

TOWN OF ST. CLOUD RESOLUTION NO. 91-6
CITY OF WAITE PARK RESOLUTION NO. _____

**JOINT RESOLUTION FOR ORDERLY ANNEXATION BY
AND BETWEEN THE TOWN OF ST. CLOUD
AND THE CITY OF WAITE PARK**

WHEREAS, the Town of St. Cloud ("Town") and the City of Waite Park ("City") desire to provide for the orderly annexation of road and railroad rights-of-way that are partially or totally surrounded by the City; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TOWN OF ST. CLOUD AND THE COUNCIL OF THE CITY OF WAITE PARK AS FOLLOWS:

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

- A. That part of 7th Street South (County Road 137) right-of-way which lies easterly of 10th Avenue and westerly of 2nd Avenue South, said right-of-way being 50.00 feet on the northerly portion according to the dedicated roadway as platted and shown on SUNDIAL INDUSTRIAL PARK, Stearns County, Minnesota. Containing approximately 3.05 acres.
- B. That part of the Burlington Northern Railroad (Willmar Spur), 100.00 foot right-of-way which lies northeasterly from the centerline of 2nd Avenue North to the easterly city limits line of Waite Park, Stearns County, Minnesota. Containing approximately 8.47 acres.
- C. The North 753.08 feet of the East 33.00 feet of the Southeast Quarter of the Southwest Quarter, Section 17, Township 124 North, Range 28 West, Stearns County, Minnesota. (Westerly right-of-way of 10th Avenue South). Containing approximately 0.57 acres.

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

3. The Town and the City mutually state and agree that no alterations by the Municipal Board of the boundaries of that area designated for orderly annexation is appropriate.

4. The Town and the City mutually state and agree that this resolution sets forth all of the conditions for the annexation of the areas designated herein for orderly annexation, and that no consideration by the Municipal Board is necessary. The Municipal Board may review and comment, but shall, within thirty (30) days, order the annexation of the subject area.

5. The respective Clerks of the Town and the City are hereby authorized and directed to file executed copies of this resolution with the Minnesota Municipal Board, the Stearns County Auditor, the Stearns County Engineer, the Burlington Northern Railroad Company, and all other entities they deem appropriate.

Adopted by the Board of Supervisors of the Town of St. Cloud the 4th day of November, 1991.

Adopted by the Council of the City of Waite Park the 12th day of November, 1991.

TOWN OF ST. CLOUD

By Marilyn Libbesmeyer
Chairman, Town Board of
Supervisors

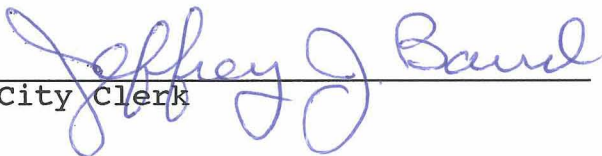
Attest:

Margaret M Pierskalla
Town Clerk

CITY OF WAITE PARK

By 
Mayor

Attest:


City Clerk

THIS INSTRUMENT WAS DRAFTED BY:

HALL, BYERS, HANSON, STEIL & WEINBERGER, P.A.
Frank Kundrat
1010 West St. Germain
Suite 600
St. Cloud, MN 56301
(612) 252-4414

maps from
A-4901

AREA TO BE ANNEXED

