

Resolution No. 2001-11-356

**RESOLUTION ANNEXING PROPERTY IN MINDEN TOWNSHIP
TO THE CITY OF ST. CLOUD, WHICH PROPERTY IS KNOWN
AS THE PROSPECT DRIVE AREA IN POINT PLEASANT,
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 51% of individual parcels of record for developed properties; and,

WHEREAS, the City of St. Cloud received a written petition signed by 58.3% of property owners (7 of 11) requesting annexation to the City and extension of municipal utility service for property referred to as the Prospect Drive area in Point Pleasant, a copy of which was submitted to the Town on July 10, 2001; and,

WHEREAS, an additional property was added to the subject petition on or about October 1, 2001, bringing the petition to 53.8% of property owners (7 of 13) requesting annexation and the extension of municipal utility service; and,

WHEREAS, an additional property and signature was added to the subject petition on or about October 30, 2001, bringing the petition to 57.1% of property owners (8 of 14) requesting annexation and the extension of municipal utility service; 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 owners have indicated a desire to have their properties annexed to facilitate the replacement of aging private utility systems with municipal utility service; 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 as requested by the petitioning property owners.

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 eligible for a six-year tax step-up.

Adopted this 5th day of November, 2001.



John Ellenbecker, Council President

Attest:



City Clerk

EXHIBIT A

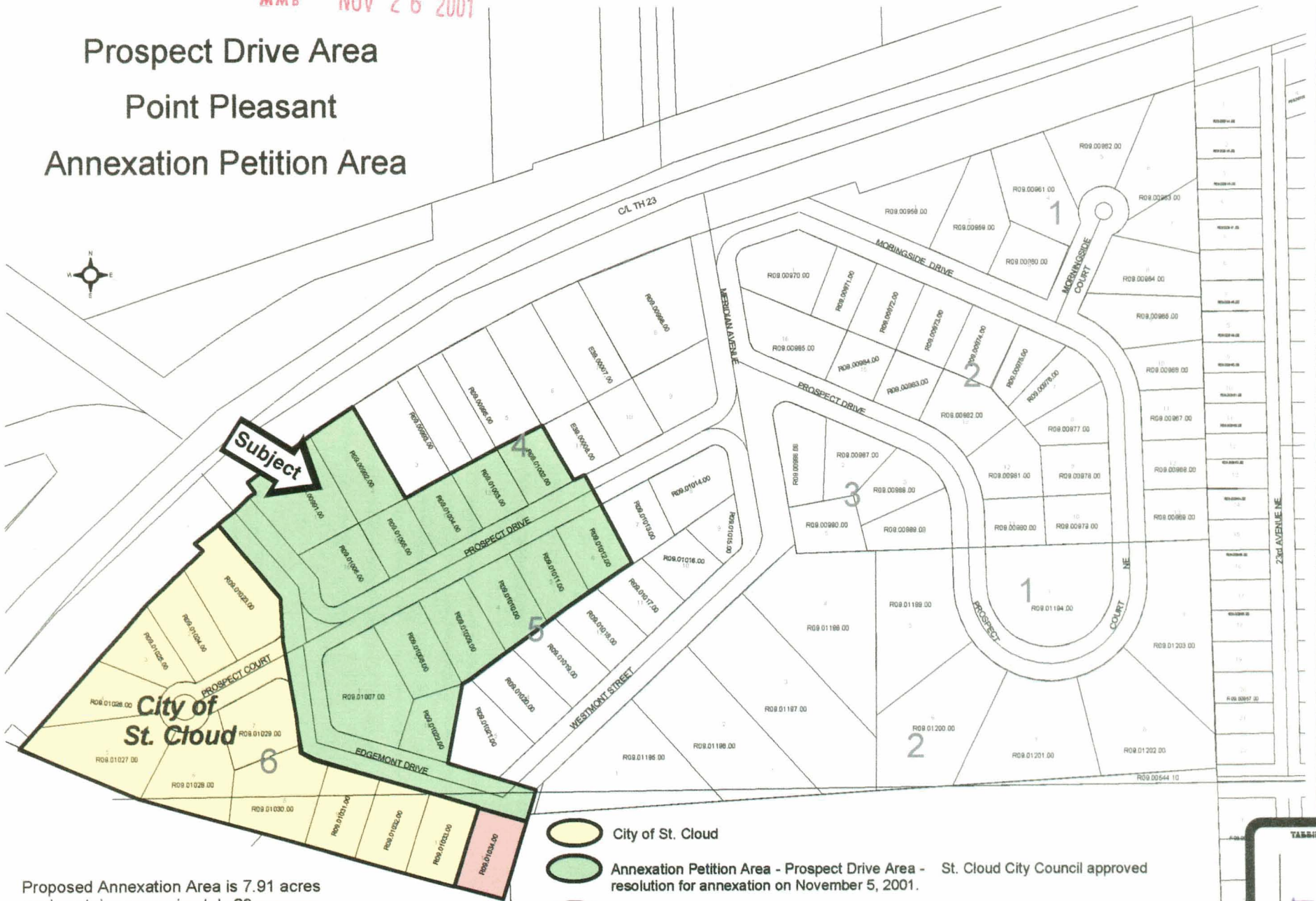
Legal Description for Property Known as the "Prospect Drive area" in Point Pleasant:

All that part of Point Pleasant, according to the recorded plat thereof, in Benton County, Minnesota, described as follows:




- *Lots 1, 2, 12, 13, 14, 15, and 16, Block 4*
- *Lots 1, 2, 3, 4, 5, 6, and 16, Block 5*
- *All of Edgemont Drive*
- *That part of Prospect Drive lying westerly of a northerly extension of the easterly line of Lot 6, Block 5.*

REC'D BY
MMB NOV 26 2001

Prospect Drive Area Point Pleasant Annexation Petition Area



Proposed Annexation Area is 7.91 acres
and contains approximately 29 persons.

-  City of St. Cloud
-  Annexation Petition Area - Prospect Drive Area - St. Cloud City Council approved resolution for annexation on November 5, 2001.
-  Annexation Petition Area - Vogel Property - St. Cloud City Council approved resolution for annexation on November 5, 2001.

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.

Map prepared by the St. Cloud Planning Office, 10/01.



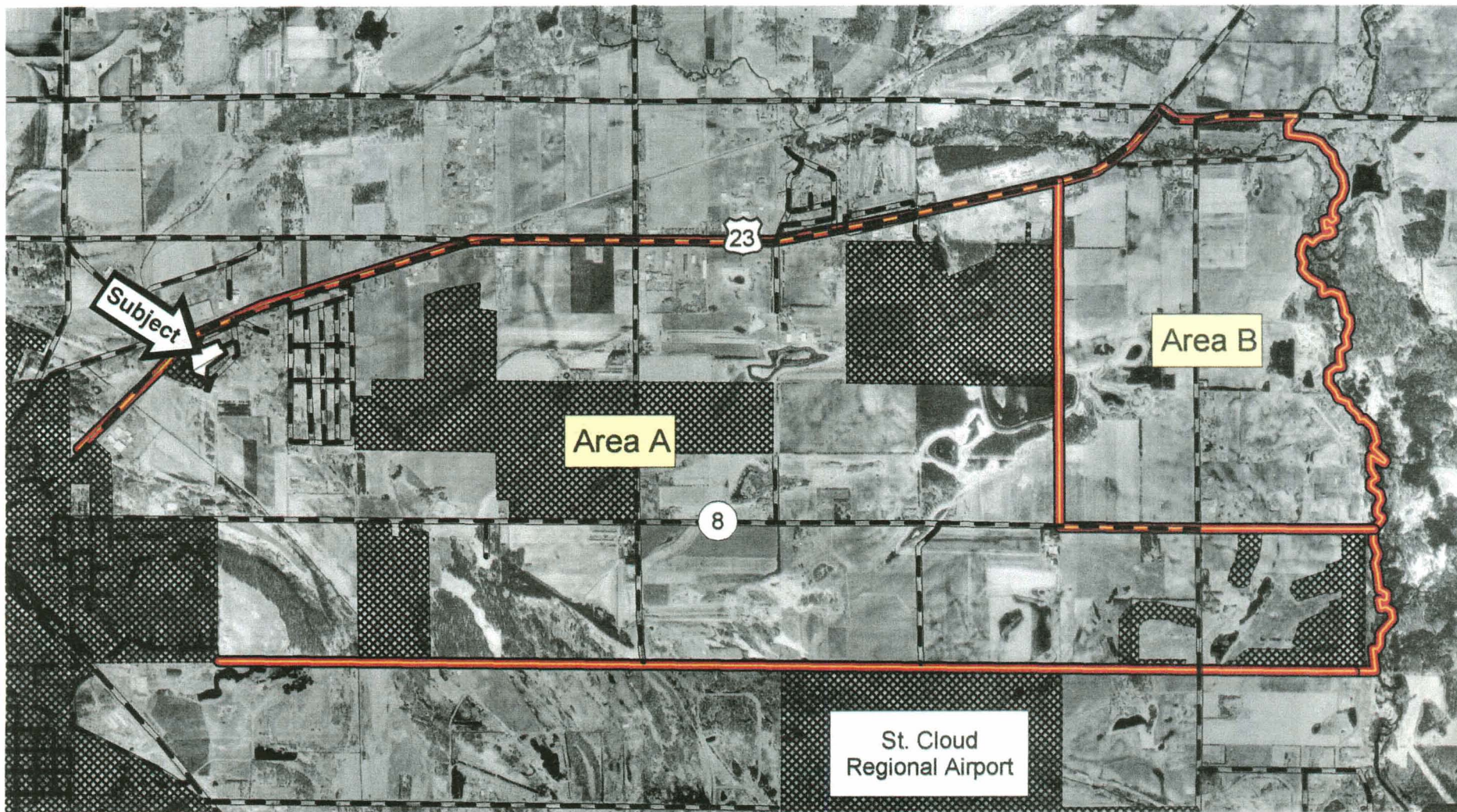
TABBER

EXHIBIT

B

REC'D BY
M.M.B. NOV 26 2001

Prospect Drive Area/Vogel Property in Point Pleasant
Minden Township
Location Within the
Orderly Annexation Agreement Area



Orderly Annexation Boundary
St. Cloud Corporate Limits



Roads



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500 0 500 Feet

Map prepared by the St. Cloud Planning Office, 11/0

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EXHIBIT

Point Pleasant

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EXHIBIT D

Scale 1" = 150'

E. 1/4 S.W. 1/4 Sec. 30

N.E. 1/4 N.W. 1/4 Sec. 31

S.W. 1/4 S.E. 1/4 Sec. 30

N.W. 1/4 N.E. 1/4 Sec. 31

S.E. CORNER S.W. 1/4 S.E. 1/4 Sec. 30 T-36 N-R-30 W Stone Monument in Place



Iron Monuments Placed as Designated

01 in. 01