

BEFORE THE ACTING DIRECTOR OF THE OFFICE OF
STRATEGIC AND LONG RANGE PLANNING
OF THE STATE OF MINNESOTA

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF ST. CLOUD)
AND THE TOWN OF HAVEN PURSUANT TO) ORDER
MINNESOTA STATUTES 414)

WHEREAS, a joint resolution for orderly annexation was adopted by the City of St. Cloud and the Town of Haven; and

WHEREAS, a resolution was received from the City of St. Cloud indicating their desire that certain property be annexed to the City of St. Cloud pursuant to M.S. 414.0325; and

WHEREAS, M.S. 414.0325 states that in certain circumstances the Director of the Office of Strategic and Long Range Planning may review and comment, but shall within 30 days order the annexation pursuant to said subdivisions; and

WHEREAS, on February 27, 2003, the Acting Director of the Office of Strategic and Long Range Planning has reviewed and accepted the resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the joint resolution to the City of St. Cloud, Minnesota, the same as if it had originally been made a part thereof:

That part of Government Lots Two (2) and Three (3), Section Twelve (12), Township Thirty-five (35), Range Thirty-one (31), according to the United States Government Survey thereof, Sherburne County, Minnesota lying West of the center line of the public highway formerly known as the Military Road, now designed County State Aid Highway No. 8, running from St. Cloud to Clear Lake, as said center line existed prior to March 1992, excepting there from the following described

3 tracts, to-wit:

Tract 1: That part of said Government Lot 2 bounded by a line described as beginning at the point of intersection of the center line of said CSAH No. 8, with the North line of said Government Lot 2, thence running West on the North line of said Government Lot 2 a distance of 400 feet; thence running South parallel to the center line of said highway, a distance of 145 feet; thence running East, on a line parallel to the North line of said Government Lot 2, a distance of 400 feet to the center line of said highway; thence running Northerly on the center line of said highway to the point of beginning and there terminating.

Tract 2: That part of said Government Lot 2 bounded by a line described as beginning at the point of intersection of the center line of said CSAH No. 8, with the North line of said Government Lot 2, thence running West on the North line of said Government Lot 2 a distance of 400 feet; thence running South parallel to the center line of said highway, a distance of 125 feet to the actual point of beginning of the parcel herein described; thence running East, on a line parallel to the North line of said Government Lot 2, a distance of 400 feet to the center line of said highway; thence running Southerly on the center line of said highway a distance of 28 feet; thence running West on a line parallel to the North line of Said Government Lot 2 a distance of 400 feet; thence North parallel to the centerline of said highway to the point of beginning and there terminating.

The parcel herein conveyed is intended to be attached to and contiguous with: That part of said Government Lot 2 bounded by a line described as beginning at the point of intersection of the centerline of said CSAH No. 8, with the North line of said Government Lot 2, thence running West on the North line of said Government Lot 2 a distance of 400 feet; thence running South parallel to the centerline of said highway, a distance of 125 feet; thence running East, on a line parallel to the North line of said Government Lot 2, a distance of 400 feet to the center line of said highway; thence running Northerly on the center line of said highway to the point of beginning and there terminating.

Tract 3: That part of said Government Lot 3 described as beginning at the intersection of the center line of said CSAH No. 8 and the South line of said Government Lot 3; thence West on the South line of said Government Lot 3 a distance of 883 feet; thence Northerly and parallel to the center line of said highway a distance of 400 feet; thence East and parallel with the South line of said Government Lot 3 to a point 400 feet West of the center line of said highway; thence Northerly and parallel with said center line a distance of 110 feet; thence East and parallel with the South line of said Government Lot 3, to the center line of said highway; thence Southerly on the center line of said highway to the point of beginning and there terminating.

Tract 2

That part of Government Lot 2, Section 12, Township 35, Range 31, Sherburne County, Minnesota, bounded by a line described as beginning at the point of intersection of the centerline of said CSAH No. 8, with the North line of said Gov't Lot 2, thence running West on the North line of said Gov't Lot 2 a distance of 400 feet; thence running South parallel to the centerline of said highway, a distance of 125 feet to the actual point of beginning of the parcel herein described; thence running East, on a line parallel to the North line of said Gov't Lot 2, a distance of 400 feet to the centerline of said highway; thence running Southerly on the centerline of said highway a distance of 28 feet; thence running West on a line parallel to the North line of said Gov't Lot 2 a distance of 400 feet; thence North parallel to the centerline of said

highway to the point of beginning and there terminating.

The parcel herein conveyed is intended to be attached to and be contiguous with: That part of said Gov't Lot 2 bounded by a line described as beginning at the point of intersection of the centerline of said CSAH No. 8, with the North line of said Gov't Lot 2; thence running West on the North line of said Gov't Lot 2 a distance of 400 feet; thence running South parallel to the centerline of said highway, a distance of 125 feet; thence running East, on a line parallel to the North line of said Gov't Lot 2, a distance of 400 feet to the centerline of said highway; thence running Northerly on the centerline of said highway to the point of beginning and there terminating. Grantee agrees not to convey the parcel herein conveyed separately from said part of Gov't Lot 2, except as a part of duly recorded plat.

Grantor certifies that grantor does not know of any wells on the described real property.

Tract 1: That part of said Government Lot 2 bounded by a line described as beginning at the point of intersection of the center line of said CSAH No. 8, with the North line of said Government Lot 2, thence running West on the North line of said Government Lot 2 a distance of 400 feet; thence running South parallel to the center line of said highway, a distance of 145 feet; thence running East, on a line parallel to the North line of said Government Lot 2, a distance of 400 feet to the center line of said highway; thence running Northerly on the center line of said highway to the point of beginning and there terminating.

That part of Section Twelve (12), Township Thirty-five (35) North, Range Thirty-one (31) West, Sherburne County, Minnesota, and that part of the Mississippi River described as follows:

Beginning at a point where the shoreline of the Mississippi River intersects the north line of Government Lot Two (2) of said Section Twelve (12); thence southerly along said shoreline to its intersection with the south line of Government Lot Three (3) of said Section Twelve (12); thence westerly along a westerly extension of the south line of said Government Lot Three (3) to the thread of stream of the Mississippi River; thence northerly along said thread of stream to its intersection with the north line of said Government Lot Two (2) extended westerly; thence easterly along said westerly extension of the north line of Government Lot Two (2) to the point of beginning and there terminating.

IT IS FURTHER ORDERED: That the tax rate of the City of St. Cloud on the property herein ordered annexed shall be increased in substantially equal proportions over a period of six

years to equality with the tax rate of the property already within the city.

Dated this 27th day of February, 2003.

For the Acting Director of the Office of Strategic &
Long Range Planning
658 Cedar Street - Room 300
St. Paul, Minnesota 55155

A handwritten signature in cursive script that reads "Christine M. Scotillo".

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-203-4, the Acting Director of Strategic and Long Range Planning finds and makes the following comment:

Planning in the area designated for orderly annexation must be provided for by one of three provisions set forth in Minnesota Statutes Section 414.0325, Subd. 5. The joint resolution does not make reference to which of the three statutory provisions the parties have agreed on to govern planning in the designated area.

The parties are encouraged to consider this comment in light of any further amendments that may be otherwise necessary to this agreement for orderly annexation. *CMS*