

RESOLUTION NO. 2002-77

JOINT RESOLUTION FOR ORDERLY ANNEXATION

WHEREAS, the Township of Sauk Centre and the City of Sauk Centre, Stearns County, Minnesota, are in agreement as to the orderly annexation of certain property described herein for the purpose of orderly, planned growth; and

WHEREAS, such annexation is subject to orderly annexation pursuant to Minnesota Statutes 414.0325;

WHEREAS, the reasons to designate the unincorporated area for immediate orderly annexation are as follows:

1. The City of Sauk Centre has received a petition to annex lands into the corporate limits of the City of Sauk Centre;
2. The area proposed for annexation is now or is about to become urban or suburban in character;
3. The land abuts the corporate limits of the City of Sauk Centre;
4. A petition has been submitted to the City of Sauk Centre showing the need for municipal water and sewer for the property;
5. The annexing municipality is capable of providing city sewer and water within a reasonable time; and
6. Annexation would be in the best interests of the subject area.

WHEREAS, the parties hereto desire to set forth such terms of orderly annexation by means of this resolution.

NOW THEREFORE BE IT RESOLVED the Township of Sauk Centre and the City of Sauk Centre, having duly considered the terms and conditions of this Joint Resolution, do hereby resolve as follows:

1. The property described as follows shall be immediately annexed to the City of Sauk Centre:

All that part of the Northwest ¼ Southeast ¼ of Section 3, Township 126, Range 34 lying Westerly of the Westerly right of way line of State Trunk Highway No. 71, and Southeasterly of the Southeasterly right of way of Old State Trunk Highway No. 71, also known as Birchdale Road, and lying Northerly of the following described line: Commencing at the Southeast corner of the Northeast ¼ Southeast ¼ of the Section 3, Township 126, Range

34; thence Northerly on the East line thereof a distance of 248.8 feet; thence Westerly parallel to the South line of said Northwest ¼ Southeast ¼ a distance of 60.95 feet to a point on the Westerly right of way line of State Trunk Highway No. 71; thence deflect right 104 degrees 50 minutes 30 seconds a chord distance of 137.10 feet to a point on said right of way line for a point of beginning: thence deflect left 141 degrees 09 minutes a distance of 113.15 feet; thence deflect right 90 degrees 05 minutes a distance of 89.15 feet to a point on said Southeasterly right of way line of Old State Trunk Highway No. 71 and there terminating.

And

A tract of land in the NW1/4 SE1/4 of Section 3, Township 126 North, Range 34 West, Stearns County, Minnesota, described as follows: Commencing at the SE corner of the NW1/4SE1/4 of Section 3, Township 126 North, Range 34 West; thence N'ly on the East line thereof a distance of 248.8 feet; thence W'ly, parallel to the South line of said NW1/4SE1/4, a distance of 60.95 feet to a point on the W'ly right-of-way line of State Trunk Highway No. 71, which point is the point of beginning; thence continue W'ly on said parallel line a distance of 246.80 feet to a point on the E'ly right-of-way line of Old State Trunk Highway No. 71, also known as the Birchdale Road; thence deflect right 129 degrees 21' along said Easterly right-of-way line a distance of 105.0 feet; thence deflect right 90 degrees along said right-of-way line a distance of 15.0 feet; thence deflect left 86 degrees 59' a chord distance of 88.88 feet to a point on said right-of-way line; thence deflect right 101 degrees 24' 30" a distance of 89.15 feet; thence deflect left 90 degrees 05' a distance of 113.15 feet to a point on the W'ly right-of-way line of State Trunk Highway No. 71; thence SW'ly along said right-of-way line to the point of beginning together with all that part lying between the aforementioned chord and the SE'ly right-of-way of Old State Trunk Highway No. 71. Containing 1.75 acres or 76,230 square feet more or less.

2. The population of the property is zero (0) persons.
3. The city shall compensate the township a lump sum payment of \$635.55 after the city receives property taxes payable in 2004. This payment is based upon the sum of the amounts in the following table:

Taxes levied by township payable 2002: \$254.22

Year	Percent	Amount
2004	90% of \$254.22	\$228.80
2005	70%...	\$177.95
2006	50%...	\$127.11

2007	30%...	\$ 76.27
2008	10%...	\$ 25.42

4. This Joint Resolution provides for immediate annexation of the subject property. No alteration of the agreed upon boundaries is appropriate and Minnesota Planning may review and comment, but may not alter the boundaries, and shall, within 30 days, order the annexation.
5. The City of Sauk Centre shall extend its zoning and subdivision regulations to the annexed land as provided by law.
6. Should any section of this Joint Resolution and Agreement be held by a court of competent jurisdiction to be unconstitutional or void, the remaining provisions will remain in full force and effect.
7. Minnesota law governs the interpretation of this Joint Resolution.
8. This Joint Resolution is effective upon its adoption by the respective governing bodies of the Township of Sauk Centre and the City of Sauk Centre, as provided by law.

TOWNSHIP OF SAUK CENTRE

Passed and adopted by the Board of Supervisors of Sauk Centre Township this 13th day of November, 2002.

By *Jerome Messer*
Its Chairperson

Attest: *Marilyn Schirmer*
Township Clerk

CITY OF SAUK CENTRE

Passed and adopted by the City Council of Sauk Centre this 20th day of November, 2002.

By *Paul H. Heuser*
Its Mayor

Attest: *Coralie Fox*
City Administrator

DOCUMENT DRAFTED BY:
Karin L. Tank, City Planner
405 Sinclair Lewis Avenue
Sauk Centre, MN 56378
(320) 352-2203

N89°40'04"E
2220.94

OPTION 2

REC'D BY
MAMB NOV 25 2002

CITY OF SAUK CENTRE

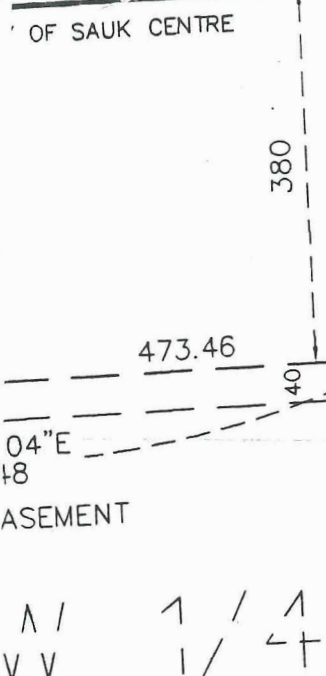
City limits
property to be annexed - see legal descriptions in Resolution

*City annexed: 1-18-02
DA-809-01-809-1*

City Limits

*County Road No. 112
Township*

Egan's Acres



NE 1/4 OF SW 1/4



NW 1/4

SE 1/4

1745.74
N00°19'27"E

N00°46'50"W
CENTERLINE OF S.T.H. NO. 302

S00°10'37"W
1317.95

CITY OF SAUK CENTRE
TOWNSHIP OF SAUK CENTRE

WEST LINE OF NW1/4 OF SE1/4

SOUTH LINE OF NW1/4 OF SE1/4

NWLY LINE OF
S.T.H. NO. 71

N49°32'16"W
17.00

(BIRCHDALE RD.)
360.55
N40°26'57"E

N89°57'35"E
1339.89

MONUMENT IS 0.30 FEET
NORTH OF NORTH LINE OF
SECTION 3, SE1/4 OF

N89°42'22"E
1342.06

697.36
N89°57'23"E

THE NWLY LINE OF COUNTY
ROAD NO. 112 (BIRCHDALE
ROAD) AS DETERMINED BY
FOUND MONUMENTS

220.06
N00°10'21"E

N89°08'15"E
250.24

MONUMENT IS 0.55 FEET
WEST OF EAST LINE OF
SE1/4 OF SW1/4 OF
SECTION 3

243.59
N01°02'14"W

DOC. NO.
896476

FOUND
GRANITE
MONUMENT

N89°02'55"E
396.01

N89°44'39"E
192.50

331.74
N00°50'46"W

DOC. NO.
843951

DOC. NO.
795084

POINT OF WAY LINE OF S.T.H.
PER MNDOT RIGHT OF
WAY AND FOUND MONUMENTS

301.43

N88°58'07"E

353.92

1324.74
N00°02'45"W

1324.74
N00°02'45"W

- SURVEY**
- A. State Trunk MNDOT P.I. fit the exis section cor government
 - B. The parcels Quarter of the Southe been surve prior to 19
 - C. A portion Section 3 (Birchdale existing rc center of used by M
 - D. The center on the su