

JOINT RESOLUTION AND AGREEMENT AS TO ORDERLY ANNEXATION
BETWEEN THE TOWN OF ST. CLOUD AND CITY OF WAITE PARK

WHEREAS, the Town of St. Cloud ("Town") and the City of Waite Park ("City"), both of Stearns County, Minnesota, are in agreement as to the orderly annexation of certain land described herein for the purpose of orderly and planned services to the community; and

WHEREAS, the property proposed to be annexed includes certain roadway portions which are contained in the Town but are surrounded by property within the limits of the City.

NOW, THEREFORE, BE IT JOINTLY RESOLVED AND AGREED by the Town of St. Cloud and the City of Waite Park, as follows:

1. The following-described property in the Town ("subject property") is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325 and the parties hereto designate the area for orderly annexation as follows:

Annex County Aid Road #138 along the as traveled centerline with a width of 66.00 feet which extends northeasterly from the northerly right of way line of County Road #75 to 3rd Street North, except that part of said County Road #138 which has been previously annexed, said annexation lies in the Northwest Quarter of Section 17, Township 124 North, Range 28 West, Stearns County, Minnesota. Together with a triangular parcel which is a remnant of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said section 17, said triangular parcel being that part of said NE 1/4 NW 1/4 which lies northwest of the northwesterly right of way line of said County Road #138.

2. The Town does, upon passage of this resolution, and its adoption by the City, confer jurisdiction upon the

Minnesota Municipal Board to approve the annexation pursuant to Minnesota Statutes § 414.0325.

3. The above-described parcel contains 1.9 acres, and the population of said parcel is 0.

4. The reason for said annexation is to provide the Town and the City with a more orderly boundary in order to provide snowplowing, road upkeep, and public safety concerns taken care of and to lessen the confusion of which property is City property and which property is Town property.

5. The property described above is appropriate for orderly annexation. No alteration of its stated boundaries 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.

6. The parties hereto agree that the terms of this joint resolution and agreement shall have the full force and effect from the date of the order of the Minnesota Municipal Board calling for annexation of the subject property to the City.

7. This agreement may be amended or terminated by mutual, written agreement of the City and Town.

8. If any provision of this joint resolution and agreement is held by a court of competent jurisdiction to be invalid, illegal, or unenforceable, the balance of this instrument shall remain in effect, and if any provision is

inapplicable to any person or circumstance, it shall nevertheless remain applicable to all other persons and circumstances.

This resolution adopted by the Town of St. Cloud Board of Supervisors on this 20th day of November, 1989.

TOWN OF ST. CLOUD

By Marlyn Libbismier
Chairman
Board of Supervisors

ATTEST:

De Wayne L. Tfareck
Town Clerk

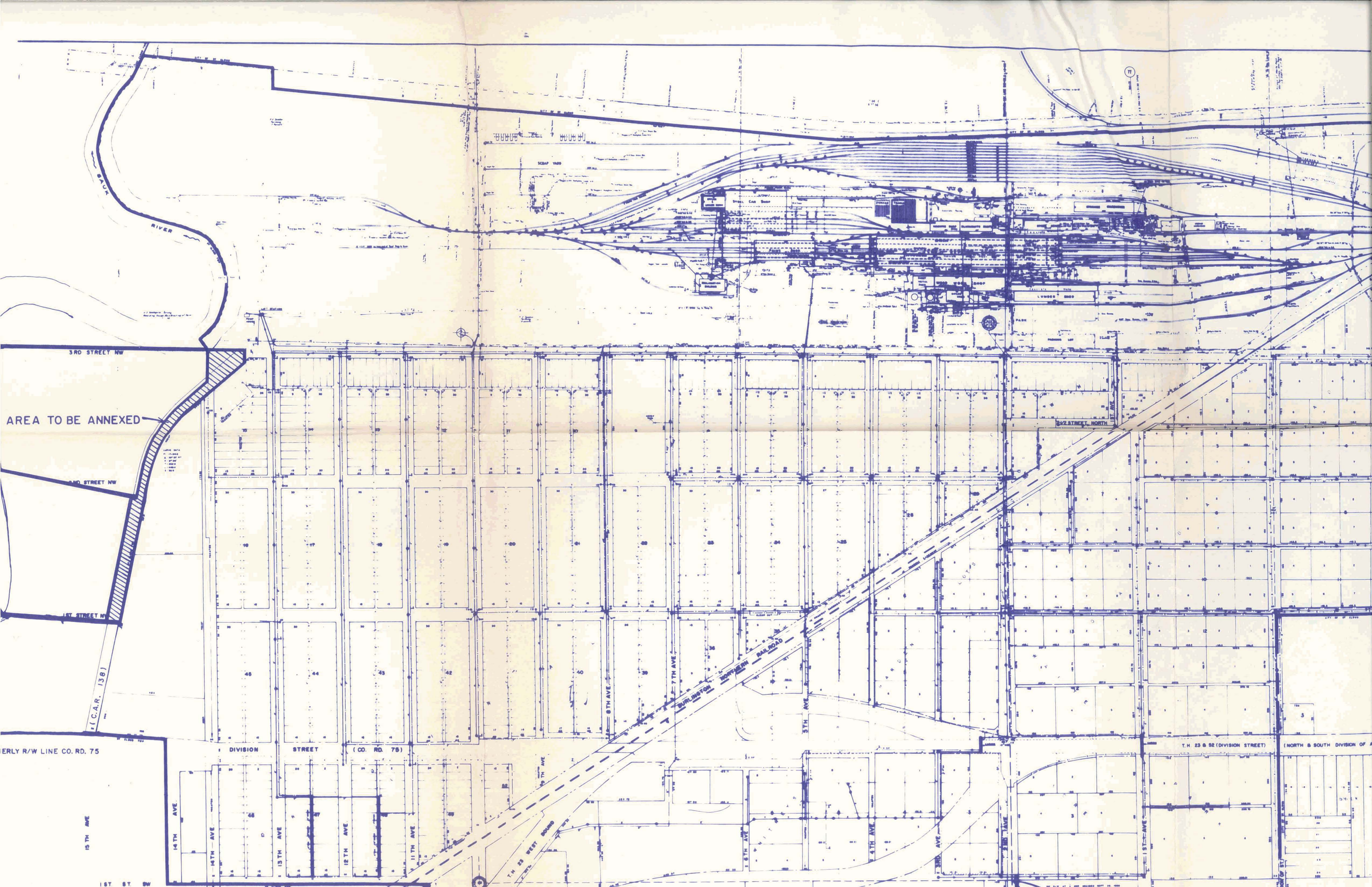
This resolution adopted by the Waite Park City Council on this 13th day of June, 1989.

CITY OF WAITE PARK

By Alvin Rysmith
Mayor

ATTEST:

Jeffrey J. Baird
City Clerk-Treasurer



AREA TO BE ANNEXED

ERLY R/W LINE CO. RD. 75

DIVISION

STREET

(CO. RD. 75)

T.H. 23 & 52 (DIVISION STREET)

(NORTH & SOUTH DIVISION OF A