

RECEIVED

By: OAH on November 1, 2023

Resolution No. 2023-08-072

RESOLUTION DETACHING 7284 COUNTY ROAD 75
FROM THE CITY OF ST. CLOUD

WHEREAS, Donald Opheim, property owner, has requested the detachment of property depicted and legally described in Exhibits A and B from the City of St. Cloud; and,

WHEREAS, the 4.25-acre property is bound by County Road 75 to the north and the Sauk River to the east; and

WHEREAS, the only contiguous private property is located in the City of St. Joseph and St. Joseph Township orderly annexation agreement; and

WHEREAS, the property is best served with municipal services, when necessary and appropriate for urban development, by the City of St. Joseph.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ST. CLOUD THAT:

1. The subject property, legally described in Exhibit A, is hereby detached from the City of St. Cloud.
2. The Minnesota Office of Administrative Hearings is hereby requested to order the detachment of said property.

Adopted this 7th day of August, 2023.

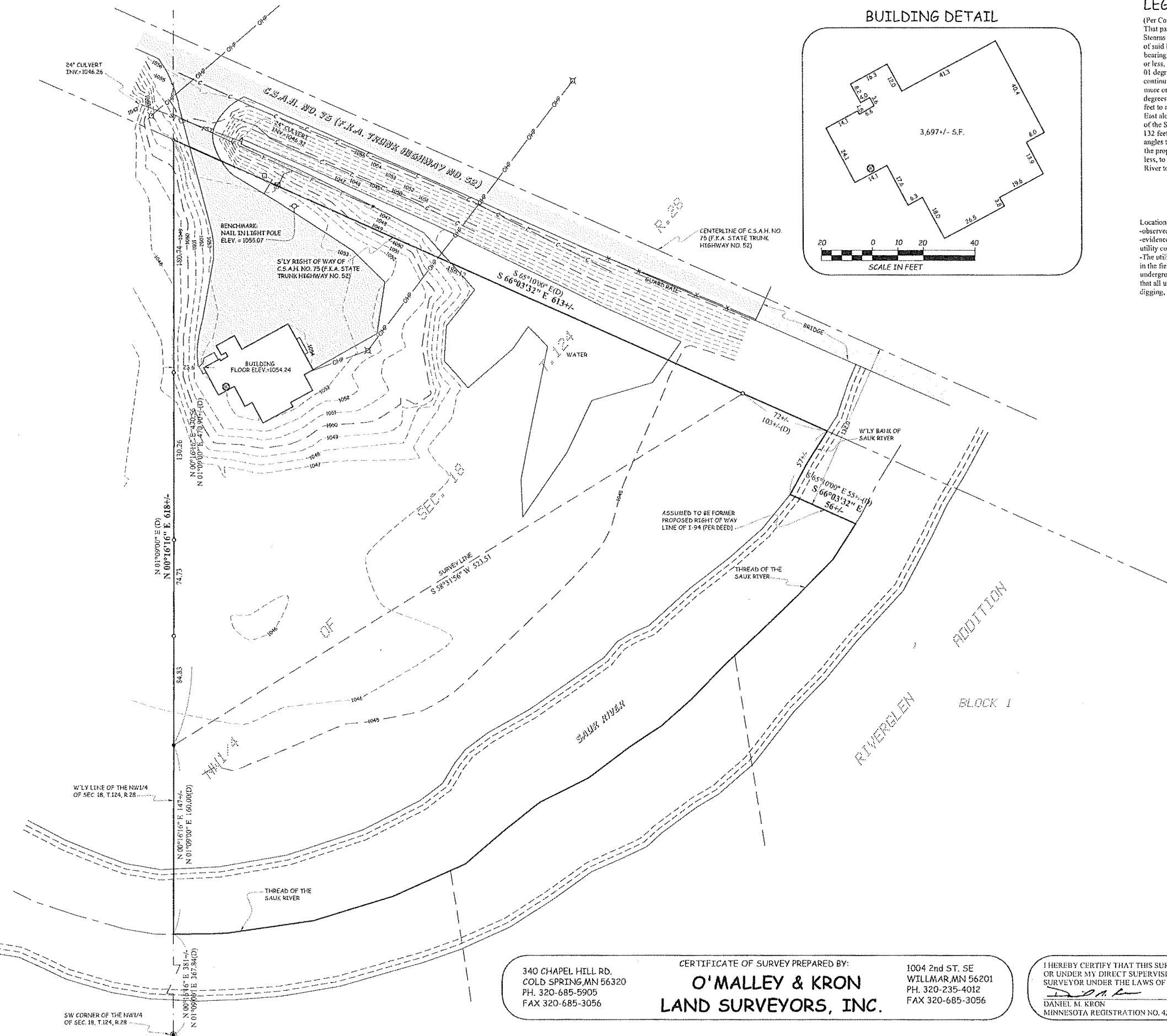
Attest:

City Clerk

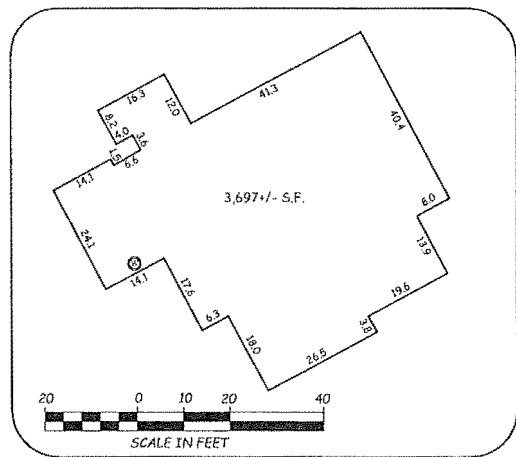
Mayor



Exhibit A
Survey



BUILDING DETAIL



LEGAL DESCRIPTION

(Per Commitment file number 20210404)
That part of the Northwest Quarter (NW¼) of Section 18, Township 124, Range 28 West, Stearns County, Minnesota, described as follows: Commencing at the Southwest corner of said Northwest Quarter; thence Northerly along the Westerly line of said NW¼ on a bearing of North 01 degree, 09 minutes, 00 seconds East a distance of 367.84 feet, more or less, to the thread of the Sauk River for point of beginning; thence continuing North 01 degrees, 09 minutes, 00 seconds East 160.00 feet to an iron monument; thence continuing North 01 degrees, 09 minutes, 00 seconds East, a distance of 470.90 feet, more or less, to the right of way line of State Trunk Highway No. 52; thence South 65 degrees, 10 minutes, 00 seconds East along said right of way line a distance of 486.12 feet to an iron monument; thence continuing South 65 degrees, 10 minutes, 00 seconds East along said right of way line a distance of 103 feet, more or less to the Westerly Bank of the Sauk River; thence Southwesterly along said Westerly Bank to a point which is 132 feet Southwesterly from the centerline of said Highway 52 (as measured at right angles to said centerline); thence South 65 degrees, 10 minutes, 00 seconds East along the proposed right of way line of Interstate Highway 1-94 a distance of 55 feet, more or less, to the thread of Sauk River; thence Southwesterly along the thread of said Sauk River to the point of beginning.

Location of utilities existing on or serving subject property have been determined by:
-observed evidence collected pursuant to Section 5.E.iv.
-evidence from plans requested by O'Malley and Kron Land Surveyors and obtained from utility companies, or provided by client.
-The utilities shown hereon were located using the Gopher State One-Call system and verified in the field where possible. Private utility locations, such as underground sprinklers, underground service lines, ect may not have been located. O'Malley & Kron cannot guarantee that all utility companies responded or the accuracy or completeness of the locates. Prior to digging, contact Gopher One at 1-800-252-1166 and refer to ticket number 211201546.

NOTE: THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE WITHOUT FIRST CONTACTING THE SURVEYOR OR NO DEVELOPMENT OR CONSTRUCTION SHALL BE BASED ON THIS DRAWING. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

CERTIFICATE OF SURVEY PREPARED FOR:
AL LUBERDA

JOB NO: 2021-283
FILE NAME: 2021-283 topo.dwg
LOCATION: 18-124-28

340 CHAPEL HILL RD.
COLD SPRING, MN 56320
PH. 320-685-5905
FAX 320-685-3056

CERTIFICATE OF SURVEY PREPARED BY:
O'MALLEY & KRON
LAND SURVEYORS, INC.

1004 2nd ST. SE
WILLMAR, MN 56201
PH. 320-235-4012
FAX 320-685-3056

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
Daniel M. Kron
DANIEL M. KRON
MINNESOTA REGISTRATION NO. 42621
DATE: 05-06-2022

Exhibit B
Legal Description of Property

That part of the Northwest Quarter (NW¼) of Section 18, Township 124, Range 28 West, Stearns County, Minnesota, described as follows: Commencing at the Southwest corner of said Northwest Quarter; thence Northerly along the Westerly line of said NW¼ on a bearing of North 01 degree, 09 minutes, 00 seconds East a distance of 367.84 feet, more or less, to the thread of the Sauk River for point of beginning; thence continuing North 01 degrees, 09 minutes, 00 seconds East 160.00 feet to an iron monument; thence continuing North 01 degrees, 09 minutes, 00 seconds East, a distance of 470.90 feet, more or less, to the right of way line of State Trunk Highway No. 52; thence South 65 degrees, 10 minutes, 00 seconds East along said right of way line a distance of 486.12 feet to an iron monument; thence continuing South 65 degrees, 10 minutes, 00 seconds East along said right of way line a distance of 103 feet, more or less to the Westerly Bank of the Sauk River; thence Southwesterly along said Westerly Bank to a point which is 132 feet Southwesterly from the centerline of said Highway 52 (as measured at right angles to said centerline); thence South 65 degrees, 10 minutes, 00 seconds East along the proposed right of way line of Interstate Highway 1-94 a distance of 55 feet, more or less, to the thread of Sauk River; thence Southwesterly along the thread of said Sauk River to the point of beginning .