

Municipal Board Docket No. _____
City Resolution No. 1996-5-145
Town Resolution No. R-2-96

**THIRD AMENDMENT TO THE JOINT RESOLUTION
FOR ORDERLY ANNEXATION BETWEEN THE TOWN
OF HAVEN AND THE CITY OF ST. CLOUD AND PETITION
FOR PARTIAL REZONING WITHIN THE TOWN**

WHEREAS, the City of St. Cloud (City) and the Town of Haven (Town) are parties to a Joint Resolution as to Orderly Annexation (Agreement) dated on or about August 21, 1989 (Municipal Board Docket No. OA-203), the First Amendment to the Agreement, dated on or about September 21, 1992, and the Second Amendment to the Agreement, dated on or about April 18, 1994; and

WHEREAS, the City is the owner of the St. Cloud Regional Airport. That facility consists of approximately 1,400 acres. No persons reside on the airport premises. The airport lies within the Town of Haven, Sherburne County, Minnesota; and

WHEREAS, as the airport has developed and activity increased the need for regulating and servicing of the facility as part of the City has become apparent, and

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

WHEREAS, the Town and City also recognize the need to preserve the airport corridor and surrounding land from development pressures. They recognize the economic and ecological benefits to the region in continuing the long-term agricultural use of the land surround the airport; and

WHEREAS, the Town and City wish to amend the 1989 Orderly Annexation Agreement to bring it into conformity with the requirements of Minnesota Statutes Sections 414.0325 (5) as it relates to zoning administration within the orderly annexation area designated as parcels A through E1.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TOWN OF HAVEN AND THE COUNCIL FOR THE CITY OF ST CLOUD:

1. The property legally described in Exhibit A (Airport) as set forth on the attached map in Exhibit B is designated for orderly annexation in accordance with the 1989 Agreement.
2. The Airport is appropriate for orderly annexation. No alteration of its stated boundary is appropriate, nor is consideration by the Municipal Board necessary. Therefore, the Municipal Board may review and comment, but shall order the annexation within thirty days in accordance with the terms of this agreement.
3. The Town and City hereby jointly petition the Sherburne County Planning Board and Sherburne County Commissioners to amend the Sherburne County Zoning Map to include additional areas into Agricultural Use, as defined by Sherburne County Zoning Ordinances, and as shown on the map attached as Exhibit C. The request is further made that the rezoning take place as soon as possible.
4. That the 1989 Orderly Annexation Agreement is hereby amended so that a three member board under Minnesota Statutes Section 414.0325 (5)(c) is created to consist of one member appointed by Sherburne County, one by the Town and one by the City. This Board shall operate with all powers granted to it under Section 414.0325 (5)(c). In the event either Sherburne County, the Town or City receive any zoning request affecting land, designated as

parcels A through E1 in the Orderly Annexation Agreement, they shall also give notice to the Sherburne County Zoning Office, the Town, and the City, as the case may be. The Sherburne and City planning agencies should then jointly coordinate and call a meeting of the three member committee at a convenient time and place. This provision shall not apply to any property annexed to the City prior to action on the zoning request. The City, Town and County shall notify each other of the person selected for the committee within thirty days of the approval of this amendment by the City and Town.

5. All other terms and provisions of the Agreement and the amendments thereto, shall remain in full force and effect.

This resolution adopted by the St. Cloud City Council the 20th day of May, 1996.

Jonny Hayden Berg
Council President

Attest:

Shirley A. Englund
City Clerk

This resolution adopted by the Town of Haven Board of Supervisors the 20 day of May, 1996.

L. N. Pauley
Chair

REC'D. BY JUN 06 1996
M M R

EXHIBIT A
ORDERLY ANNEXATION AGREEMENT
ST. CLOUD REGIONAL AIRPORT PROPERTIES

The properties to be annexed to the City of St. Cloud pursuant to this Orderly Annexation Agreement are legally described as follow:

Southeast Quarter of Section Three, (SE 1/4 of Sec. 3);
West Half of Section Three, (W 1/2 of Sec 3);
East Half of Section Four, (E 1/2 of Sec. 4);
Northeast Quarter of Section Nine, (NE 1/4 of Sec. 9);
North Half of Section Ten, (N 1/2 of Sec. 10);
Northeast Quarter of the Southeast Quarter of Section Ten (NE 1/4 of SE 1/4 of Sec. 10);
Southwest Quarter of the Northwest Quarter of Section Eleven (SW 1/4 of NW 1/4 of Sec. 11);
Northwest Quarter of the Southwest Quarter of Section Eleven (NW 1/4 of SW 1/4 of Sec. 11);

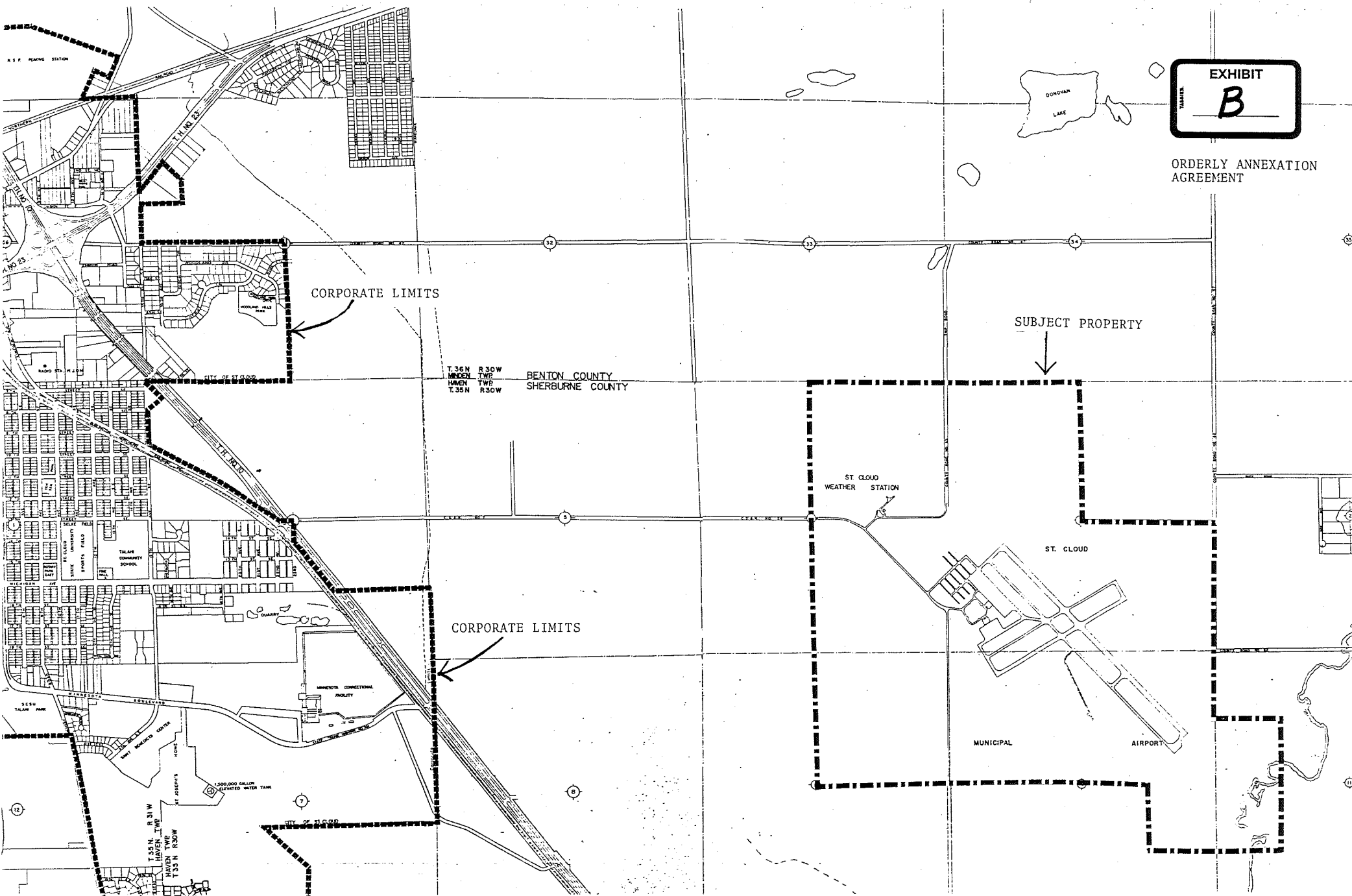
All in Township Thirty-Five North, Range Thirty West (T35N - R30E), Sherburne County,
Minnesota.

REC'D. BY
M M R JUN 06 1996

EXHIBIT

B

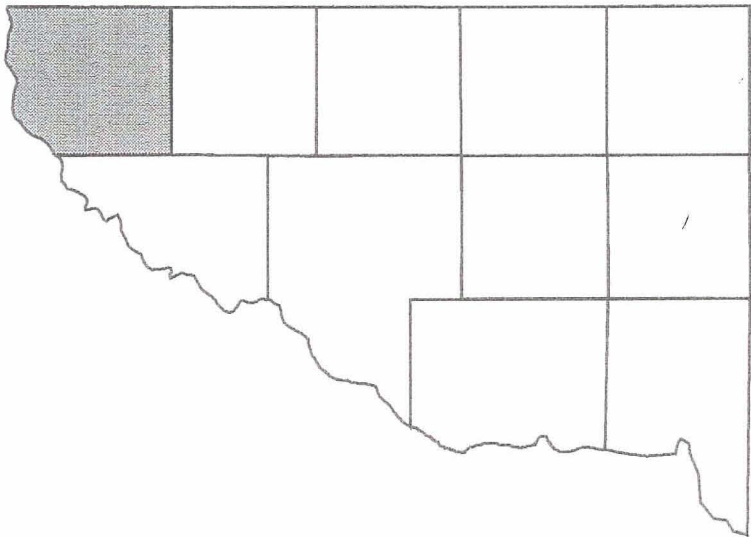
ORDERLY ANNEXATION
AGREEMENT



HAVEN

REC'D. BY

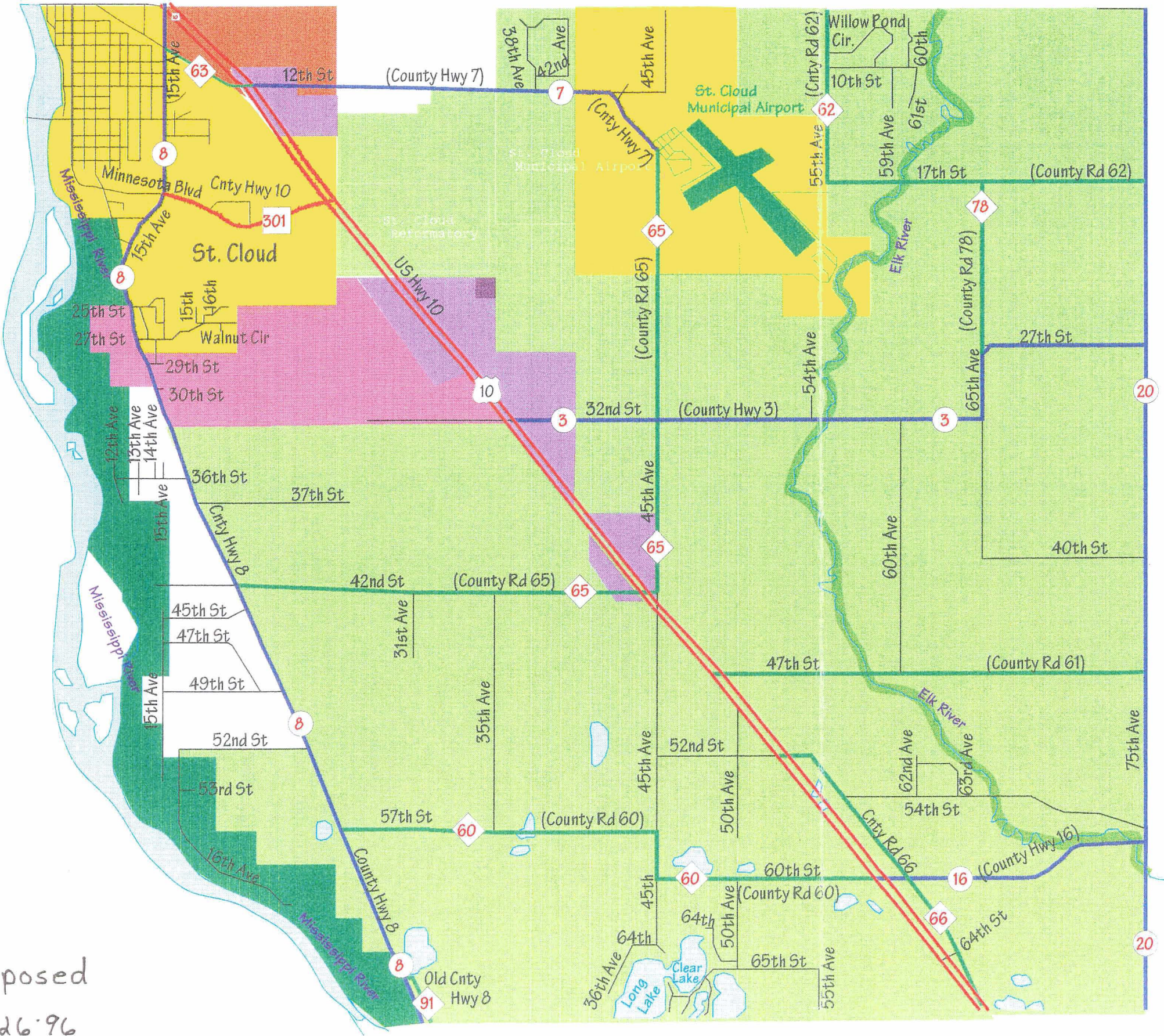
JUN 06 1996



Legend

	Recreational Use		Agricultural Use
	Commercial Use		Special Use District
	General Rural		Urban Expansion
	Industrial Use		City Limits
	Heavy Industrial Use		

Forested River
 Transitional River
 Agricultural River



Proposed

4.26.96

City Resolution No. 1994-4-152

Town Resolution No. 294

SECOND AMENDMENT TO THE JOINT RESOLUTION
FOR ORDERLY ANNEXATION BETWEEN THE
TOWN OF HAVEN AND 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 ("Agreement") dated on or about August 21, 1989 which affects an area of the Town described in said resolution; and,

WHEREAS, the owners of an approximate 131 acre tract of land, Gillitzer Properties, Inc., have petitioned the City and Town for annexation of said property to the City to facilitate residential development of the property with full municipal services, including sanitary sewer and municipal water service; and,

WHEREAS, the subject property is identified in the Joint Resolution as to Orderly Annexation dated on or about August 21, 1989, as all of Parcel F and most of Parcel G; and,

WHEREAS, the subject property abuts the corporate limits of the City of St. Cloud on the eastern boundary of "Wayside Addition" which was annexed to the City of St. Cloud in 1988; and,

WHEREAS, several meetings were held over the course of a 1+ year time period between representatives of the Town, City, property owner, and owners of abutting property to address issues and concerns relating to transportation routes and facilities, development densities, storm drain system needs, and other similar matters; and,

WHEREAS, the Town and 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 COUNCIL FOR THE CITY OF ST. CLOUD:

1. The property legally described in Exhibit A ("subject property") as set forth on the attached map in Exhibit B is designated for orderly annexation in accordance with the 1989 Agreement.

2. The Town does, upon passage of this resolution, and its adoption by the City, confer jurisdiction upon the Minnesota Municipal Board to approve annexation of the subject property pursuant to Minnesota Statutes 414.0325.

3. The subject property is appropriate for orderly annexation. No alteration of its stated boundary is appropriate, nor is consideration by the Municipal Board necessary. Therefore, the Municipal Board may review and comment, but shall order the annexation within thirty (30) days in accordance with the terms of this resolution.

4. No step-up in tax rate shall be provided to the subject property.

5. The City agrees that no construction of public utilities nor issuance of any building permits for the subject property will occur until such time as official approval for a public right-of-way easement is received to facilitate the construction of a north-south collector street that extends southerly from Minnesota Boulevard to the northern boundary of the subject property.

6. The City agrees that no more than twenty-nine (29) single family dwelling units shall be allowed to be constructed prior to the City commencing construction of a north-south collector street that extends southerly from Minnesota Boulevard to the northern boundary of the subject property.

7. The City agrees that the subject property will be zoned "Planned Unit Development" with allowed uses and development standards that are consistent with the City's Land Use Plan as adopted on September 20, 1993 for the subject property. The City acknowledges that abutting property to the east and south of the subject property are primary agriculture land with active farming operations that continue to have the right to use all typical and historically used farming practices (e.g. crop dusting and spraying, pre-dawn harvesting activities, etc.). The City acknowledges the presence of industrial operations, i.e., Granite City Ready-Mix in the vicinity of the subject property and agrees that these companies have the right to continue all typical and previously committed practices authorized under the laws and regulations of Haven Township, Sherburne County and the State of Minnesota. City agrees to notify the Town of all public hearings conducted to create said Planned Unit Development (PUD) zoning. The City agrees that appropriate development standards will be needed to buffer the development proposed for the subject property from abutting agricultural land uses. City agrees that the delineation of all wetlands on the subject property will be included on the preliminary and final plat(s) for the subject property. The City agrees to notify the Town of all public hearings conducted to create said Planned Unit Development (PUD) zoning and for any conditional use permit(s) considered for development on the subject property.

8. The City agrees that the transportation features as essentially depicted in the attached development concept plan (Exhibit C) for the subject property will be incorporated in the preliminary and final plat(s) approved by the City for the subject property. The City further agrees that pedestrian oriented facilities, such as sidewalks and/or trails, will be required in the development of the subject property.

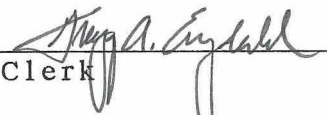
9. The City and Town agree that it is desirable and in the best interest of the two jurisdictions to create a "joint planning committee" to review, discuss, and offer recommendations to the Town Board and City Council on land use and development matters of mutual interest and concern to the two jurisdictions.

10. All the other terms and provisions of the Joint Resolution for Orderly Annexation dated on or about August 21, 1989, and all subsequent amendments thereto, shall remain in full force and effect.

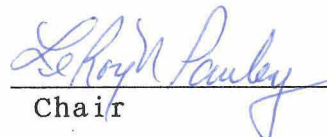
This resolution adopted by the St. Cloud City Council the 18th day of April, 1994.


Council President

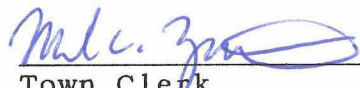
Attest:


City Clerk

This resolution adopted by the Town of Haven Board of Supervisors the 27th day of April, 1994.


Chair

Attest:


Town Clerk

REC'D BY MAY 09 1994
MMA

EXHIBIT A - Legal Description

The West Half of the Southwest Quarter except the North 455 feet thereof;

The Northeast Quarter of the Southwest Quarter lying Southwest of a line extending from the Southeast corner thereof to the Northwest corner thereof, excepting therefrom a tract of land described as follows: Beginning at the Northwest corner of the Northeast Quarter of the Southwest Quarter; thence South on a line bearing 45 degrees East a distance of 643.5 feet; thence due West to the West line of said Northeast Quarter of the Southwest Quarter; thence North along the West line of said Northeast Quarter of the Southwest Quarter to the point of beginning and there terminating;

The Southeast Quarter of the Southwest Quarter;

all in Section 7, Township 35, Range 30, Sherburne County, Minnesota.

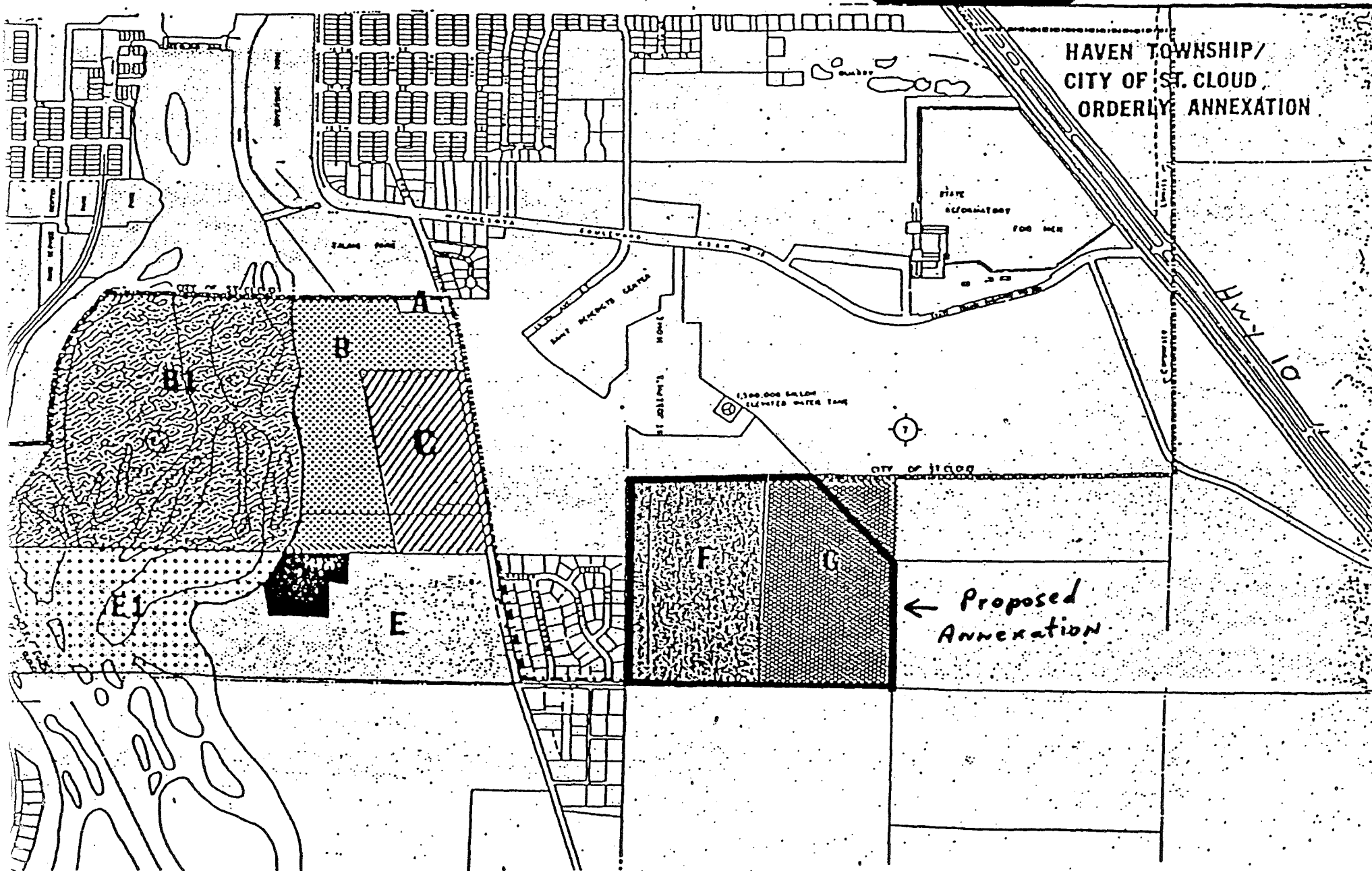
↑
North

REC'D. BY MAY 09 1994
MMB

EXHIBIT

B

HAVEN TOWNSHIP/
CITY OF ST. CLOUD
ORDERLY ANNEXATION



REC'D BY MAY 09 1994

EXHIBIT

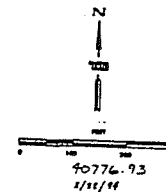
C

PROPOSED PLAT STERLING HEIGHTS

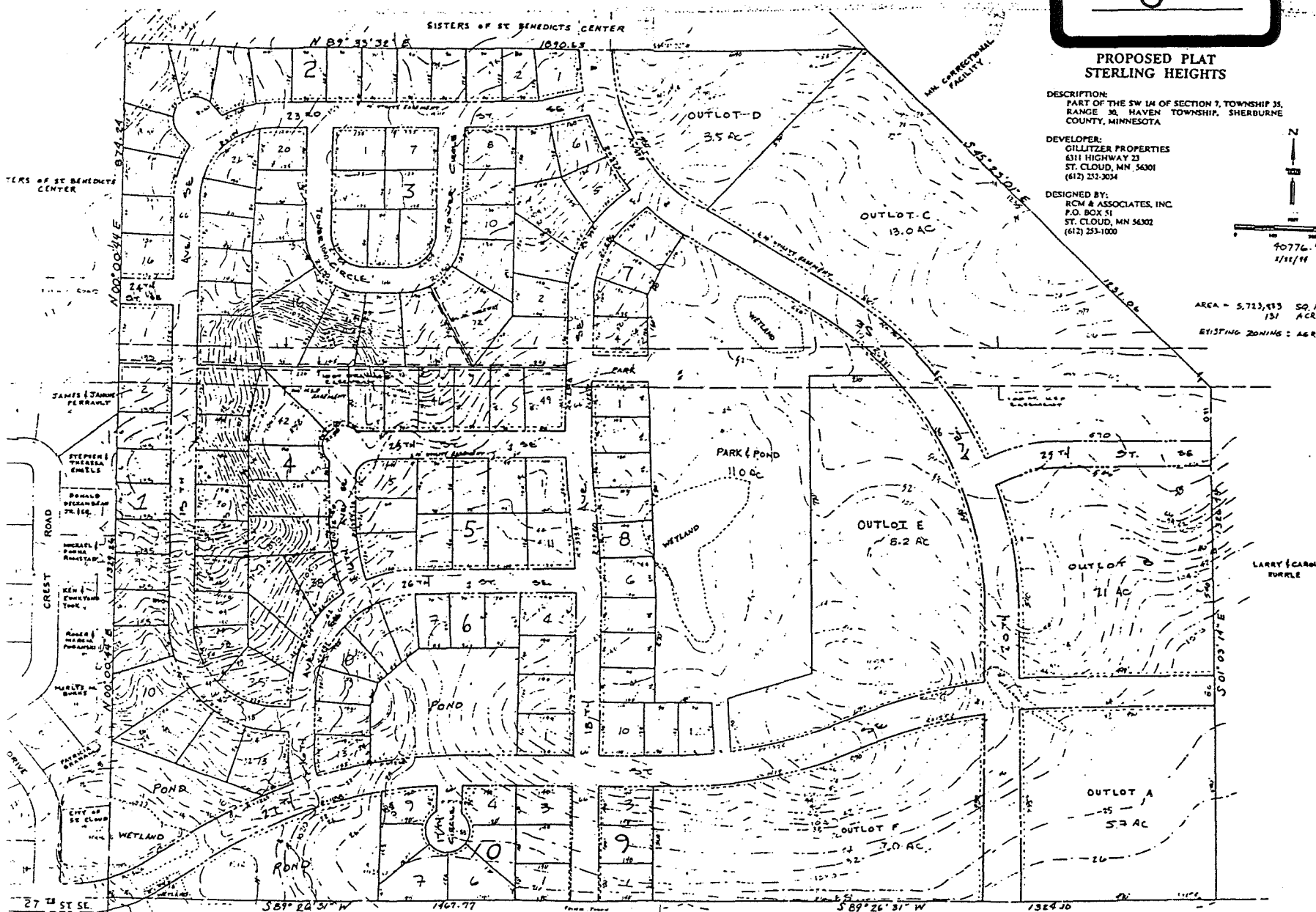
DESCRIPTION:
PART OF THE SW 1/4 OF SECTION 7, TOWNSHIP 35,
RANGE 34, HAVEN TOWNSHIP, SHERBURNE
COUNTY, MINNESOTA

DEVELOPER:
GILLITZER PROPERTIES
6311 HIGHWAY 23
ST. CLOUD, MN 56301
(612) 253-3034

DESIGNED BY:
RCM & ASSOCIATES, INC.
P.O. BOX 51
ST. CLOUD, MN 56302
(612) 253-1000



AREA - 5,723,913 SQ. FT.
131 ACRES
EXISTING ZONING: AGRICULTURE



**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:

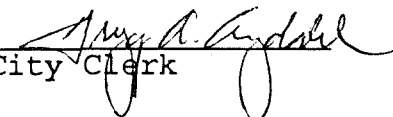
4. Conditions for Annexation. The City and the Town mutually state that this resolution sets forth all of the conditions for annexation of the areas designated herein for orderly annexation and that no consideration by the Board is necessary, the Board may review and comment, but shall, within thirty (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.

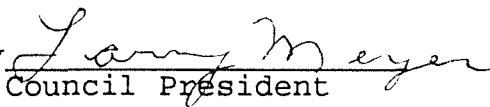
Attested:

City of St. Cloud, Minnesota

By


City Clerk

By

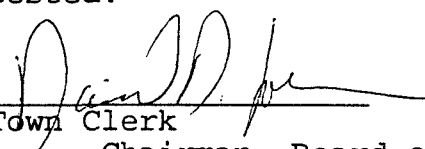

Council President

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

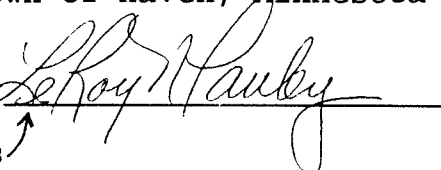
Attested:

Town of Haven, Minnesota

By


Town Clerk

By


Chairman, Board of Supervisors

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
MMB
NOV 09 1992

↑
North
Scale 1"=600'

EXHIBIT

3

5

R5

R1

C5

C5

R5

AREA SUBJECT TO
ANNEXATION (2.802 acres±)

Corporate Boundary

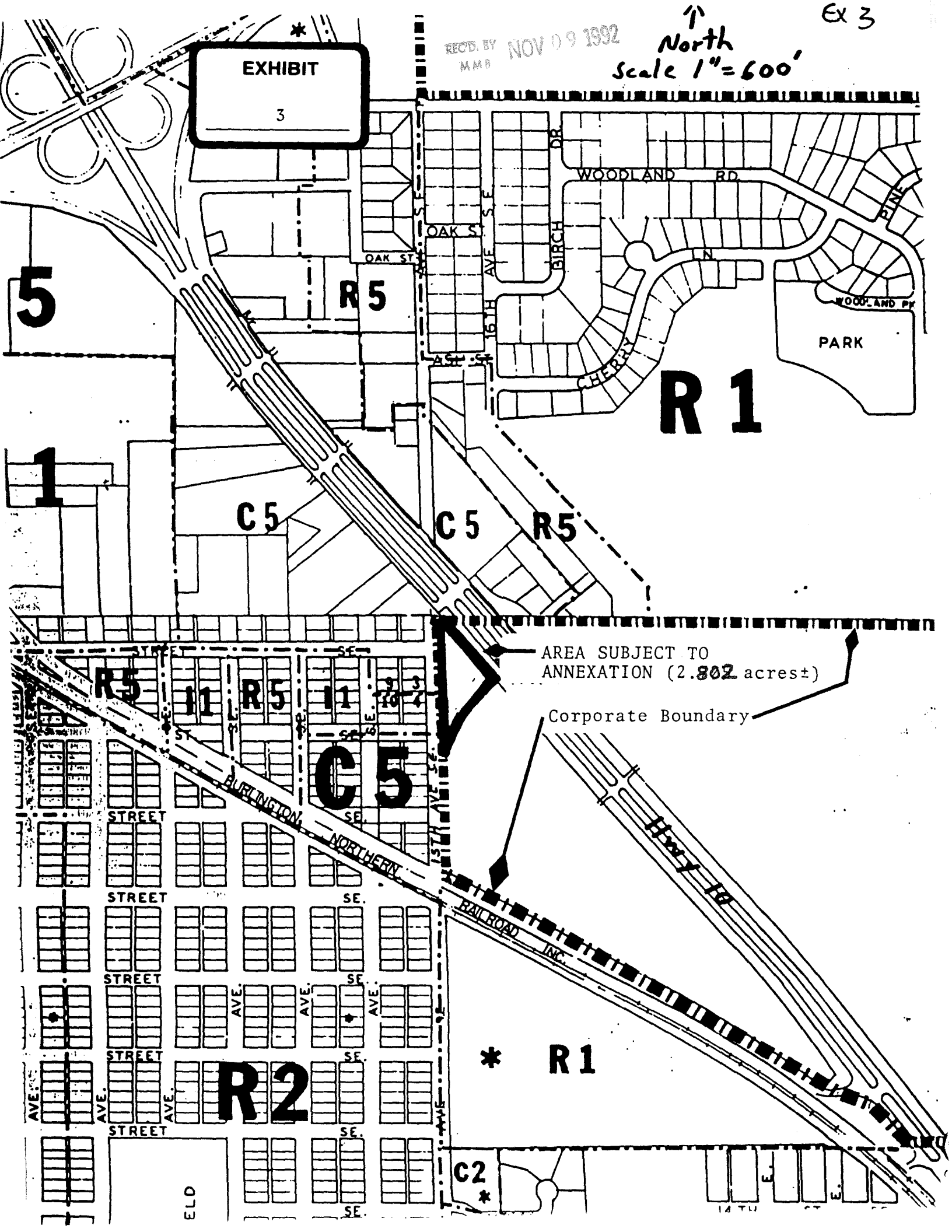
C5

R2

* R1

C2 *

ELD



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

UNITED RBJ INDUSTRIES

FINAL PLAT

NORTH LINE OF THE NW1/4 OF THE NW1/4
N 90°00'00" E 465.42

REC'D. BY
MIMB
NOV 09 1992

CLOUD

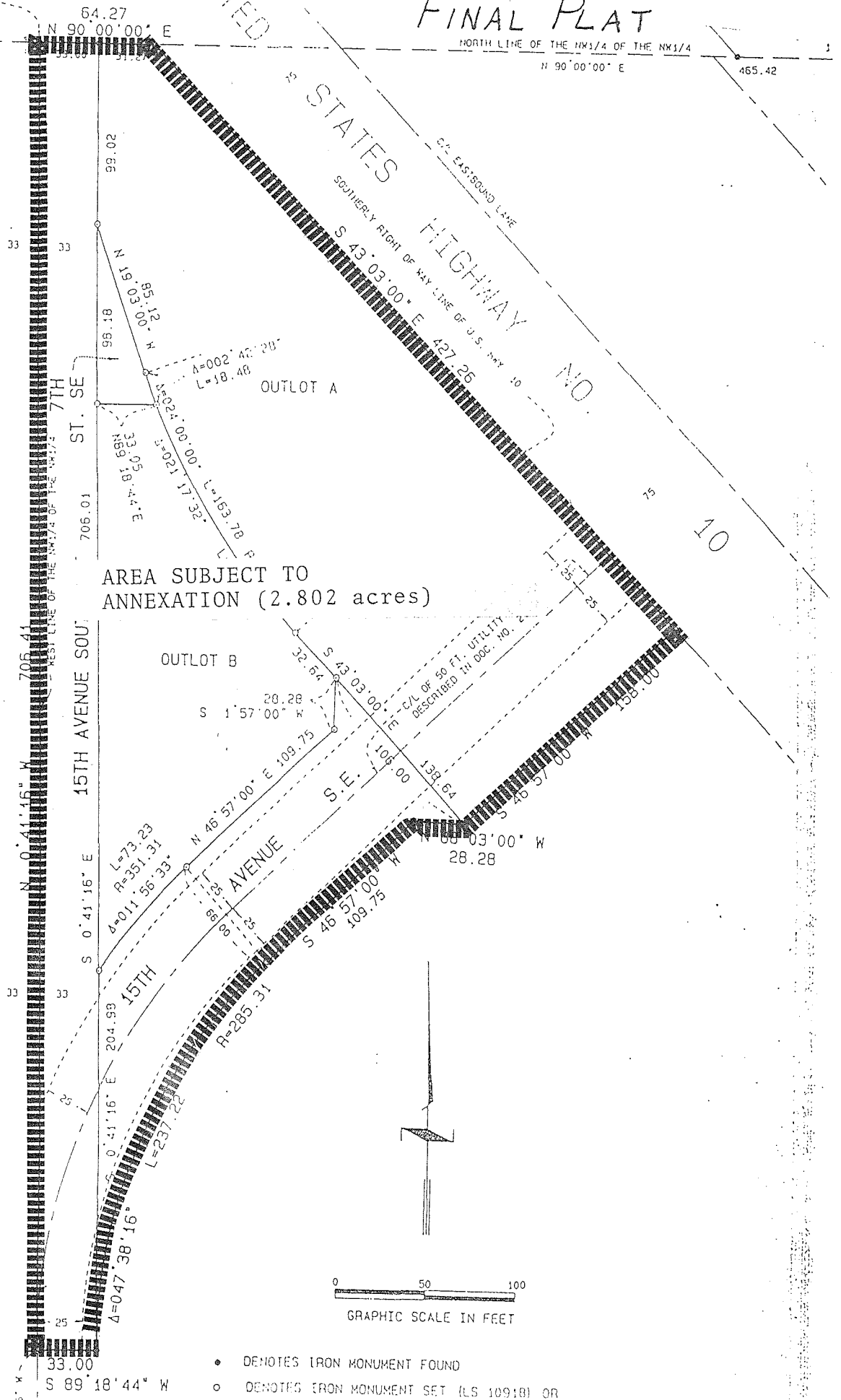
7TH ST. SE

SAINT

8TH ST. SE

VACATED

EAST



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.

City of St. Cloud Resolution No. 1989-8-257

JOINT RESOLUTION AS TO ORDERLY ANNEXATION
BY AND BETWEEN THE CITY OF ST. CLOUD AND
THE TOWN OF HAVEN

WHEREAS, the City of St. Cloud (the "City") and the Town of Haven (the "Town") desire to provide for the orderly development and extension of services to areas of the Town that are or are about to become urban or suburban in character; and

WHEREAS, the City and the Town wish to encourage development and extension of services to those properties which are contiguous to the City limits prior to properties which are not adjacent to the City boundaries; and

WHEREAS, the City and the Town have reached an agreement which is in the best interests of both citizens of the City and the citizens of the Town.

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

1. Description of Area to be Annexed. That the following described areas are properly subject to orderly annexation under and pursuant to Minnesota Statutes §414.0325, and the parties do hereby designate these areas for orderly annexation as provided by statute:

A. That area set forth on the attached map (Exhibit 1) as areas "A" through "G". Legal Description Attached as Exhibit 2.

2. Municipal Board Jurisdiction. That upon approval by the parties, this agreement shall confer jurisdiction upon the Minnesota Municipal Board (the "Board") so as to accomplish said orderly annexation in accordance with the terms of this agreement.

3. No Alterations of Boundaries. The City and the Town mutually state that no alteration by the Board of the boundaries of those areas designated herein for orderly annexation is appropriate.

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, subject to the provisions of paragraphs 5 and 6 herein.

5. Petition for Annexation of Areas "A" Through "G". The City and the Town mutually state that properties in the areas designated as "A" through "G", as shown on Exhibit 1 and legally described as Exhibit 2, or a portion thereof shall be annexed to the City by the Board upon the petition to the City by a majority

of the property owners involved and receipt by the Board of the City's resolution requesting annexation of the petitioned property, subject to the provisions of paragraph 6 herein.

6. Procedure for Annexation of Areas "A" Through "G". Petitions for annexation shall be considered for properties in areas "A" through "G" only in alphabetical order. For example, no petitions for annexation shall be considered for properties in areas designated as "B", "B-1", "C", "D", "E", "E-1", "F", and "G" on the attached map, until the area designated as "A" has been annexed to the City. Similarly, no petitions for annexation shall be considered for properties in areas designated as "C", "D", "E", "E-1", "F", and "G" on the attached map, until the areas designated as "A", "B", and "B-1" have been annexed to the City, and so forth. The area designated as "B-1" shall automatically be annexed to the City, when the area designated as "B" has been annexed to the City as provided herein. The area designated as "E-1" shall automatically be annexed to the City, when the area designated as "E" has been annexed to the City as provided herein.

7. City Not to Initiate Annexation. The City will not initiate annexation within the Town for a period of fifteen (15) years from the date of this agreement unless petitioned for by a majority of the property owners involved. In any case, the petitioned properties must be contiguous to the City, and such annexation must not be contrary to the provisions of paragraph 6 herein.

8. Property Taxes. Any property annexed to the City pursuant to this agreement shall receive a property tax break consisting of a uniform graduated increase in mill rates from the Town rate to the City rate over a six (6) year period. (6/21/89)

9. Zoning and Planning Review. The City and the Town also agree that the City will be given an opportunity to review any applications for rezoning, variances, land development, or other land use proposals in the area designated for orderly annexation. The City shall promptly review such applications after their receipt and provide written comments to the Town. The Town shall consider the City's comments, if timely provided, in deliberating upon the land use proposal.

This resolution adopted by the City Council this 21st day of August, 1989.

Attested:

CITY OF ST. CLOUD, MINNESOTA

By

Aug. G. Engdahl
City Clerk

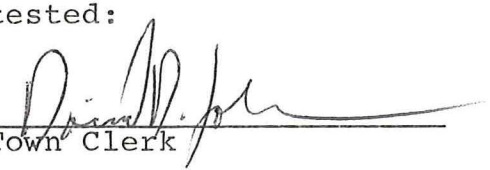
By

Charles D. Windham
Council President

This resolution adopted by the Town Board of Supervisors
this 21st day of August, 1989.

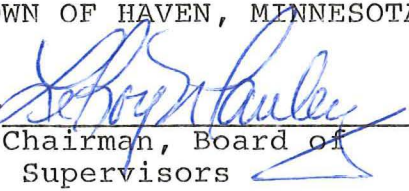
Attested:

By

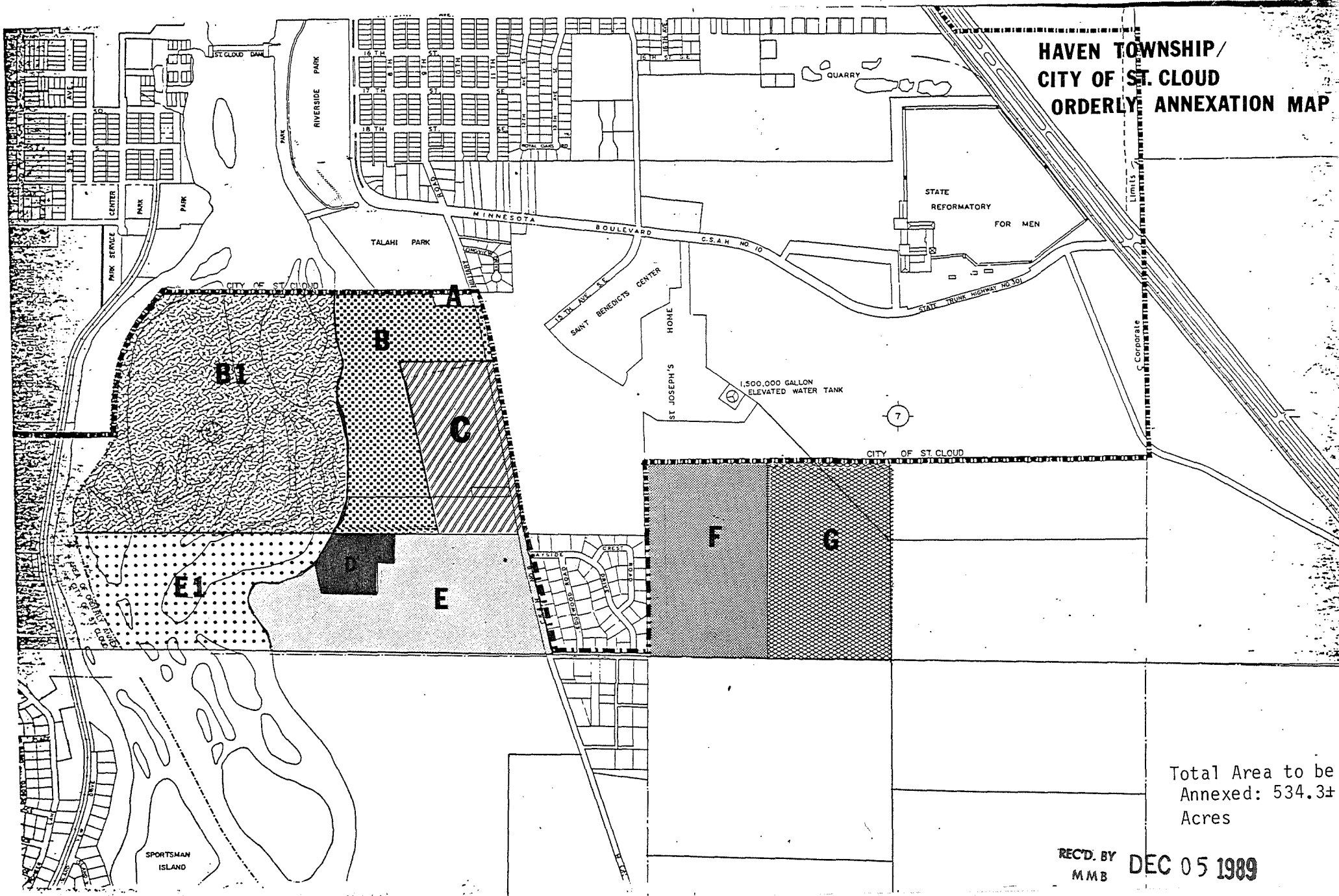

Town Clerk

TOWN OF HAVEN, MINNESOTA

By


Chairman, Board of
Supervisors

**HAVEN TOWNSHIP/
CITY OF ST. CLOUD
ORDERLY ANNEXATION MAP**



Total Area to be
Annexed: 534.3±
Acres

REC'D. BY
MMB DEC 05 1989

EXHIBIT 2

REC'D. BY DEC 05 1989
MMB

TRACT "A"

That part of Government Lot Two (2) of Section Twelve (12), Township Thirty-five (35) North, Range Thirty-one (31) West, Sherburne County, Minnesota, described as follows:

Beginning at a point where the easterly right-of-way line of County State Aid Highway No. 8 (formerly Military Road) intersects the north line of said Government Lot Two (2); thence southerly, along said easterly right-of-way line, 125 feet; thence westerly, and parallel with the north line of said Government Lot Two (2), 433 feet; thence northerly, and parallel with the centerline of said highway, 125 feet, to the north line of said Government Lot Two (2); thence easterly along said north line of Government Lot Two (2) to the point of beginning and there terminating. Containing 1.2 acres more or less.

TRACT "B"

That part of Government Lots Two (2) and Three (3) of Section Twelve (12), Township Thirty-five (35) North, Range Thirty-one (31) West, Sherburne County, Minnesota, described as follows:

Commencing at a point where the easterly right-of-way line of County State Aid Highway No. 8 (formerly Military Road) intersects the north line of said Government Lot Two (2); thence southerly, along said easterly right-of-way line, 125 feet, to the point of beginning of the tract to be described; thence continuing southerly, along the easterly right-of-way line of said highway, 675 feet; thence westerly, and parallel with the north line of said Government Lot Two (2), 983 feet; thence southerly, and parallel with the centerline of said highway, to the south line of Government Lot Three (3); thence westerly, along the south line of said Government Lot Three (3), to the shoreline of the Mississippi River; thence northerly along said shoreline to its intersection with the north line of Government Lot Two (2); thence easterly, along the north line of said Government Lot Two (2), to a point that is 400 feet westerly of the centerline of said highway; thence southerly, and parallel with the centerline of said highway, 125 feet; thence easterly, and parallel with the north line of said Government Lot Two (2), to the point of beginning and there terminating. Containing 61 acres, more or less.

TRACT "B1"

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. Containing 155 acres, more or less.

TRACT "C"

That part of Government Lots Two (2) and Three (3) of Section Twelve (12), Township Thirty-five (35) North, Range Thirty-one (31) West, Sherburne County, Minnesota, described as follows:

Commencing at a point where the easterly right-of-way line of County State Aid Highway No. 8 (formerly Military Road) intersects the north line of said Government Lot Two (2); thence southerly, along said easterly right-of-way line, 800 feet, to the point of beginning of the tract to be described; thence westerly, and parallel with the north line of said Government Lot Two (2), 983 feet; thence southerly, and parallel with the centerline of said highway, to the south line of said Government Lot Three (3); thence easterly, along the south line of said Government Lot Three (3), to the easterly right-of-way line of said highway; thence northerly along the easterly right-of-way line of said highway to the point of beginning and there terminating. Containing 38 acres, more or less.

TRACT "D"

That part of Government Lot Four (4), Section Twelve (12), Township Thirty-five (35) North, Range Thirty-one (31) West, Sherburne County, Minnesota, described as follows:

Beginning at a point where the north line of said Government Lot Four (4) intersects the easterly shoreline of the Mississippi River; thence east, along the north line of said Government Lot Four (4), 487.10 feet, more or less, to a point, said point being 1,320 feet west of the centerline of County State Aid Highway No. 8 (formerly Military Road); thence at right angles south 300 feet; thence at right angles west, and parallel with the north line of said Government Lot Four (4), 159.70 feet; thence at right angles south 331 feet; thence at right angles west, and parallel with the north line of said Government Lot Four (4), 600 feet; thence deflect 82 degrees to the right and in a northwesterly direction 332.20 feet, more or less, to the shoreline of the Mississippi River; thence northeasterly along said shoreline 440 feet, more or less, to the point of beginning and there terminating. Containing 9.10 acres, more or less.

TRACT "E"

That part of Government Lot Four (4), Section Twelve (12), Township Thirty-five (35) North, Range Thirty-one (31) West, Sherburne County, Minnesota, described as follows:

Beginning at a point where the easterly right-of-way line of County State Aid Highway No. 8 (formerly Military Road) intersects the north line of said Government Lot Four (4); thence west, along the north line of said Government Lot Four (4), to a point, said point being 1,320 feet west of the centerline of said highway; thence at right angles south 300 feet; thence at right angles west, and parallel with the north line of said Government Lot Four (4), 159.70 feet; thence at right angles south 331 feet; thence at right angles west, and parallel with the north line of said Government Lot Four (4), 600 feet; thence deflect 82 degrees to the right and in a northwesterly direction 332.20 feet, more or less, to the shoreline of the Mississippi River; thence westerly and southerly along said shoreline to its intersection with the south line of said Government Lot Four (4); thence east along the south line of said Government Lot Four (4) to the southeast corner thereof; thence continuing east along an easterly extension of the south line of said Government Lot Four (4) to the easterly right-of-way line of said highway; thence northerly along the easterly right-of-way line of said highway to the point of beginning and there terminating. Containing 75 acres, more or less.

TRACT "E1"

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 Four (4) of said Section Twelve (12); thence westerly and southerly along said shoreline to its intersection with the south line of said Government Lot Four (4); thence westerly along a westerly extension of the south line of said Government Lot Four (4) 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 Four (4) extended westerly; thence easterly along said westerly extension of the north line of Government Lot Four (4) to the point of beginning and there terminating. Containing 61 acres, more or less.

TRACT "F"

That part of Section Seven (7), Township Thirty-five (35) North, Range Thirty (30) West, Sherburne County, Minnesota, described as follows:

All of the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of said Section Seven (7) together with that part of the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) of said Section Seven (7) lying southerly of the present corporate limits of the City of St. Cloud. Containing 67 acres, more or less.

TRACT "G"

That part of Section Seven (7), Township Thirty-five (35) North, Range Thirty (30) West, Sherburne County, Minnesota, described as follows:

All of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of said Section Seven (7) together with that part of the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of said Section Seven (7) lying southerly of the present corporate limits of the City of St. Cloud. Containing 67 acres, more or less.