 of the NW1/4	Section 19
W1/2 of the SW1/4	Section 20
W1/2 of the NW1/4	Section 29
W1/2	Section 30
NE1/4	Section 30
N1/2 of the SE1/4	Section 30
SW1/4 of the SE1/4	Section 30
All of Section	Section 31
SW1 /4	Section 32
SW1/4 of the SE1/4	Section 32
SW1/4 of the NW1/4	Section 32

Township 31 North, Range 21 West (Hugo)

S1/2	Section 23
S 1/2 of the NE1/4	Section 23
SE1/4 of the NW1/4	Section 23
S 1/2	Section 24
S1/2 of the N1/2	Section 24
All of Section	Section 25
NE1/4	Section 26
N1/2 of the SE1/4	Section 26
E1/2	Section 36
E1/2 of the NW1/4	Section 36
E1/2 of the SW1/4	Section 36

Section 3. From and after the effective date of this ordinance, Washington County, acting as the water management organization for the Brown's Creek Watershed District may annually levy a tax on all taxable property in the Brown's Creek Watershed Management Tax District for the purposes for which this tax district is established. The proceeds of the tax shall be paid into a fund reserved for these purposes.

Passed and adopted by the Board of Commissioners of Washington County this 1st day of July, 1997.

WASHINGTON COUNTY, MINNESOTA

Dennis C. Hegberg Vice-Chair
Myra Peterson, Chairman
Board of County Commissioners

Attest:

James Schug
Administrator

Approved as to form:

Bob Turrentine
Assistant Washington County Attorney