

**JOINT RESOLUTION AND AGREEMENT AS TO ORDERLY ANNEXATION
BETWEEN THE TOWN OF WAKEFIELD AND THE CITY OF COLD SPRING**

WHEREAS, 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 land described herein for the purpose of orderly and planned services to the community; and

WHEREAS, the property proposed to be annexed adjoins and is contiguous to the City (see attached map); and

WHEREAS, all owners of the property proposed to be annexed have petitioned for annexation to the City.

NOW, THEREFORE, BE IT JOINTLY RESOLVED AND AGREED by the Town of Wakefield and the City of Cold Spring, as follows:

1. The following parcel of 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:

All that part of the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) and that part of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 11, Township 123 North, Range 30 West of the 5th Principal Meridian, Stearns County, MN, lying Southeasterly of the Southeasterly right of way line of C.S.A.H. No. 2. (41.3 acres, more or less).

Subject to easements of record, if any.

Less and Except (RD.)

The south 33.00 feet of the Southwest Quarter of the Southeast Quarter and the south 33.00 feet of the Southeast Quarter of the Southwest Quarter lying southeasterly of the southeasterly right-of-way line of County Road 2, Section 11, Township 123 North, Range 30 West of the 4th Principal Meridian, Stearns County, MN.

And Less and Except (RD.)

That part of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 11, Township 123 North, Range 30 West, Stearns County, Minnesota, lying southerly of a line running parallel, concentric to and 33 feet northerly, as measured at right angles, from the following described centerline:

Commencing at the point of intersection of the South line of Section 11 with the centerline of C.S.A.H. No. 2 as presently constructed and traveled, distant 674.14 feet west of the South Quarter corner of said Section 11; thence running in a northeasterly direction along said C.S.A.H. No. 2 centerline at an angle of 49 degrees 43 minutes 02 seconds from said South line of said Section 11, as measured from East to North for a distance of 128.09 feet to the point of beginning of the herein described township road centerline (Greystone Road); thence deflect 90 degrees 00 minutes 00 seconds right and run southeasterly along a line for a distance of 50

feet; thence run southeasterly along a tangential circular curve, being concave to the northeast and having a radius of 300 feet with a delta angle of 40 degrees 16 minutes 58 seconds for a distance of 210.92 feet; thence run easterly and tangent to said circular curve for a distance of 140 feet and there terminating at a point on the centerline of the existing township road known as Greystone Road. (1.5 acres, more or less).

And Less and Except (TWP.)

The east 800.00 feet of the north 467 feet of the south 500 feet of the Southwest Quarter of the Southeast Quarter of Section 11, Township 123 North, Range 30 West of the 5th Principal Meridian, Stearns County, MN. (8.6 acres, more or less).

Thus, the remaining (31.2 acres, more or less) is subject to orderly annexation as part of the City of Cold Spring.

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 Parcels combined, contain approximately 31.2 acres, more or less, and the population of said parcels is 0.

4. The reason for said annexation is in the best interest of the area proposed for annexation.

5. The land is not already a part of another City.

6. The parcel is contiguous to the corporate limits of the City.

7. The property's topography and approach is cohesive to church development in the area and will act as a wooded buffer to surrounding residence and agriculture.

8. The parties agree agriculture and dairy farming is an important part of our environment. It is understood that farmers' schedules vary at time of planting, harvest and dairy operations. Occasional noise, dust and manure odors will occur as part of their farming operation. Any of the above conditions would not constitute a complaint.

9. 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.

10. There shall be no phase-in of property taxes as the property will become tax exempt.

11. 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.

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

REC'D. BY JUN 28 1999
AMM

13. 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 Wakefield Board of Supervisors on this 10th day of June, 1999.

TOWN OF WAKEFIELD

By

John Willenbring
Chairman
Board of Supervisors

ATTEST:

Leander L. Hansen
Town Clerk

This resolution adopted by the Cold Spring City Council on this 8th day of June, 1999.

CITY OF COLD SPRING

By

Eric H. Vogt
Mayor

ATTEST:

Verena M. Weber
City Clerk/Coordinator

~~_____~~



SE1/4 OF THE SW1/4

SECTION 11 T123N! R30W

WITZMAN ADDITION

N 85°18'38" W 035.00
NORTH LINE SW1/4 SE1/4

8.0 FT. SETBACK FROM ADJACENT PROPERTY LINE IN AN "R" DISTRICT

~~SW1/4 OF THE SE1/4~~

GREYSTONE ROAD SOUTH LINE 201/4 281/4

800°

BROWN HERKENHOFF, INC.
118 12th AVENUE NORTH
ST. CLOUD, MN 56303
(320) 250-1234
FAX (320) 203-1234
e-mail bh@stcloudnet.com

100 200
SCALE IN FEET

- DENOTES IRON MONUMENT SET
- DENOTES IRON MONUMENT FOUND

NEW FACILITY

FOR

**PEACE
LUTHERAN CHURCH**

COLD SPRING HARBOR, NEW YORK 11724

PRELIMINARY SITE PLAN

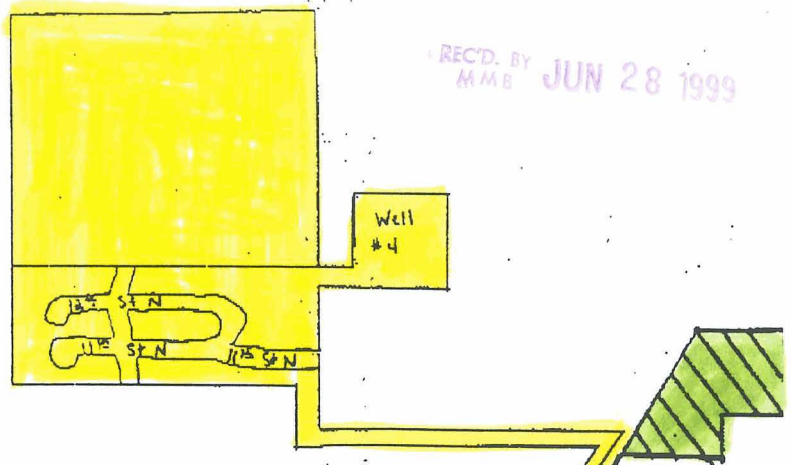
 $P = 100 - Q^2$

1500 FT OR OR 413 ACRES

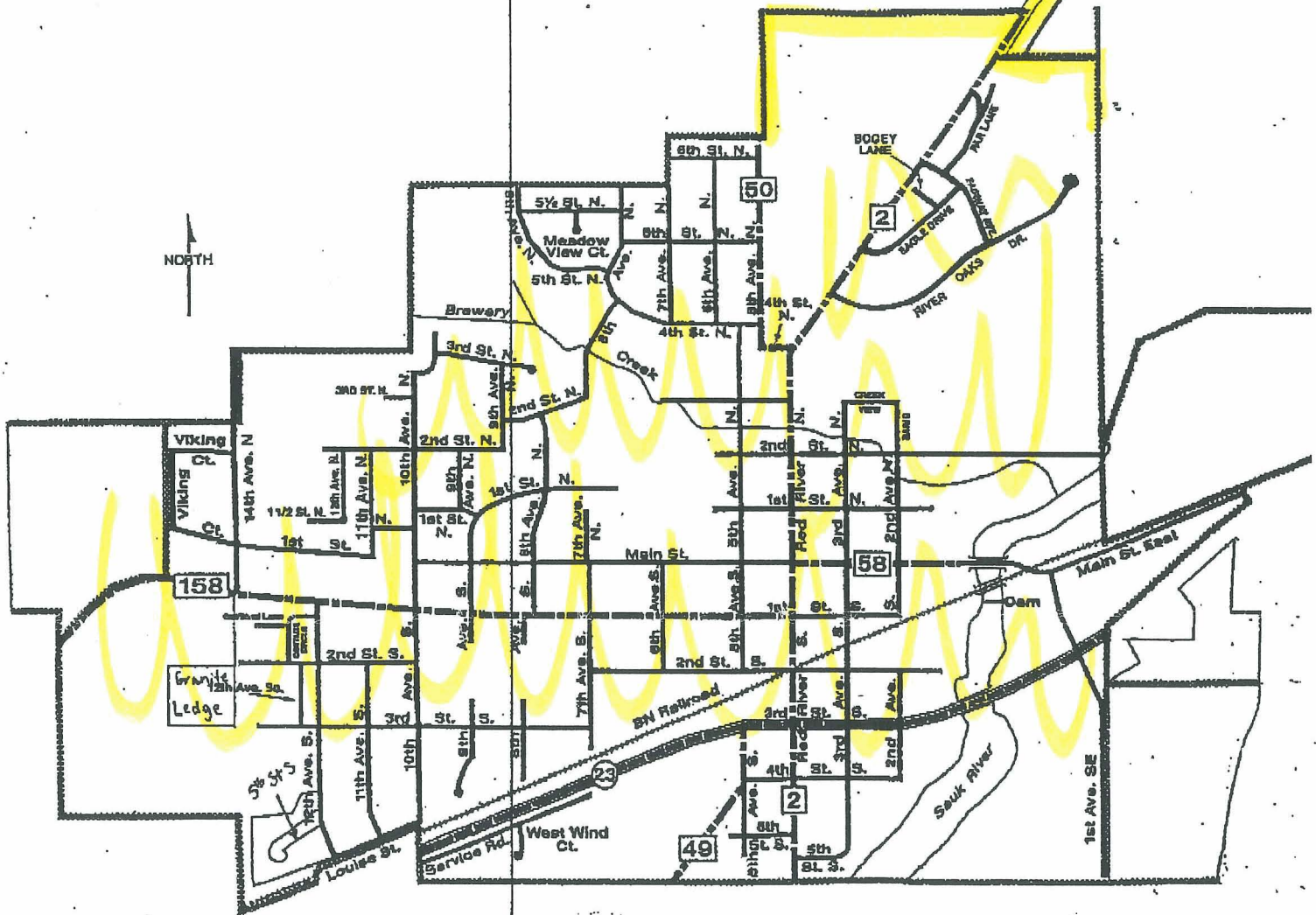
REC'D. BY JUN 28 1999
MMB

U

REC'D. BY
MMB JUN 28 1999



City of Cold Spring



EXISTING CITY =

AREA TO BE ANNEXED =