

REC'D BY
MMB

JUL 19 2001

Resolution No. 2001- 07-213

**RESOLUTION ANNEXING PROPERTY IN MINDEN TOWNSHIP
TO THE CITY OF ST. CLOUD, WHICH PROPERTY IS KNOWN
AS THE SCHRAMMEL SOD FARM, 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 signed by 100% of property owners requesting annexation to the City of property referred to as the Schrammel Sod Farm, a copy of which was submitted to the Town on May 11, 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, the petitioning property owner has indicated a desire to develop the property for mixed residential development through the extension of public 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 eventual urban density development.

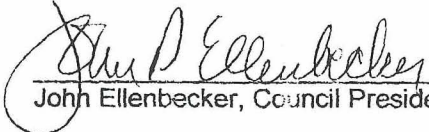
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ST. CLOUD, MINNESOTA:

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.

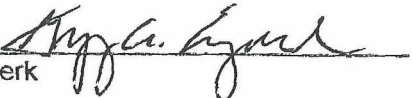
BE IT FURTHER RESOLVED:

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 2nd day of JULY, 2001.


John Ellenbecker, Council President

Attest:


City Clerk

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EXHIBIT "A"

The West Half of the Southwest Quarter of Section 32, Township 36, Range 30, Benton County, Minnesota, according to the government survey thereof, except the following described property:

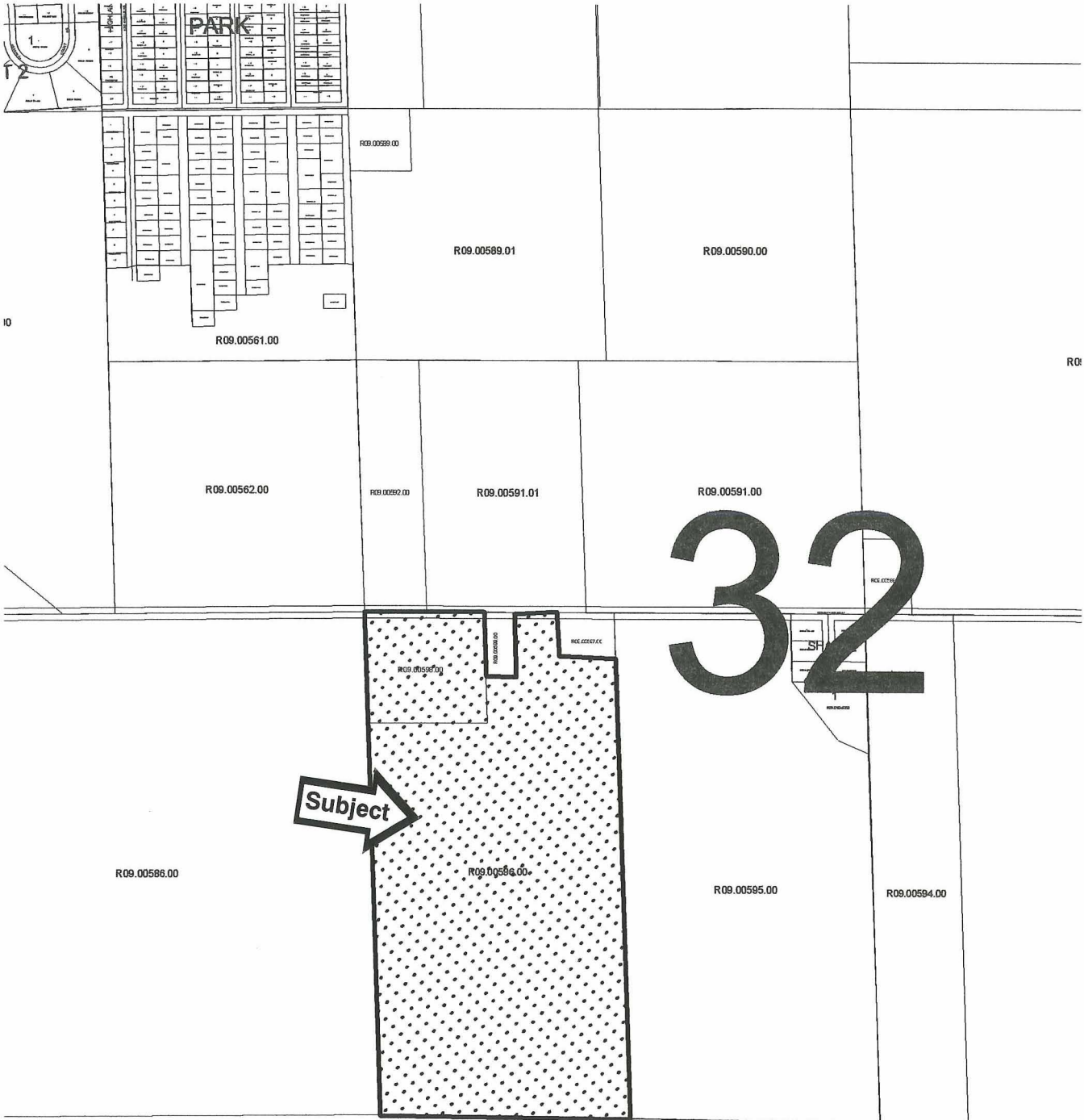
Beginning at the Northeast corner of said West Half of the Southwest Quarter, thence West along the North line of said West Half for a distance of 300 feet; thence at right angles due South 240 feet; thence at right angles due East 300 feet; thence at right angles due North 240 feet to point of beginning and there terminating, and except the North 343.2 feet of the East 165 feet of the West 807 feet of the West Half of the Southwest Quarter of Section 32, Township 36, Range 30, of Benton County, Minnesota.

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Schramel Sod Farm Inc. Minden Township Property Owner Petition Map - 2001

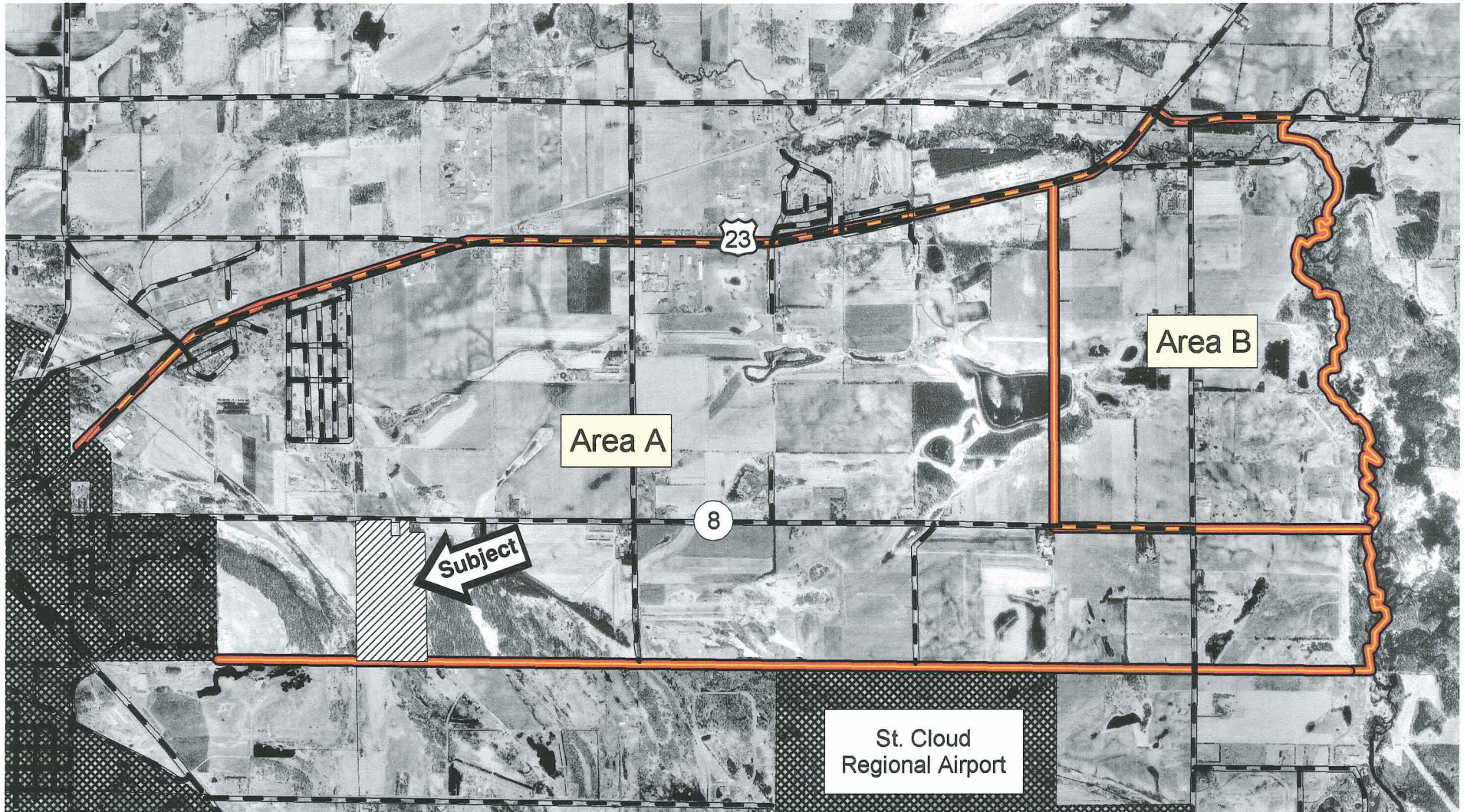


The annexation petition area is approximately 77.05 acres.
No population increase in the annexation petition area.

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.

Schramel Sod Farm Inc.
Minden Township
Location Within the
Orderly Annexation Agreement Area

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The annexation petition area is approximately 77.05 acres.



Orderly Annexation Boundary
St. Cloud Corporate Limits



Roads



0

0.4 Miles



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Map prepared by the St. Cloud Planning Office, 06/01.