

Resolution No. 2002-3-82

**RESOLUTION ANNEXING PROPERTY IN MINDEN TOWNSHIP
TO THE CITY OF ST. CLOUD, WHICH PROPERTY IS KNOWN
AS THE FORMER CLARENCE BROMENSCHENKEL PROPERTY
(DONOVAN LAKE DEVELOPMENT),
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 in an area proposed for annexation; and,

WHEREAS, the City of St. Cloud received a written petition signed by 100% of property owners requesting annexation to the City and extension of municipal utility service for property referred to as the former Clarence Bromenschenkel property (Donovan Lake Development), a copy of which was submitted to the Town on January 22, 2002; 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 mixed use residential development 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 as the north half of the NE 1/4, Section 33, Township 36, Range 30, Benton County, MN, (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:

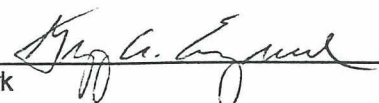
That the City shall annually rebate to the Town for a 9-year period a portion of the property taxes collected for the subject property as provided for in paragraph 8 of the Orderly Annexation Agreement. In accordance with paragraph 9 of the Orderly Annexation Agreement, the subject property is not eligible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

Adopted this 3rd day of March, 2002.



DeWayne F. Mareck, Council President

Attest:



City Clerk

01/22/02 08:31 FAX 320 252 9483
01/21/02 MON 16:43 FAX 763 383 1089

SIMONSON PROP
ANDERSON ENGINEERING
01/21/02 06:12

EXHIBIT

A

TAYLOR LAND SURVEYORS INC.

213 W. BROADWAY, P.O. BOX 179, MONTICELLO, MINNESOTA 55362
PHONE (612) 295-3388, FAX (612) 295-3408

DENNIS V. TAYLOR
REGISTERED LAND SURVEYOR

REC'D BY
MMB

APR 08 2002

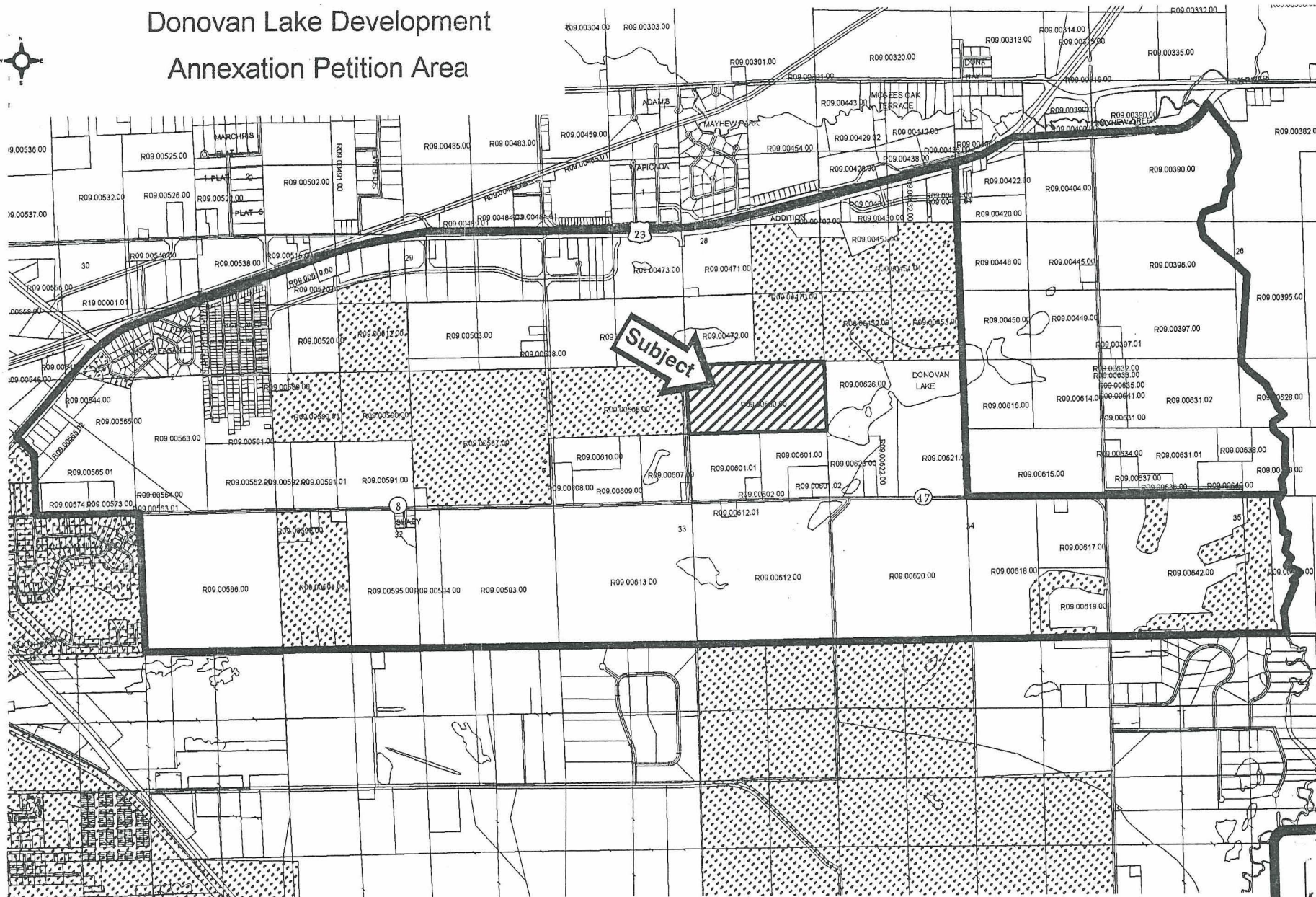
January 21, 2002

The following land description properly describes the property
shaded on the attached exhibit.

The North Half of the Northeast Quarter of Section 33, Township 36,
Range 30, Benton County, Minnesota.

Dennis V. Taylor

Dennis V. Taylor, Land Surveyor
Minnesota License No. 15233



0 0.7 Miles

Map prepared by the St. Cloud Planning Office, 01/02.

REC'D BY
M M B
APR 08 2002

TABLES

EXHIBIT