

**JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN
THE TOWN OF WAKEFIELD AND THE CITY OF COLD SPRING
(MAILE/OLSEN PROPERTY)**

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 real 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 Office of Strategic and Long Range Planning Jurisdiction.** Upon approval by the Town Board and City Council, this Joint Resolution shall confer jurisdiction upon the Minnesota Office of Strategic and Long Range Planning to approve 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 Office of Strategic and Long Range Planning of the stated boundaries of the designated property for orderly annexation is appropriate.

4. **Office of Strategic and Long Range Planning 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 Office of Strategic and Long Range Planning is necessary. The Office of Strategic and Long Range Planning may review and comment, but shall order the annexation of the designated property according to this Joint Resolution's terms within Thirty (30) days of the Office of Strategic and Long Range Planning's receipt of this Joint Resolution.

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

6. **Acreage and Population.** The designated property is consists of 1.43 acres and has a current population of 3.

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

8. **Modification.** The Town and City may modify, amend or terminate this Joint Resolution only by a mutually signed, written agreement.

9. **Severability.** A determination by any court of competent jurisdiction that any provision of this Joint Resolution is 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.

10. **Effective Date.** This Joint Resolution shall be effective from the date of the Office of Strategic and Long Range Planning's order calling for the designated property's annexation to the City.

The Town of Wakefield Board of Supervisors adopts this Joint Resolution on Aug 3rd, 2000.

TOWN OF WAKEFIELD

By John Hillenbrand
Board of Supervisors Chairperson

ATTEST:

Lesley L. Hansen
Town Clerk

The Cold Spring City Council adopts this Joint Resolution on July 25, 2000.

CITY OF COLD SPRING

By Eric J. Boyd
Mayor

ATTEST:

Kristine Dockendorf
City Clerk/Coordinator

EXHIBIT 2**LEGAL DESCRIPTION****JOHN W. AND DELORES F. MAILE PROPERTY:**

Beginning at the Northwest (NW) Corner of Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Section Twenty-two (22), Township One Hundred Twenty Three (123) North of Range Thirty (30) West and thence proceeding due East along said quarter section line a distance of One Hundred Feet; Thence due South a distance of approximately Two Hundred Ninety Five (295) Feet, more or less, to the North shore line of the Sauk River; Thence in a Westerly direction along said Sauk River to a point due South of the point of beginning; Thence due North a distance of approximately Three Hundred (300) Feet to the point of beginning and there terminating, said tract containing approximately .66 acre, more or less. Together with a road right-of-way from this tract along the North line of said Quarter Section due East to the County Road as now constructed and traveled.

Together with the East 20 feet of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty-two (22), Township One Hundred Twenty-three (123) North, Range Thirty (30) West, lying North of the Sauk River, Stearns County, Minnesota.

BRIAN L. OLSEN PROPERTY:

That part of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Numbered Twenty-two (22), in Township Numbered One Hundred Twenty-three (123) North, of Range Numbered Thirty (30) West, lying North of Sauk River and East of State Aid Road No. 2, less and except that part described as follows, to-wit: Beginning at the point on the North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 22, 125 feet East of the East line of Red River Street (State Aid Road No. 2), thence at right angles and due South for a distance of 118 feet to a point on the shore line of Sauk River, thence running in a NE'ly direction along said shore line of said Sauk River to an intersection with the said North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence due West along said North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 204 feet more or less, to the point of beginning, in Stearns County, Minnesota.

EXHIBIT 1

MAP



CUMMIS CITY PROPERTY
PROPERTY TO BE ANNEXED

