

STATE OF MINNESOTA
MUNICIPAL BOARD
Suite 225 Bandana Square
1021 Bandana Boulevard East
St. Paul, Minnesota 55108-5113

MEMORANDUM

TO: Parties of Record
FROM: Patricia D. Lundy, Assistant Director *PDL*
DATE: April 20, 1999
SUBJECT: OA-422-1 Cold Spring

The attached order is amended on Page Two to exclude any islands from the legal description, and on Page Three to correct a typographical error.

There are no other amendments in this order.

PDL:ry

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Robert J. Ferderer	Chair
Andrew D. Hultgren	Chair
Paul B. Double	Vice Chair
Lea De Souza Speeter	Vice Chair
Charles W. DeVore	Vice Chair

IN THE MATTER OF THE ORDERLY ANNEXATION)	<u>A M E N D E D</u>
AGREEMENT BETWEEN THE CITY OF COLD)	<u>ORDER</u>
SPRING AND THE TOWN OF WAKEFIELD)	
PURSUANT TO MINNESOTA STATUTES 414)	

WHEREAS, a joint resolution for orderly annexation was adopted by the City of Cold Spring and the Town of Wakefield; and

WHEREAS, said joint resolution requests that certain property be annexed to the City of Cold Spring pursuant to M.S. 414.0325, Subd. 1; and

WHEREAS, M.S. 414.0325 states that in certain circumstances the Minnesota Municipal Board may review and comment, but shall within 30 days order the annexation of land pursuant to said subdivision; and

WHEREAS, on April 12, 1996, the Minnesota Municipal Board has reviewed and accepted the resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed to the City of Cold Spring, Minnesota, the same as if it had originally been made a part thereof:

PARCEL #1 (Pt. Granite East)

All that part of the Southeast Quarter (SE¼) and of the South Half of the Northeast Quarter (S½ NE¼) of Section Fourteen (14), Township One Hundred Twenty-three (123) North, Range Thirty (30) West, lying Northerly of the Northerly right-of-way line of the

Burlington Northern Railroad and Southerly of the thread of stream of the Sauk River and lying Westerly of the following described line: Commencing at the Southeast corner of said Section 14; thence North on an assumed bearing along the East line of said Section 1287.71 feet to said Northerly right of way of the Burlington Northern Railroad; thence South 72° 37' 45" West along said right of way line 1212.70 feet for the point of beginning of the line to be described; thence North 00° 35' 43" West 1690.77 feet; thence North 89° 24' 18" East 105.00 feet; thence North 00° 35' 42" West 700 feet more or less to said thread of stream of the Sauk River and said described line there terminating. (36-23665-010) + part of 36-23658-000. - excluding any islands within the Sauk River.

Said tract of Parcel #1 in the Joint Resolution contains approximately 87 acres, more or less.

PARCEL #2 (Pt. Granite South)

That part of the Southeast Quarter of the Northwest Quarter (SE¼ NW¼) of Section Numbered Twenty-three (23) Township Numbered One Hundred and Twenty-three (123) North of Range Numbered Thirty (30) West, in Stearns County, Minn. lying Westerly of the centerline of Chapel Hill Road, excepting the Southerly sixteen and one-half (16½) feet thereof, also excepting that part of the Westerly sixteen and one-half (16½) feet thereof lying Southerly of road, said excepted portion being more particularly described as follows: Commencing at the Southeast (SE) corner of said Southeast Quarter of the Northwest Quarter (SE¼ NW¼); thence West along South line to Southwest (SW) corner of said Southeast Quarter of Northwest Quarter (SE¼ NW¼); thence North along West line of said Southeast Quarter of the Northwest Quarter (SE¼ NW¼) to Town road, which strip is Sixteen and one-half (16½) feet wide.

ALSO that part of the Northeast Quarter of the Northwest Quarter (NE¼ NW¼) of Section Numbered Twenty-three (23) Township Numbered One Hundred and Twenty-three (123) North of Range Numbered Thirty (30) West lying Westerly of the centerline of Chapel Hill Road and southerly of the southerly right of way line of State Highway #23.

LESS AND EXCEPT:

That part of the NE¼ of NW¼ in Section Twenty-three (23), Township One Hundred Twenty Three (123), Range Thirty (30), Stearns County, Minnesota, within the following described tract: Beginning at the point of intersection of the West line of said NE¼ of the NW¼ and the South right of way line of Minnesota Trunk Highway No. 23, said point being 841.10 feet South of the NW corner of said NE¼ of the NW¼ thence South 52° 13' West along said Southerly right of way line a distance of 68 feet; thence South 30° 31' East a distance of 254 feet; thence North 27° 36' East a distance of 114.73 feet; thence North 39° 11' East a distance of 45 feet, thence North 33° 15' West a distance of 209.80 feet, more or less, to the Southerly right of way line of said Trunk Highway No. 23, thence South 51° 57' West along said Southerly right of way line a distance of 65 feet to the point of beginning and there terminating.

ALSO LESS AND EXCEPT:

A part of the Northeast Quarter of the Northwest Quarter (NE¼ NW¼) of Section Twenty-three (23), Township One Hundred Twenty-three (123) North, Range Thirty (30) West, described as follows: Beginning at a point on the West line of said quarter quarter, said point being South 00° 39' East 977.2 feet from the Northwest corner thereof; thence continuing along said West line South 00° 39' East 248.53 feet; thence North 27° 36' East 151.97 feet; thence North 30° 31' West 145.0 feet to the point of beginning.

ALSO LESS AND EXCEPT:

A tract of land lying in the NE¼ of NW¼ of Section 23, Township 123 North, Range 30

west of the Fifth Principal Meridian, in Stearns County, Minnesota, described as follows: Beginning at the SE corner of Outlot lettered "A", Chapel Hill Subdivision; thence due South 149.5 feet; thence due West 279.5 feet; thence due North 112.7 feet to the SW corner of said Outlot lettered "A"; thence North 82 degrees 31 minutes East along the South line

281.8

of said Outlot lettered "A" ~~261.8~~ feet to the point of beginning.

ALSO LESS AND EXCEPT:

That part of the Northeast Quarter of the Northwest Quarter (NE¼ NW¼) of Section Twenty-three (23) in Township One Hundred Twenty-three (123) North of Range Thirty (30) West, in Stearns County, Minnesota, described as follows, to-wit: Beginning at a point 841.10 feet South of the Northwest corner of the NE¼ of the NW¼ of said Section, Township and Range, said point being on the Southerly right-of-way line of Trunk Highway No. 23, and running thence South 60.00 feet; thence due East 275.00 feet to the point of beginning of the tract to be described; thence North at right angles 112.70 feet to the Southwest corner of Outlot "A" of Chapel Hill Subdivision; thence continuing North along the Westerly line of said Outlot "A" a distance of 56.70 feet; thence North 26 degrees 07 minutes West 110.00 feet to the Southerly right of way line of Trunk Highway No. 23; thence Southwesterly along said right-of-way line a distance of 146.10 feet to a point which bears North 43 degrees 18 minutes West 233.50 feet from the point of beginning; thence South 43 degrees 18 minutes East 233.50 feet to the point of beginning and there terminating.

ALSO LESS AND EXCEPT:

A part of the Northeast Quarter of the Northwest Quarter (NE¼ NW¼) Section Twenty-three (23), Township One Hundred Twenty-three (123) North of Range Thirty (30) West, Stearns County, Minnesota, described as follows: Beginning at a point on the South 50 foot right-of-way of Highway #23, said point of beginning being 65 feet northeasterly of, as measured along right-of-way line, from the point of intersection of said right-of-way line with the West line of said quarter, said point of intersection being South 00° 39' East 841.10 feet from the Northwest corner of said quarter, thence South 33° 15' East 209.8 feet, thence North 59° 11' East 149.80 feet, thence North 43° 18' West 233.5' to a point on the said right-of-way line, thence along said right-of-way line Southwesterly 110 feet to the point of beginning and terminating.

ALSO LESS AND EXCEPT that part platted as Chapel Hill Subdivision.

AND LESS AND EXCEPT the right of way of Town Road No. 534 as shown on the Wakefield Township Road Map on file and of record in the office of the Stearns County Recorder.

Said tract of Parcel #2 in the Joint Resolution contains approximately 40 acres, more or less.

IT IS FURTHER ORDERED: That the effective date of this order is April

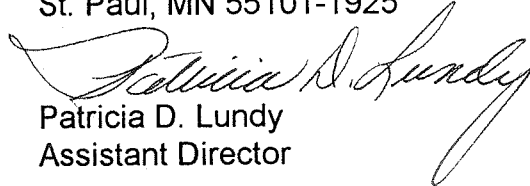
12, 1996.

IT IS FURTHER ORDERED: That the effective date of this amended

order is April 20, 1999.

Dated this 15th day of April, 1996.

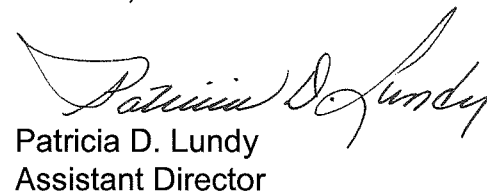
MINNESOTA MUNICIPAL BOARD
Suite 475 McColl Building
366 Jackson Street
St. Paul, MN 55101-1925



Patricia D. Lundy
Assistant Director

Amended order dated this 20th day of
April, 1999.

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St. Paul, MN 55101-1925



Patricia D. Lundy
Assistant Director