

REC'D BY
MMB

MAY 18 2001

Resolution No. 2001-05-141

**RESOLUTION ANNEXING PROPERTY IN MINDEN TOWNSHIP
TO THE CITY OF ST. CLOUD, WHICH PROPERTY IS KNOWN
AS THE FAIRWAY ADDITION (HOUSING), IN ACCORDANCE
WITH THE ORDERLY ANNEXATION AGREEMENT OF
FEBRUARY 12 AND 13, 2001**

WHEREAS, the Town of Minden ("Town") and the City of St. Cloud ("City") are parties to a Joint Resolution as to Orderly Annexation ("Orderly Annexation Agreement") dated on or about February 13, 2001, which affects an area of the Town located south of TH 23 and east of the Elk River; and,

WHEREAS, paragraph 5 and 5.a. of the Orderly Annexation Agreement entitles the City to adopt a resolution approving annexation of property where a petition requesting annexation is signed by owners of 100% of individual parcels of record for agricultural and/or undeveloped properties; and,

WHEREAS, the City of St. Cloud received a written petition requesting annexation to the City of the Fairways Addition, housing development part only, a copy of which was submitted to the Town on March 21, 2001; and,

WHEREAS, in accordance with paragraph 5 of the Orderly Annexation Agreement, at least 45 days have passed since submission of a copy of the annexation petition to the Town; and,

WHEREAS, approval to develop urban density residential development has already been granted by Benton County for the subject property on private utility services; and,

WHEREAS, the subject property is located within the urban growth boundary identified in the officially adopted St. Cloud Area Joint Planning District Plan; and,

WHEREAS, annexation of the subject property will enable the City to consider extension of municipal utility services to facilitate the urban density development; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ST. CLOUD, MINNESOTA:

That the City expresses its desire and approval to cause annexation of the property legally described in Exhibit A and depicted in map form in Exhibit B, in accordance with the Joint Resolution as to Orderly Annexation adopted by the City on February 12, 2001, and by the Town on February 13, 2001.

BE IT FURTHER RESOLVED:


That the City shall annually rebate to the Town for a 9-year period a portion of the property taxes collected for the subject property as provided for in paragraph 8 of the Orderly Annexation Agreement. In accordance with paragraph 9 of the Orderly Annexation Agreement, **the subject property is not eligible for a tax step-up.**

Adopted this 7th day of May, 2001.



John Ellenbecker, Council President

Attest:

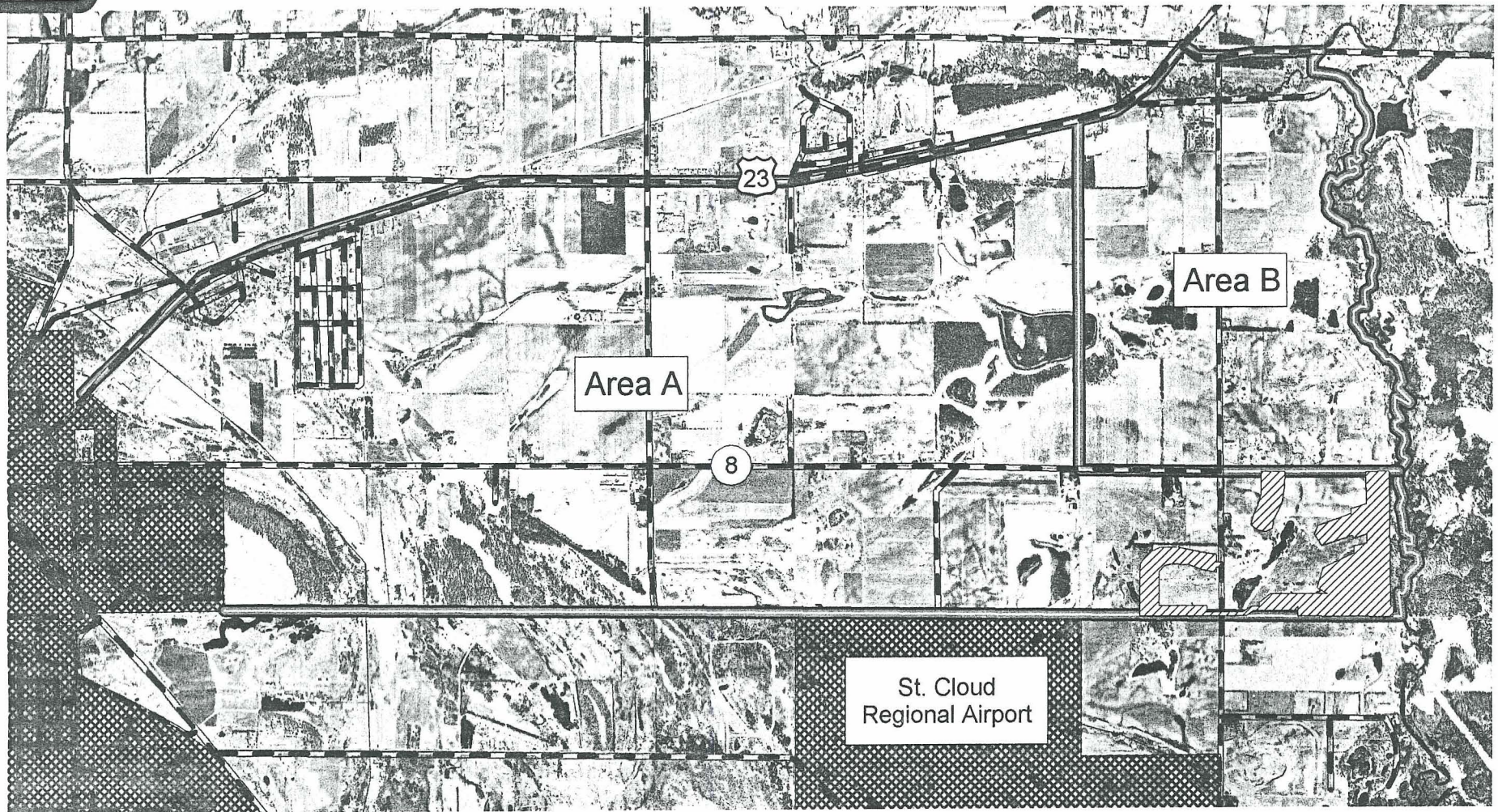


City Clerk

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Fairways Addition - Housing Minden Township



Orderly Annexation Boundary



Roads



St. Cloud Corporate Limits



Fairways Addition - 73 acres



This map is neither a legally recorded map nor survey and is to be used only for reference purposes. The City of St. Cloud assumes no responsibility for actual or consequential damage incurred as a result of using this data.

0

0.5 Miles



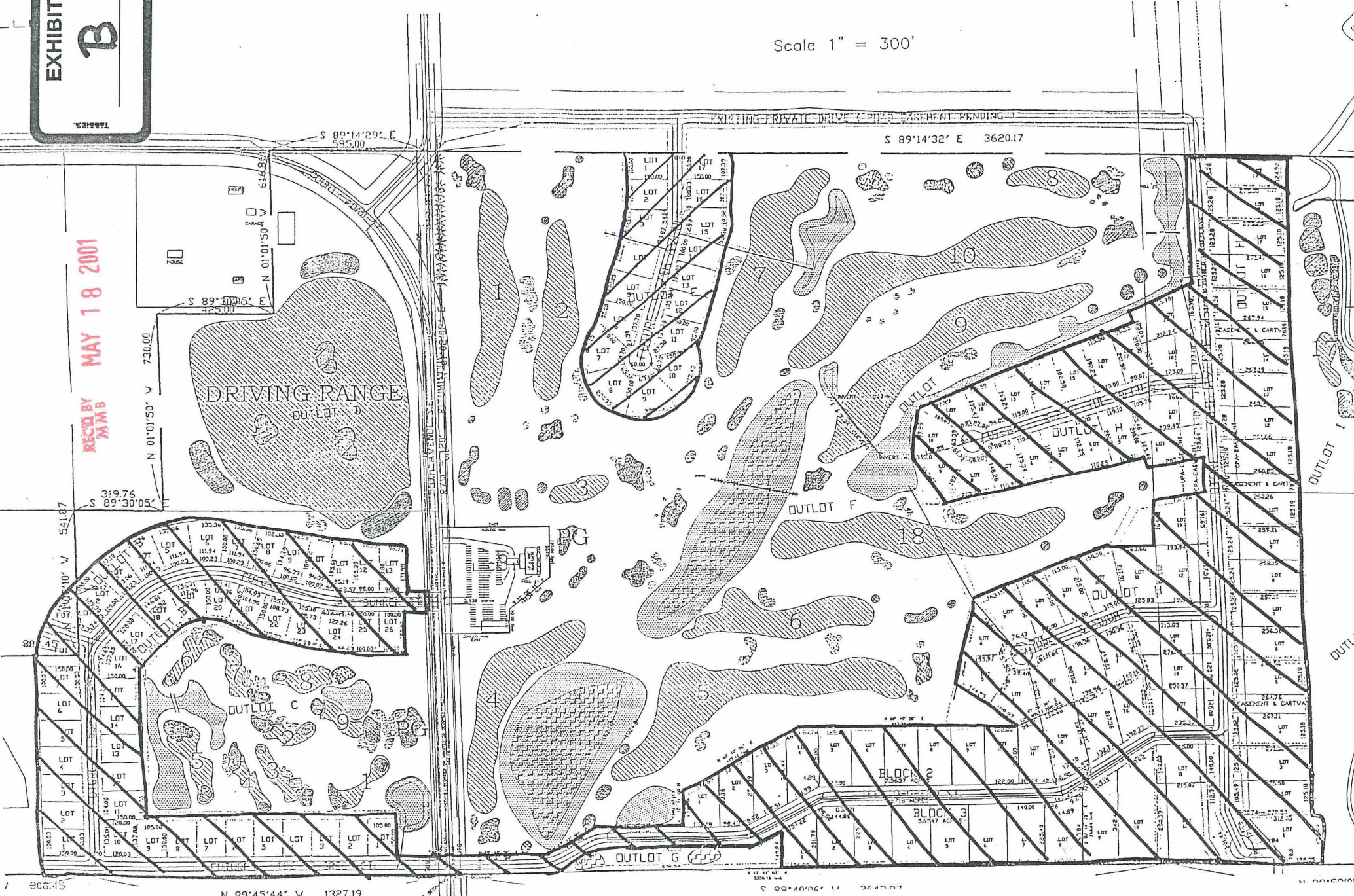
Map prepared by the St. Cloud Planning Office, 05/01.

EXHIBIT

B

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Scale 1" = 300'



866.45 N 89°45'44" W 1327.19 S 89°40'06" W 2642.07