

JUN 25 2001

Sartell City Resolution No. 122-01
Town Resolution No. 03-2001

**AMENDMENT TO JOINT RESOLUTION FOR ORDERLY ANNEXATION
BETWEEN THE TOWN OF LESAUK AND THE CITY OF SARTELL**

WHEREAS, the Town of LeSauk (the "Town"), the City of Sartell ("Sartell") and the City of St. Cloud ("St. Cloud"), have had numerous discussions regarding the land areas adjacent to the City; and,

WHEREAS, the Town and Sartell are parties to a Joint Resolution as to Orderly Annexation ("LeSauk/Sartell Agreement") approved by the Minnesota Municipal Board on November 6, 1992, (Municipal Board Docket No. OA-276); and

WHEREAS, the Town, Sartell and St. Cloud have agreed that the property legally described in Exhibit A attached hereto, located in the Town and formerly included in the orderly annexation area covered by the terms of the LeSauk/Sartell Agreement, will best be served with municipal services, including utilities, from St. Cloud; and

WHEREAS, the Town Board and the Sartell Council have determined that future planning and development by St. Cloud of the property legally described in Exhibit A attached hereto, which is adjacent to St. Cloud, is of mutual benefit to all parties and the residents thereof; and,

WHEREAS, the Town Board and the Sartell Council desire to accomplish future planning and development of the property legally described in Exhibit A attached hereto by facilitating orderly annexation of the property to St. Cloud.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TOWN OF LESAUK AND THE COUNCIL FOR THE CITY OF SARTELL:

1. Description of Area to be Deleted from the LeSauk/Sartell Agreement. The property legally described in Exhibit A and whose location is indicated on the map included as Exhibit B is excluded from the LeSauk/Sartell Agreement.
2. Continuing Validity of LeSauk/Sartell Orderly Annexation Agreement. Except to the extent specifically modified herein, the Joint Resolution as to Orderly Annexation approved by the Minnesota Municipal Board on November 6, 1992, shall remain in full force and effect.
3. Authorization. Appropriate officers of the Town and Sartell, are hereby authorized to carry the terms of this agreement into effect.
4. Severability and Repealer. All prior resolutions and ordinances of the Town and Sartell, or portions thereof, that are in conflict herewith, are hereby repealed. Should

any section of this agreement be held by a court of competent jurisdiction to be unconstitutional or void, the remaining provisions shall remain in full force and effect.

5. Effective Date. This agreement shall be effective immediately upon its adoption by the respective governing bodies of the Town and Sartell.

Adopted this 22 day of MAY, 2001, by the Board of Supervisors for the Town of LeSauk.

Ronald Haber
Board Chair

Attest:

Marilyn L. Plante
Town Clerk

Adopted this 9th day of April, 2001, by the Council for the City of Sartell.

Robert J. Rogatell
Mayor

Attest:

Peggy L. Schupp
City Administrator/Clerk
Deputy Clerk-Treasurer

EXHIBIT "A"**Legal Description of Area for Orderly Annexation**

All the land West of the centerline of C.S.A.H. No. 4 as recorded in Stearns County Highway Right of Way Plat No. 6 and South of the following described line and located in Section 31, TOWNSHIP 125 North, Range 28 West of the 5th

Principal Meridian, LeSauk Township, Stearns County, Minnesota:

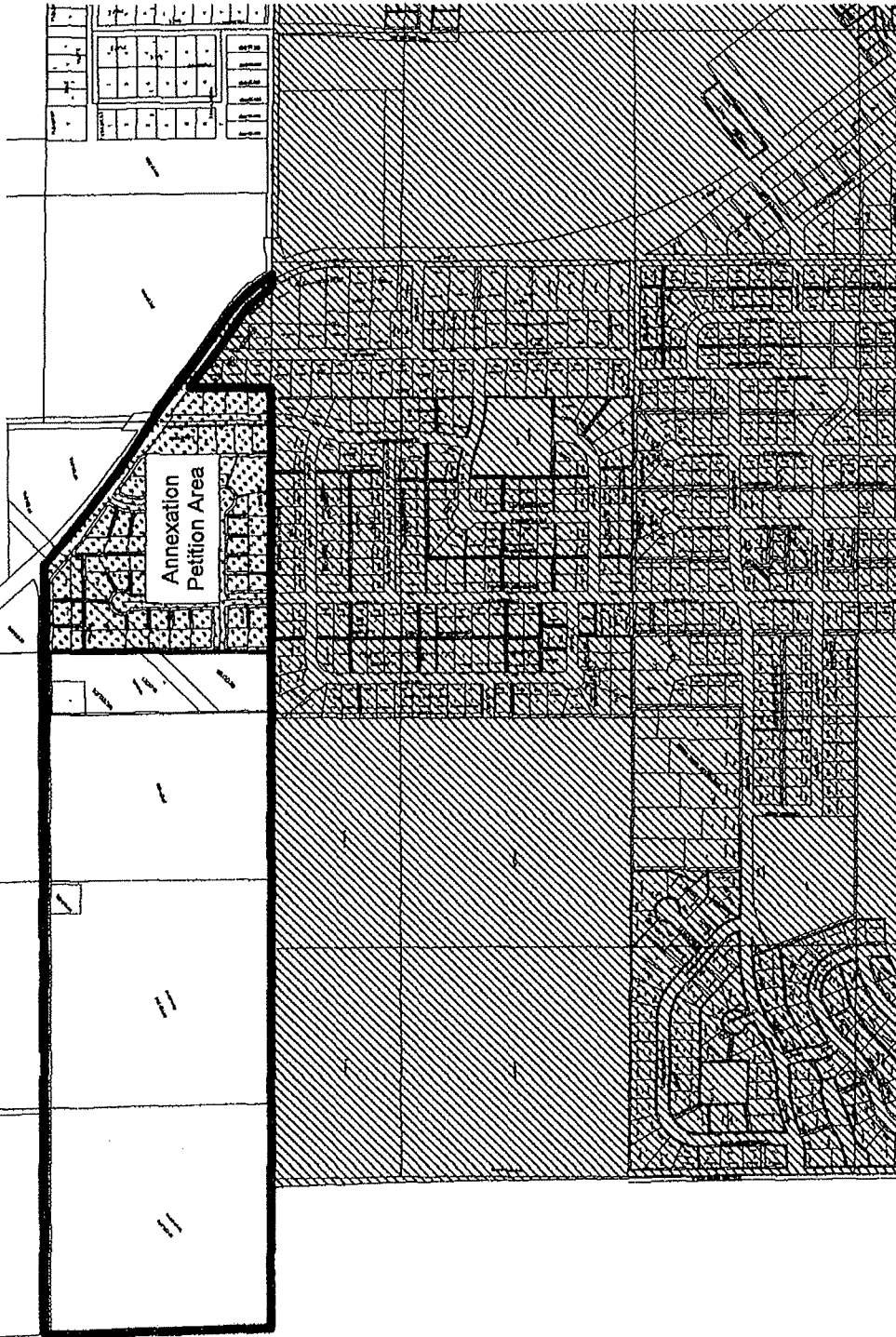
Commencing at the northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 31; thence South along the West line of said Southwest Quarter of the Southwest Quarter, a distance of 16.70 feet to the point of beginning of the line to be described; thence Easterly to a point designated as "M 50" on sheet No. 11 of said Stearns County Highway Right of Way Plat No. 6, and there terminating, said line being the centerline of 322nd Street.

LeSauk Township/City of St. Cloud Annexation Petition Area

EXHIBIT
B

REC'D BY
M M B

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0.2 0 0.2 Miles

Map prepared by the St. Cloud Planning Office, 04/01.

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.

REC'D BY
MMB

JUN 25 2001

Area to be
attached to St. Cloud
growth corridor

Area annexed to St. Cloud
5/24/99

322ND STREET

CSAH 4