

JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF WAKEFIELD AND THE CITY OF COLD SPRING

RECITALS

- A. The Town of Wakefield ("Town") and the City of Cold Spring ("City"), both of Stearns County, Minnesota, are in agreement as to the orderly annexation of certain property described in this resolution for the purpose of orderly and planned services to the community.
- B. The property proposed to be annexed is not already part of another city, and it adjoins and is contiguous to the City (see attached map).
- C. All owners of the property proposed to be annexed have petitioned the City for annexation.
- D. An orderly annexation of the proposed property is in the best interest of the area proposed for annexation.

RESOLUTION

In consideration of this resolution's mutual terms and conditions, the Town and City jointly resolve and enter into this Joint Resolution for Orderly Annexation ("Joint Resolution") as follows:

1. **Designation of Orderly Annexation Area.** The Town and City designate the area set forth on the map attached as Exhibit 1 and the legal description of the properties attached as Exhibit 2 ("designated property") as subject to orderly annexation pursuant to Minnesota Statutes § 414.0325.
2. **Minnesota Municipal Board Jurisdiction.** Upon approval by the Town Board and City Council, this Joint Resolution shall confer jurisdiction upon the Minnesota Municipal Board ("Municipal Board") to approve the annexation of the designated property pursuant to Minnesota Statutes § 414.0325.

3. **No Alteration of Boundaries.** The Town and City agree and state that no alterations by the Municipal Board of the stated boundaries of the designated property for orderly annexation is appropriate.

4. **Municipal Board Review and Comment.** The Town and City agree and state that this Joint Resolution sets forth all the conditions for annexation of the designated property, and no consideration by the Municipal Board is necessary. The Municipal Board may review and comment, but shall order the annexation of the designated property according to this Joint Resolution's terms within thirty (30) days.

5. **Planning and Land Use Control Authority.** Following annexation, the City's zoning regulations and land use controls shall govern the designated property.

6. **Authorization.** The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.

7. **Modification.** The Town and City may modify, amend or terminate this Joint Resolution by mutual, written agreement.

8. **Severability.** A determination by any court of competent jurisdiction that any provision of this Joint Resolution invalid, illegal or unenforceable shall not affect the validity of this Joint Resolution's other provisions. If any of this Joint Resolution's provisions is inapplicable to any person or circumstance, it shall still remain applicable to all other persons or circumstances.

9. **Effective Date.** This Joint Resolution shall be effective from the date of the Municipal Board's order calling for annexation of the designated property to the City.

The Town of Wakefield Board of Supervisors adopts this Joint Resolution on
NOVEMBER 5, 1998.

REC'D. BY DEC 11 1998
MMS

TOWN OF WAKEFIELD

By John Lillibridge
Board of Supervisors Chairperson

ATTEST:

Leonard L. Hansen
Town Clerk

The Cold Spring City Council adopts this Joint Resolution on September 22, 1998.

CITY OF COLD SPRING

By Carl R. Danzeisen
Acting Mayor

ATTEST:

Verena M. Weber
City Clerk/Coordinator

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EXHIBIT 2**DESIGNATED PROPERTY**

That part of Southwest quarter (SW $\frac{1}{4}$), Section Fourteen (14), Township One Hundred Twenty-three (123) North, Range Thirty (30) West, described as follows: Beginning at a point on the Northwestern right-of-way line of Great Northern Railway which is 150.81 feet North and 793.27 feet West of the South quarter corner of said Section 14; thence North 2 degrees 47 minutes West 1025 feet more or less to shoreline of Sauk River; thence Southwesterly on said shoreline 95 feet more or less; thence South 2 degrees 47 minutes East to Northwestern right-of-way line of Great Northern Railway; thence Northeasterly on said right-of-way line 85 feet to point of beginning AND that part of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section Fourteen (14), Township One Hundred Twenty-three (123), Range Thirty (30), Stearns County, Minnesota, described as follows: Beginning at the intersection of the northwesterly right-of-way line of the Burlington Northern Railroad with a line 793.27 feet west of, measured at a right angle to and parallel with the east line of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) and assuming said east line bears NORTH: thence North 02 degrees 47 minutes 00 seconds West 1025 feet, more or less, to shoreline of Sauk River; thence Northeasterly on said shoreline to the intersection of a line 20 feet east of and parallel to, measured at right angles, to the aforementioned west line of this parcel, extended Northerly (said extended line being North 02 degrees 47 minutes 00 seconds West); thence South 02 degrees 47 minutes 00 seconds East to the intersection of the northwesterly right-of-way line of the Burlington Northern Railroad; thence Southwesterly along said right-of-way line to the point of beginning, LESS AND EXCEPT all property platted as Cold Spring East.

REC'D. BY DEC 11 1998
M M B

GOLF

COURSE

WASTE
TREATMENT
PLANT

CITY
MAINTENANCE

OUTLOT
A

RANCH

RUN

COLD SPRING EAST

SAUK RIVER

SAUK RIVER

1ST. AVE. W.

VAC.

VACATED

S.

VAC.

K

PARK

DAM

37

34

378.67

456.48

378.71

223

200

128.00

131.02

140.00

170.00

230.00

184.32

270

329

388

448

508

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