

IN THE MATTER OF THE PETITION OF
ANTHONY GAETZ AND LORRAINE GAETZ, HUSBAND AND WIFE;
ANTON'S OF ST. CLOUD, INC., A MINNESOTA CORPORATION;
SAUK RIVER RECREATION, INC., A MINNESOTA CORPORATION;
AND JAMES B. ANDERSON AND MARY ANDERSON, HUSBAND AND WIFE
FOR ANNEXATION PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 5

TO: Council of the City of Waite Park, Minnesota
253 North Fifth Avenue
Waite Park, MN 56387

and

Minnesota Municipal Board
165 Metro Square Building
St. Paul, Minnesota 55101

PETITIONERS STATE: The property owner or a majority of the property owners in number are required to commence a proceeding under M.S. 414.033, Subd. 5.

It is hereby requested by:

A majority of the property owners of the area proposed for annexation to annex certain property described herein lying in the Town of St. Cloud to the City of Waite Park, County of Stearns, Minnesota.

The area proposed for annexation and the property owners thereof, are described as follows:

ANTHONY GAETZ AND LORRAINE GAETZ

A tract of land lying and being in the SE 1/4 NE 1/4 of Sec. 18, Twp. 124, Rge. 28, to-wit: Beginning at a point on the North line of the SE 1/4 NE 1/4 of said Sec. 18, 505 feet east of the NW corner of said SE 1/4 NE 1/4 of said Sec. 18, thence East along the north line of said SE 1/4 NE 1/4 for a distance of 98.55 feet; thence due South at right angles a distance of 438 feet to a point on the northerly right of way line of Minnesota State Trunk Highway No. 52; thence westerly along the said northerly right of way line of State Highway No. 52 for a distance of 98.55 feet; thence due north for a distance of 446 feet to the place of beginning and there terminating. Also a tract of land lying and being in the SE 1/4 NE 1/4 of Sec. 18, Twp. 124, Rge. 28, to-wit: Beginning at a point on the North line of the SE 1/4 NE 1/4 of said Sec. 18; a distance of 603.55 feet East of the Northwest corner of said SE 1/4 NE 1/4 of said Sec. 18; thence due south and at right angles with said north line of said SE 1/4 NE 1/4 for a distance of 438 feet to a point on the Northerly right of way line of Minnesota State Trunk Highway No. 52; thence easterly along said northerly right of way line of said Trunk Highway for a distance of 98.55 feet; thence due north to a point on said North line of said SE 1/4 NE 1/4, said last mentioned point being 98.55

feet due east of a point of beginning; thence due west along said north line of said SE 1/4 NE 1/4 for a distance of 98.55 feet to the place of beginning and there terminating. All these tracts containing 2 acres of land more or less.

ANTON'S OF ST. CLOUD, INC.

A. That part of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section Numbered Eighteen (18), in Township Numbered One Hundred Twenty-four (124) North, of Range Numbered Twenty-eight (28) West, described as follows, to-wit: Beginning at a point on the North line of said SE 1/4 NE 1/4 of Sec. 18, 276.29 feet East of the NW corner of said SE 1/4 NE 1/4; thence due East along said North line of said SE 1/4 NE 1/4 for a distance of 208.71 feet; thence at right angles and due South for a distance of 113 feet; thence due West and parallel with the North line of said SE 1/4 NE 1/4 for a distance of 208.71 feet; thence due North for a distance of 113 feet to the point of beginning and there terminating.

B. ALSO: That part of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section Numbered Eighteen (18), in Township Numbered One Hundred Twenty-four (124) North, of Range Numbered Twenty-eight (28) West, described as follows, to-wit: Beginning at a point on the North line of said SE 1/4 of NE 1/4, 485 feet East of the NW corner of said SE 1/4 of NE 1/4; thence at right angles and due south for a distance of 446 feet to a point on the Nly right of way line of Minnesota Trunk Highway no. 52 as now constructed and travelled; thence East along said Nly right of way line of said Highway for a distance of 20 feet; thence due North for a distance of 446 feet to a point on the said North line of said SE 1/4 NE 1/4; thence due West along said North line of said SE 1/4 NE 1/4 for a distance of 20 feet to the point of beginning and there terminating.

C. ALSO: That part of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Numbered Eighteen (18), in Township Numbered One Hundred Twenty-four (124) North, of Range Numbered Twenty-eight (28) West, described as follows, to-wit: Beginning at a point on the Sly shore line of Sauk River 276.29 feet East and 146.50 feet North of the SW corner of said NE 1/4 of NE 1/4; thence South 146.50 feet to the South line of said NE 1/4 of NE 1/4; thence due East along said South line of said NE 1/4 of NE 1/4 for a distance of 378.70 feet to point on the shore line of Sauk River; thence Wly along said shore line of said River to the point of beginning and there terminating.

Reserving, however, an easement for travel over and across Tract "B" above and over and across the South 20 feet of the West 505 Feet of Tract "C" above and over and across the North 20 feet of the West 20 feet of Tract "C: above and for ingress to and egress from the following described tract: A tract of land lying in and being a part of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Numbered Eighteen (18), in Township

Numbered One Hundred Twenty-four (124) North, of Range Numbered Twenty-eight (28) West, bounded as follows, to-wit: Beginning at a point 209.40 feet East and 20 feet North of the SW corner of said NE 1/4 NE 1/4; thence due East parallel with the South line of said NE 1/4 of NE 1/4 for a distance of 66.89 feet; thence due North for a distance of 126.50 feet to a point of the Sly shore line of Sauk River, thence in a NWly direction along said shore line of Said River to a point due North of the point of beginning; thence due South for a distance of 137 feet, more or less to the point of beginning and there terminating.

SAUK RIVER RECREATION, INC.

A tract of land lying in and being a part of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Eighteen (18), in Township One Hundred Twenty-four (124) North, Range Twenty-eight (28) West, bounded as follows, to-wit: Beginning at a point 209.40 feet East and 20 feet North of the Southwest corner of said NE 1/4 NE 1/4; thence due East parallel with the south line of said NE 1/4 NE 1/4 for a distance of 66.89 feet; thence due North for a distance of 126.50 feet to a point on the Southerly shore line of Sauk River; thence in a Northwesterly direction along said shore line of said River to a point due North of the point of beginning; thence due South for a distance of 137 feet; more or less to the point of beginning and there terminating.

ALSO:

An easement to travel over the following: That part of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section Eighteen (18), in Township One Hundred Twenty-four (124) North, Range Twenty-eight (28) West, described as follows, to-wit: Beginning at a point on the North line of said SE 1/4 NE 1/4, 485 feet East of the Northwest corner of said SE 1/4 NE 1/4; thence at right angles and due South for a distance of 446 feet to a point on the Northerly right of way line of Minnesota Trunk Highway No. 52 as now constructed and travelled; thence East along said Northerly right of way line of said Highway for a distance of 20 feet; thence due North for a distance of 446 feet to a point on the said North line of said SE 1/4 NE 1/4; thence due West along said North line of said SE 1/4 NE 1/4 for a distance of 20 feet to the point of beginning and there terminating.

ALSO:

An easement over the following: The South 20 feet of the West 228.71 feet and the North 20 feet of the South 40 feet of the West 20 feet of that part of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Eighteen (18), Township One Hundred Twenty-four (124) North, Range Twenty-eight (28) West, described as follows, to-wit: Beginning at a point on the Southerly shore line of Sauk River, 276.29 feet East and 146.50 feet North of the Southwest corner of said NE 1/4 NE 1/4; thence South 146.50 feet to the South line of said NE 1/4 NE 1/4; thence

due East along said South line of said NE 1/4 NE 1/4 for a distance of 378.70 feet to point on the shore line of Sauk River; thence Westerly along said shore line of said River to the point of beginning and there terminating.

JAMES B. ANDERSON AND MARY ANDERSON

That part of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section Eighteen (18), in Township One Hundred Twenty-four (124) North of Range Twenty-eight (28) West, described as follows, to-wit: Beginning at a point two hundred seventy-six and twenty-nine hundredths (276.29) feet East and one hundred thirteen (113) feet south of the Northwest corner of said Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section Eighteen (18) township and range aforesaid, thence due south a distance of three hundred fifty and two-tenths (350.2) feet to a point on the northerly right-of-way line of Minnesota Trunk Highway No. 52 as now constructed and traveled, thence easterly along said northerly right-of-way line of said Highway No. 52 a distance of two hundred eight and nine-tenths, (208.9) feet, thence due North a distance of three hundred thirty-three (333) feet, thence due West and parallel with the North line of said Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section Eighteen (18), township and range aforesaid, a distance of two hundred eight and seventy-one hundredths (208.71) feet to the point of beginning, said tract containing 1.63 acres, more or less.

AND

That part of the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) Section Eighteen (18), Township One Hundred Twenty-four (124), Range Twenty-eight (28) West of the Fifth Principal Meridian, described as follows, to-wit: Beginning at a point 117.6 feet West and 16 feet North of the Southeast corner of the NW 1/4 NE 1/4 of said Section 18, thence West for a distance of 100 feet, thence North for a distance of 128.8 feet to a point on the Southerly bank of Sauk River, thence Northeasterly along the Southerly bank of said Sauk River to a point which is 117.6 feet West of the East line of said NW 1/4 NE 1/4; thence South for a distance of 180 feet to the place of beginning and there terminating. Also, that portion of the NW 1/4 NE 1/4 of Section Eighteen (18), Township One Hundred Twenty-four (124), Range Twenty-eight (28) described as follows, to-wit: Beginning at a point 52.6 feet West and 16 feet North of the Southeast corner of said section 18, thence West and parallel with the South line of said NW 1/4 NE 1/4 for a distance of 60 feet; thence North and parallel with the East line of said NW 1/4 NE 1/4 for a distance of 183.6 feet to a point on the Southerly bank of Sauk River; thence in a Northeasterly direction along the Southerly bank of said Sauk River to a point 52.6 feet Westerly of the said Easterly line of said NW 1/4 NE 1/4 of said Section 18; thence South and parallel with the said Easterly line of said NW 1/4 for a distance of 213.8 feet to the point of beginning and there terminating. An

easement for roadway purposes upon a 16 foot strip of land described as beginning at a point 52.6 feet West of the Southeast corner of said NW 1/4 NE 1/5 of said Section 18; thence North at right angles 16 feet; thence West at right angles 165 feet; thence South at right angles 16 feet; thence East at right angles 149 feet; thence South at right angles 451 feet, more or less to the State Trunk Highway formerly designated as No. 3; thence East at right angles 16 feet; thence North at right angles 451 feet to the point of beginning and there terminating.

AND

The South 336 feet of the West 655 feet of the NE 1/4 NE 1/4, South of the Sauk River, less the East 378.70 feet, and less the East 66.89 feet of the West 276.79 feet, North of the South 20 feet; and also the East 49.5 feet of the NW 1/4 NE 1/4 South of the Sauk River, all in Section Eighteen (18), Township One Hundred Twenty-four (124), Range Twenty-eight (28).

BERNARD H. ROUSSELANGE AND M. ROUSSELANGE

That part of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4), of Section Eighteen (18), Township One Hundred Twenty-four (124) North, Range Twenty-eight (28) West, described as follows:

Beginning 702.10 feet East of the Northwest Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4); thence South 430 feet to the highway; thence East 439.63 feet; thence North 7 East 265 feet to the shoreline of Sauk River; thence Northeasterly to the point of beginning, less .49 acres.

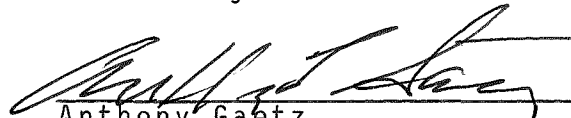
ROBERT JAEGER AND KATHY JAEGER

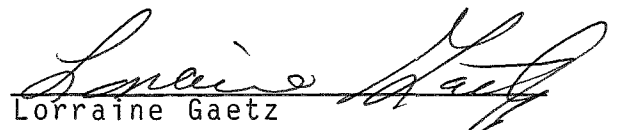
commencing at a point of intersection of East line of Section Eighteen (18), Township One Hundred Twenty-four (124), Range Twenty-eight (28) West, with the Northerly right-of-way line of Old State Highway 52 so-called, said point being 1810.23 feet South of the Northeast corner of said Section Eighteen (18); thence Westerly on said right-of-way line 185.31 feet from the point of beginning; thence Northerly at right angles 160.00 feet; thence deflect left 98 12 a distance of 148.23 feet; thence deflect left 86 38 a distance of 139.33 feet to the Northerly right-of-way line of said Old State Highway #52; thence Easterly on said right-of-way line 135 feet to the point of beginning.

1. There are ten property owners in the area proposed for annexation.
2. Six property owners have signed this petition.

3. Said property is unincorporated, abuts on the city's West boundary, and is not included within any other municipality.
4. The area of land to be annexed in acres is unplatted and consist of 10.53 acres more or less.
5. The reason for the requested annexation is to provide city services including, sewer, storm sewer, water and other city services.
6. All of the annexation area is or is about to become urban or suburban in character.
7. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to M.S. 414.0325.

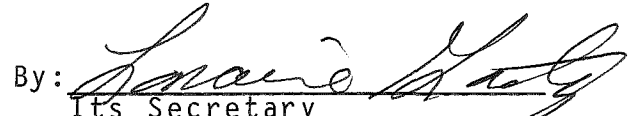
Date: Aug. 17, 1990


Anthony Gaetz

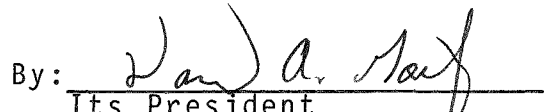

Lorraine Gaetz

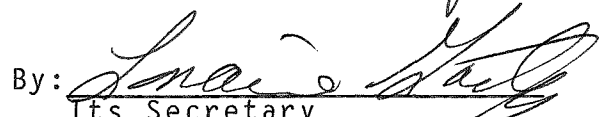
ANTONIS OF ST. CLOUD, INC.


By: 
Its President

By: 
Its Secretary

SAUK RIVER RECREATION, INC.

By: 
Its President

By: 
Its Secretary


James B. Anderson


Mary Anderson

ATTISON

10258-1

JOHN E.

10258

10251

258-1

PATTISON

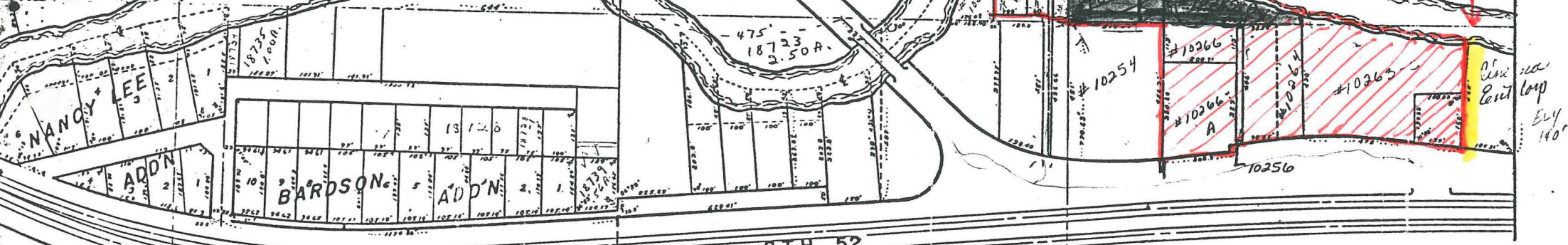
10258-1

10251

SAUK RIVER

OLD HWY. 52

Waits Park City Limit



NANCY LEE

BARDSON ADD'N

ST. CLOUD

BARDSON INDUSTRIAL ADD. 2883. A.

PARCEL 5 OF ST. CLOUD INC. # 10257

17

REGD. BY AUG 27 1990

18720

N 79° E 703.83'

18720-100

34.63 A.

18747 20 A.