

CITY OF CLEARWATER

RESOLUTION 01-11

RESOLUTION EXTENDING THE CORPORATE LIMITS OF CITY TO INCLUDE CERTAIN
UNPLATTED LANDS ABUTTING UPON THE CITY LIMITS

WHEREAS, a petition dated October 10, 2001, from CCF, Inc. and petition dated October 12, 2001, from Anderson Properties of St. Cloud, LLP was duly presented to the City Council for the City of Clearwater; and

WHEREAS, the quantity of land described in the petition has no part within the limits of the city and said petition owners have waived the provisions of MSA 414.033, subd 13; and

WHEREAS, landowners within and contiguous to the land to be annexed were provided notice of the hearing on the petition; and

WHEREAS, the Town Board of Clearwater Township and the Clearwater Joint Planning Commission have met with the petitioners and have been given notice of said hearing; and

WHEREAS, the land described in the petition abuts upon the city limits at the northern boundary, thereof and is urban or suburban in character; and

WHEREAS, none of the land embraced in the area to be annexed is presently served by public water or sewer facilities; and

WHEREAS, the petitioners have met with the Clearwater Planning and Zoning Commission for the proper zoning designations of commercial/industrial, high density, medium density and low density;

NOW, THEREFORE BE IT RESOLVED, the City of Clearwater determines that the annexation will be in the best interest of the City and of the territory affected; and said territory as described in attached legal descriptions abuts upon the City limits; and that none of said territory is now included within the limits of any city and does not abut upon the limits of any other city.

BE IT RESOLVED, that the corporate limits of the City are hereby extended to include the unplatted land as described on attached legal description and the same is hereby annexed to and include within the city as effectually as if it had originally been a part hereof;

BE IT RESOLVED, that the foregoing-described property will be zoned as sixty acres of commercial/industrial; forty one acres of high and medium density; ninety six acres of single family and thirteen acres of green space.

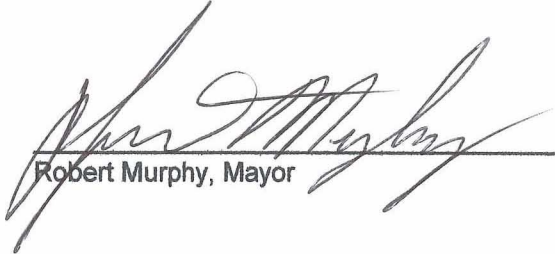
residential

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The City Clerk is hereby directed to file certified copies of this resolution with the Minnesota Planning Board, Secretary of State, Clearwater Township and Wright County Auditor.

This resolution for annexation takes effect upon its passage and publication and the filing of the certified copies as directed above and approval of the Minnesota Planning Board.

Passed and adopted by the City Council for the City of Clearwater, Minnesota, on November 19, 2001.


Robert Murphy, Mayor

ATTEST:


Debra Millner, City Clerk

I, hereby certified and attest that the City Council of the City of Clearwater, Minnesota, did pass the above resolution on November 19, 2001, in accordance with the Statutory Provisions and standards provided therefor.

Dated - November 20, 2001


Debra Millner, City Clerk

Published in the Clearwater Tribune

December 14, 2001

LEGAL DESCRIPTION ATTACHMENT

That part of the Northwest Quarter (NW ¼) of Section Two (2), Township One Hundred Twenty-two (122) North, Range Twenty-seven (27) West, Wright County, Minnesota, described as follows: Commencing at the Northwest corner of said Section Two (2); thence South 01 degrees 12 minutes East on an assumed bearing along the West line of said Section Two (2) a distance of 1,212.41 feet; thence North 89 degrees 59 minutes East 652.20 feet to its intersection with the Southwesterly right-of-way line of proposed Interstate Highway 94; thence South 89 degrees 59 minutes West 619.19 feet to its intersection with the Easterly right-of-way line of a Township road; thence North 01 degrees 12 seconds West along said right-of-way line 419.58 feet to its intersection with said Southwesterly right-of-way line of Interstate Highway 94; thence Southeasterly along said Southwesterly right-of-way line to the point of beginning. Said tract containing 3.2 acres, more or less;

ALSO:

The Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of Section Two (2), Township One Hundred Twenty-two (122), Range Twenty-seven (27), Wright County, Minnesota, containing 40 acres, more or less;

ALSO:

All that part of the following described tract, lying and being Southerly of Trunk Highway No. 94 and Easterly of Trunk Highway No. 24: Lot Nine (9) and Lot A of Lot Ten (10), except two (2) acres in the Southwest corner of said Lot A for Catholic Cemetery all in Section Three (3), Township One Hundred Twenty-two (122), Range Twenty-seven (27), according to plat of the Townsite of Fremont City as surveyed and on file and of record,

LESS AND EXCEPT:

Commencing 500.94 feet South of the Northeast corner of Section Three (3), Township One Hundred Twenty-two (122) North, Range Twenty-seven (27) West, which point is the Northeast corner of Lot Nine (9) of the Townsite of Fremont City for a point of beginning; thence South 99.06 feet; thence angle to the right 115 degrees and 55 minutes distant 532.0 feet to the center of County Road Number 9; thence in a Southeasterly direction to the point of beginning.

LESS AND EXCEPT:

All that part of the following described tract:

Lot Nine (9) and Lot "A" of Lot Ten (10), Section Three (3), Township One Hundred Twenty-two (122) North, Range Twenty-seven (27) West, except the cemetery and except the part described as follows: Commencing at the northeast corner of said Section Three (3); thence southerly along the east line of said Section Three (3) a distance of 600 feet; thence deflect to the right 115 degrees 55 minutes for a distance of 36.7 feet to the west right of way line of a township road for a point of beginning; thence continuing on the same course a distance of 458.7 feet to the southeasterly right of way line of Trunk Highway No. 24; thence northeasterly along said right of way line a distance of 493.7 feet, more or less, to a steel post marking the right of way line of said highway; thence southeasterly along said right of way line a distance of 86 feet to the west right of way line of said township road; thence southeasterly along said west line of said road a distance of 519 feet to the point of beginning;

which lies northerly of a line run parallel with and distant 100 feet southeasterly of the following described line:

From a point on the east line of said Section Three (3), distant 464.6 feet south of the northeast corner thereof, run southeasterly at an angle of 51 degrees 42 minutes with said east section line for 719.3 feet; thence deflect to the right at an angle of 90 degrees for 84 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 85 degrees 34 minutes 15 seconds for 336.67 feet; thence deflect to the left on a 6 degrees 00 minutes curve (delta angle 21 degrees 00 minutes) for 350 feet; thence on tangent to said curve for 600 feet and there terminating; containing 2.90 acres, more or less;

LESS AND EXCEPT:

That part of the Northeast Quarter (NE $\frac{1}{4}$) of Section Three (3), in Township One Hundred Twenty-two (122) North of Range Twenty-seven (27) West, in Wright County, Minnesota, described as follows, to-wit: Commencing at the Northeast corner of said Northeast Quarter (NE $\frac{1}{4}$); thence south along the East line of said Northeast Quarter (NE $\frac{1}{4}$), a distance of 1,695.10 feet to the point of beginning of the land to be described; thence Northwest deflecting 118 degrees 48 minutes 30 seconds right, a distance of 723.78 feet; thence Southerly deflecting 101 degrees 10 minutes 30 seconds left, a distance of 220.00 feet; thence Southeasterly deflecting 78 degrees 49 minutes 24 seconds left, a distance of 186.65 feet; thence South parallel with the East line of said Northeast Quarter (NE $\frac{1}{4}$), a distance of 838.01 feet to the North right-of-way line of County Highway No. 7; thence East, Northeast, North and East along said right-of-way line to said East line of the Northeast Quarter (NE $\frac{1}{4}$); thence North along said East line a distance of 597.76 feet to the point of beginning.

Containing 12 acres, more or less. Subject to the right of way of public roads and easements of record, if any.

ALSO CONVEYING:

The Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$); AND those parts of the Southwest Quarter of the Northwest Quarter; AND the North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$); AND the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), lying South of the right-of-way line of Trunk Highway No. 94, all lying and being in Section Two (2), Township One Hundred Twenty-two (122) Range Twenty-seven (27), containing 166 acres, more or less;

LESS AND EXCEPT:

All that part of the following described tract:

The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) and the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) and the West Half of the West Half of the Southeast Quarter (W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$), all in Section Two (2), Township One Hundred Twenty-two (122) North, Range Twenty-seven (27) West;

which lies within a distance of 100 feet northeasterly and 184 feet southwesterly of the following described line:

Beginning at a point on the west line of said Section Two (2), distant 464.6 feet south of the northwest corner thereof; thence run southeasterly at an angle of 51 degrees 42 minutes with said west section line for 4,744.8 feet and there terminating;

together with a strip adjoining and southwesterly of the above described strip, which lies within a distance of 75 feet on each side of the following described line: From the point of termination of the above described line, run southwesterly at right angles with said above described line for 217 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 90 degrees for 1,291 feet; thence deflect to the left on a 7 degrees 00 minutes curve (delta angle 37 degrees 21 minutes) for 533.6 feet and there terminating; containing 18.90 acres, more or less;

LESS AND EXCEPT:

All that part of the West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) in Section Two (2), Township One Hundred Twenty-two (122), Range Twenty-seven (27), lying Southerly of the proposed Trunk Highway No. 94, as now laid out, and containing 62 acres, more or less;

LESS AND EXCEPT:

That part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Two (2), Township One Hundred Twenty-two (122), Range Twenty-seven (27), lying North of Trunk Highway 94; AND that part of Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Two (2), Township One Hundred Twenty-two (122), Range Twenty-seven (27), lying North of U. S. Trunk Highway No. 94; AND that part of Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Two (2), Township One Hundred Twenty-two (122), Range Twenty-seven (27), lying North of Trunk Highway No. 94 and Southerly of Highway 152; AND that part of West Half of West Half of Southeast Quarter (W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Two (2), Township One Hundred Twenty-two (122), Range Twenty-seven (27), lying North of Trunk Highway No. 94.

LESS AND EXCEPT:

All that part of the two (2) following described tracts:

1. That part of the South Half of the Northwest Quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Two (2), Township One Hundred Twenty-two (122) North, Range Twenty-seven (27) West, lying westerly of Trunk Highway No. 94, as now located and established;
2. The North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Two (2), Township One Hundred Twenty-two (122) North, Range Twenty-seven (27) West, except that part taken for Trunk Highway No. 94;

which lies northerly of a line run parallel with and distant 33 feet southerly of the east and west quarter line of said Section Two (2) and southerly of a line run parallel with and distant 50 feet northerly of the following described line:

From a point on the west line of said Section Two (2) distant 464.6 feet south of the Northwest corner thereof, run southeasterly at an angle of 51 degrees 42 minutes with said west section line for 3,744.8 feet; thence deflect to the right at an angle of 90 degrees for 217 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 90 degrees for 281.2 feet; thence deflect to the left on a 6 degrees 00 minutes curve (delta angle 37 degrees 21 minutes) for 622.5 feet; thence on tangent to said curve for 2,096.3 feet and there terminating;

LESS AND EXCEPT:

All that part of the following described tract:

The Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Two (2), Township One Hundred Twenty-two (122) North, Range Twenty-seven (27) West;

which lies within a distance of 100 feet northeasterly and 184 feet southwesterly of the following described line:

Beginning at a point on the west line of said Section Two (2); distant 464.6 feet south of the northwest corner thereof; thence run southeasterly at an angle of 51 degrees 42 minutes with said west section line for 1,944.8 feet and there terminating;

together with a strip adjoining and southwesterly of the above described strip, which lies northeasterly of the following described line: From a point on the above described line, distant 1,225.5 feet northwesterly of its point of termination, run southwesterly at right angles with said above described line for 84 feet; thence deflect to the right at an angle of 85 degrees 34 minutes 15 seconds for 336.67 feet; thence deflect to the left at an angle of 90 degrees for 100 feet to the point of beginning of the line to be described; thence run southeasterly to a point distant 184 feet southwesterly (measured at right angles) from a point on said above described line, distant 500 feet northwesterly of its point of termination and there terminating;

LESS AND EXCEPT:

That part of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Two (2), Township One Hundred Twenty-two (122), Range Twenty-seven (27), Wright County, Minnesota, which lies East of a line drawn North at right angles to the East-West Quarter Section line in said Section Two (2) from a point thereon distant 1,570.00 feet East of the west quarter corner of said Section Two (2); and southwest of a line drawn parallel with and 184.00 feet southwesterly of (as measured at right angles to) the following described Line "A". Excepting therefrom that part thereof which lies within a distance of 75.00 feet on each side of the following describe line "B" and further excepting therefrom that part thereof which lies South of a line drawn parallel with and 50.00 feet North of (as measured at right angles to) the following described Line "C".

Line "A". Beginning at a point on the west line of aid Section Two (2), distant 464.60 feet south of the northwest corner thereof; thence run southeasterly at an angle of 51 degrees and 42 minutes with said west section line for 4,744.80 feet and there terminating.

Line "B". From the point of termination of the above described line "A" run southwesterly at right angles with said Line "A" for 217.00 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 90

degrees for 1,291.00 feet; thence deflect to the left on a 7 degree curve (delta angle 37 degrees and 21 minutes) for 533.60 feet and there terminating.

Line "C". From a point on the above described line "A" distant 2,744.00 feet southeasterly from its point of beginning run southwesterly at right angles to said Line "A" for 217.00 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 90 degrees for 281.20 feet; thence deflect to the left on a 6 degrees curve (delta angle 37 degrees 21 minutes) for 622.50 feet; thence on tangent to said curve for 2,096.00 feet and there terminating.

Said land contains 5.00 acres, more or less.

REC'D BY
MMB

DEC 13 2001

ALSO:

The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ section 2 Township 122N Range 27W, Wright County, Minnesota, containing 40 acres, more or less, which Anderson Properties of St. Cloud, LLP has under contract with Dave Miller, to be closed on or before 15 November 2001.

CCF

REC'D BY
MAM B
DEC 13 2001

Legal Description from
Title Insurance Commitment No. 16702 dated May 4, 2001
Prepared by Commercial Partners, LLC,
agent for Chicago Title Insurance Company.

That part of Lot 5, according to a plat filed September 14, 1883, being part of the Northeast Quarter of Section 3, Township 122, Range 27, Wright County, Minnesota, described as follows: Commencing at the Northeast corner of said Northeast Quarter; thence on an assumed bearing of South 1 degree 05 minutes 23 seconds East along the East line of said Northeast Quarter, a distance of 1695.10 feet; thence North 62 degrees 16 minutes 53 seconds West, a distance of 1145.54 feet to the Westerly right of way line of Minnesota State Highway No. 24 also being a point on the former centerline of an abandoned town road being the point of beginning of the land to be described; thence Northeasterly along said Westerly right of way line being a nontangential curve concave to the East having a radius of 4311.03 feet and a central angle of 6 degrees 59 minutes 51 seconds, a distance of 526.51 feet to a point distant 120.00 feet Southwesterly from the Southerly right of way of Interstate Highway No. 94 as measured along said Westerly right of way line, the chord of said curve bearing North 22 degrees 24 minutes 37 seconds East; thence North 64 degrees 05 minutes 28 seconds West, a distance of 400.00 feet; thence South 26 degrees 20 minutes 39 seconds West a distance of 458.35 feet to said former centerline of an abandoned town road; thence South 35 degrees 57 minutes 59 seconds East along said centerline, a distance of 119.73 feet; thence South 62 degrees 16 minutes 53 seconds East along said centerline, a distance of 330.17 feet to the point of beginning.

Except that part taken by the State of Minnesota pursuant to a fee taking dated November 9, 1972, a Notice of Lis Pendens for which is dated September 27, 1973, and recorded October 17, 1973, as Document No. 286762, recorded in Book 156 of Mortgages, Pages 691 to 698, in the office of the Register of Deeds in and for Wright County, Minnesota.

DEC 13 2001

