

**FIRST AMENDMENT TO THE JOINT
RESOLUTION FOR ORDERLY ANNEXATION
BETWEEN THE TOWN OF HAVEN AND
THE CITY OF ST. CLOUD**

WHEREAS, the City of St. Cloud ("City") and the Town of Haven ("Town") are parties to a Joint Resolution as to Orderly Annexation dated on or about August 21, 1989 which affects an area of the Town described in said resolution; and

WHEREAS, the intersection of 15th Avenue Southeast and Trunk Highway 10 is currently being realigned to eliminate a long standing safety concern. Additional right-of-way needed to accomplish this project is being acquired by the City. The additional right-of-way is located in the Township. After the reconstruction/realignment of the intersection the former right-of-way will be vacated to the adjacent property owner. As a City improvement project annexation of the property needed to accomplish the realignment/reconstruction is appropriate and reasonable; and

WHEREAS, the Town and the City wish to amend the 1989 Orderly Annexation Resolution and Agreement to reflect changed circumstances occurring since the time of the original Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF HAVEN AND THE CITY OF ST. CLOUD:

That the Joint Resolution for Orderly Annexation dated August 21, 1989 is amended as follows:

1. Description of Area to be Annexed: That paragraph "1." of the 1989 agreement is amended by adding a new subparagraph B which shall read as follows:

B. That area set for on the attached map as Exhibit 3, legally described on the attached Exhibit 4.


2. Conditions for Annexation: That paragraph "4." of the 1989 agreement is amended to read as follows:

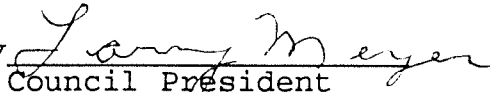
4. Conditions for Annexation. The City and the Town mutually state that this resolution sets forth all of the conditions for annexation of the areas designated herein for orderly annexation and that no consideration by the Board is necessary, the Board may review and comment, but shall, within thirty (30) days, order annexation of the area described in subparagraphs A and B above with the annexations of subparagraph A being subject to the provisions of paragraphs 5 and 6 herein.

This resolution adopted by the City Council this 21st day of September, 1992.

Attested:

City of St. Cloud, Minnesota

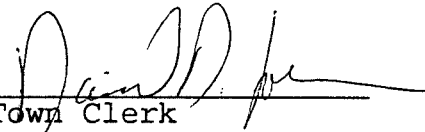
By 
City Clerk


By 
Council President

This resolution adopted by the Town Board of Supervisors
this 29th day of Sept., 1992.

Attested:

Town of Haven, Minnesota

By 
Town Clerk
Chairman, Board of Supervisors

By 

This Agreement Drafted By:
St. Cloud City Attorney's Office
City Hall
400 2nd Street South
St. Cloud, MN 56301
612-255-7204

REC'D. BY NOV 09 1992
MMB

North
Scale 1"=600'

EXHIBIT

3

5

R5

WOODLAND RD

OAK ST

DR

16TH AVE

BIRCH

PINE

WOODLAND PK

PARK

R1

C5

C5

R5

R5

11

R5

C5

AREA SUBJECT TO
ANNEXATION (2.802 acres±)

Corporate Boundary

BURLINGTON

NORTHERN

RAILROAD

INC.

*

R1

R2

C2

*

ELD

14 TH

NW CORNER OF THE NW1/4
OF THE NW1/4 OF SECTION 6,
T35N. R30W. SHERBURNE
COUNTY MONTGOMERY

REC'D. BY
M M B
NOV 09 1992

RBJ INDUSTRIES
FINAL PLAT

UNITED STATES

HIGHWAY

NORTH LINE OF THE NW1/4 OF THE NW1/4

N 90° 00' 00" E

465.42

SOUTHERLY RIGHT OF WAY LINE OF U.S. HWY 10

C/2 EAST/BOUND LINE

7TH ST. SE

7TH ST. SE

OUTLOT A

AREA SUBJECT TO
ANNEXATION (2.802 acres)

OUTLOT B

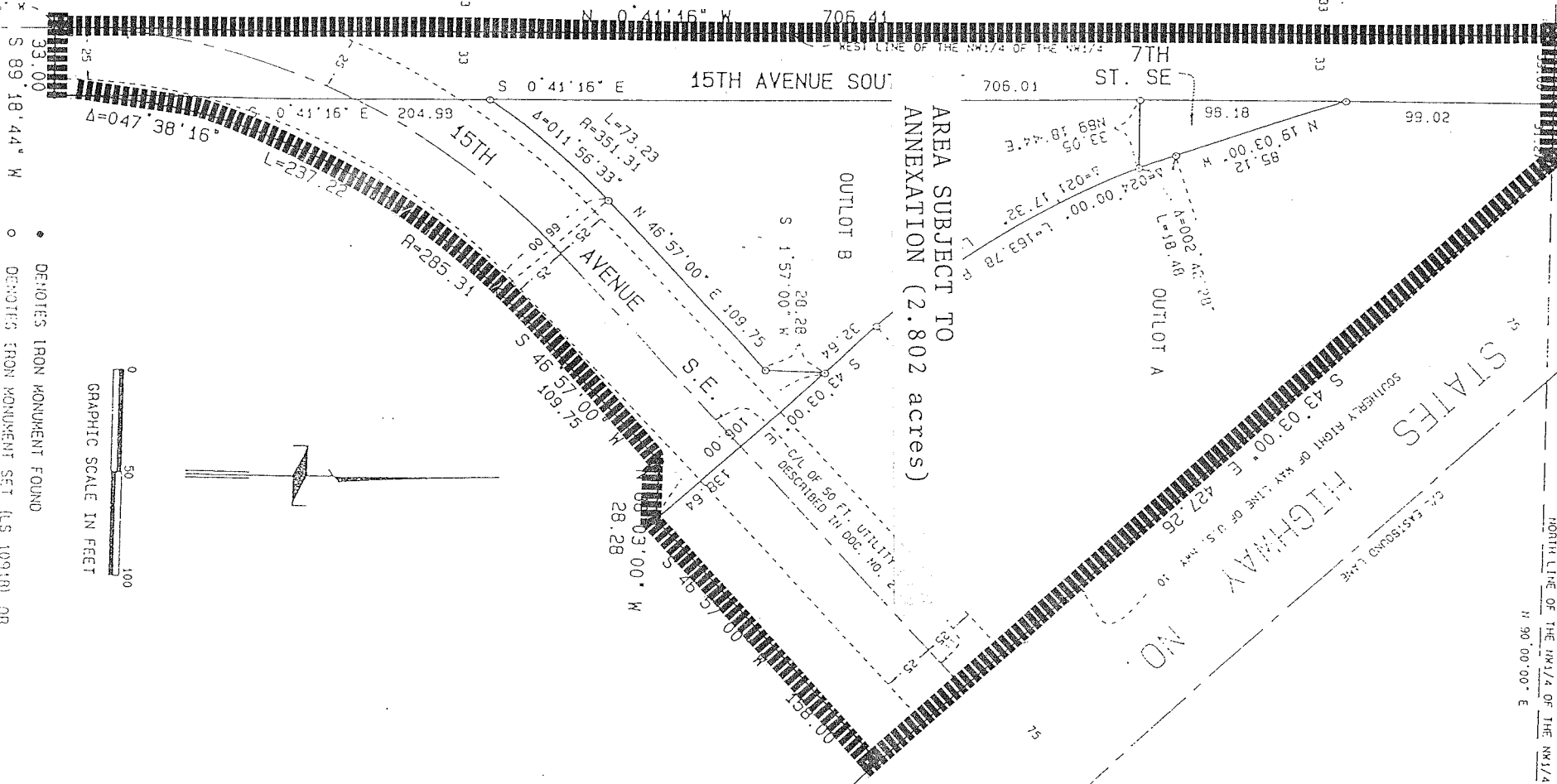
15TH AVENUE SOUTH

SAINT

8TH ST. SE

VACATED

EAST



GRAPHIC SCALE IN FEET



• DENOTES IRON MONUMENT FOUND
○ DENOTES IRON MONUMENT SET (L.S. 10918) OR

LEGAL DESCRIPTION:

That part of the Northwest Quarter of the Northwest Quarter of Section 6, Township 35 North, Range 30 West, Sherburne County, Minnesota, described as follows: Beginning at the northwest corner of the said Northwest Quarter of the Northwest Quarter; thence North 90 degrees 00 minutes 00 seconds East, assumed bearing, along the north line of the said Northwest Quarter of the Northwest Quarter, a distance of 64.27 feet to the southerly right of way line of United State Highway Number 10; thence South 43 degrees 03 minutes 00 seconds East, along said right of way line, a distance of 427.26 feet; thence South 46 degrees 57 minutes 00 seconds West a distance of 158.00 feet; thence North 88 degrees 03 minutes 00 seconds West a distance of 28.28 feet; thence South 46 degrees 57 minutes 00 seconds West a distance of 109.75 feet; thence southwesterly and southerly along a tangential curve, concave to the east, having a radius of 285.31 feet and a central angle of 47 degrees 38 minutes 16 seconds, a distance of 237.22 feet to a line 33.00 feet east of, as measured at right angles to, the west line of the said Northwest Quarter of the Northwest Quarter; thence South 89 degrees 18 minutes 44 seconds West, radial to said curve, a distance of 33.00 feet to the west line of the said Northwest Quarter of the Northwest Quarter; thence North 0 degrees 41 minutes 16 seconds West, along said west line, a distance of 706.41 feet to the point of beginning. Containing 2.802 acres, more or less, and is subject to easements of record.