

OA-746-8 St. Cloud
St. Cloud Resolution 2002-3-81

BEFORE THE DIRECTOR OF THE OFFICE OF
STRATEGIC AND LONG RANGE PLANNING
OF THE STATE OF MINNESOTA

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF ST. CLOUD)
AND THE TOWN OF MINDEN PURSUANT TO) ORDER
MINNESOTA STATUTES 414)

WHEREAS, a joint resolution for orderly annexation was adopted by the City of St. Cloud and the Town of Minden; and

WHEREAS, a resolution was received from the City of St. Cloud requesting that certain property be annexed to the City of St. Cloud pursuant to M.S. 414.0325, Subdivision 1; and

WHEREAS, M.S. 414.0325, M.S. 414.11, and M.S. 414.12 states that in certain circumstances the Director of the Office of Strategic and Long Range Planning may review and comment, but shall within 30 days order the annexation of land pursuant to said subdivisions; and

WHEREAS, on May 13, 2002, the Director of the Office of Strategic and Long Range Planning has reviewed and accepted the resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the joint resolution to the City of St. Cloud, Minnesota the same as

if it had originally been made a part thereof:

Ayers Family Trust owns the following legally described real property:

PARCEL "A"

The South One-half of the Northwest Quarter, Section 32, Township 36, Range 30, Benton County, Minnesota, less and except the West Half of the West Half of the Southwest Quarter of the Northwest Quarter.

Also less and except that part of said South One-half of the Northwest Quarter described as follows: Commencing at the southwest corner of the Northwest Quarter; thence EAST (South 88 degrees 40 minutes 49 seconds East on Certificate of Survey), assumed bearing, of the south line of said Northwest Quarter 1187.24 feet to the point of beginning of the land to be described; then North 00 degrees 50 minutes 02 seconds West (North 00 degrees 29 minutes 09 seconds West on Certificate of Survey), 1333 feet, more or less, to the north line of said South One-half of the Northwest Quarter; thence easterly on said north line 1485 feet, more or less; to the northeast corner of said South One-half of the Northwest Quarter; thence southerly on the east line of said South One-half of the Northwest Quarter to the southeast corner of said Northwest Quarter; thence westerly on said south line of the Northwest Quarter to the point of beginning.

Subject to the right of way of a county road over the south part thereof and easements of record.

PARCEL "B"

That part of the West Half of the Southwest Quarter (W 1/2 SW 1/4) of Section Thirty-two (32), Township Thirty-six (36) North of Range Thirty (30), described as follows: Beginning on the Northeast corner of said West Half of the Southwest Quarter (W 1/2 SW 1/4), Section, Township and Range aforesaid, 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 the point of beginning and there terminating (DESCRIPTION AS RECORDED AS DOCUMENT NUMBER 204203).

PARCEL "C"

The East Half of the Southwest Quarter (E 1/2 SW 1/4) excepting therefrom that part thereof platted as "Shady Corner", All in Section, Thirty-two (32), Township Thirty-six (36) North, Range Thirty (30) West, According to the U.S. Government Survey thereof,

Benton County, Minnesota. (DESCRIPTION AS RECORDED AS DOCUMENT
NUMBER 204203).

Dated this 13th day of May, 2002.

For the Director of the Office of Strategic
& Long Range Planning
658 Cedar Street - Room 300
St. Paul, Minnesota 55155



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

OA-746-8 St. Cloud

MEMORANDUM

In ordering the annexation contained in Docket No. OA-746-8, the Director of Strategic and Long Range Planning finds and makes the following comment:

Paragraph/item 8 of the agreement provides for a division of tax revenue from an annexed area, based upon a 9 year schedule. By making this order, no determination is made as to the effectiveness of such a schedule. Minnesota Statutes Section 414.036 allows for a reimbursement to the township of property taxes of substantially equal payments over a period of not less than two nor more than six years. Including such a provision in an order under Minnesota Statutes Section 414.0325 is discretionary with the Director.

The parties are encouraged to consider this comment in light of any further amendments that may be otherwise necessary to this agreement for orderly annexation.

Cms