

City of St. Cloud Resolution

2004-2-44

REC'D BY
MMB

MAR 10 2004

Sartell City Resolution 30-04
LeSauk Town Resolution 2004-01

**JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN THE TOWN
OF LESAUK, THE CITY OF SARTELL AND THE CITY OF ST. CLOUD,
MINNESOTA**

WHEREAS, the Town of LeSauk (the "Town"), the City of Sartell ("Sartell") and the city of St. Cloud ("St. Cloud") have had discussion regarding land areas adjacent to the City in the past and,

WHEREAS, the Town and Sartell are parties to a Joint Resolution as to Orderly Annexation ("Agreement") approved by the Minnesota Board on November 6, 1992 (Municipal Board Docket No. 0A-276)-276); and,

WHEREAS, the cities of Sartell and St. Cloud have agreed that there are parts of the Town that will best be served with municipal services, including utilities from St. Cloud; and,

WHEREAS, the Town Board, the Sartell Council and the St. Cloud Council have determined that future planning and development by St. Cloud of land areas adjacent to a portion of St. Cloud are of mutual benefit to both parties and the residents thereof; and

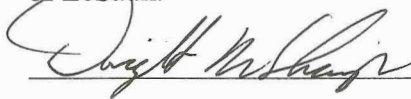
WHEREAS, the Town Board, the Sartell Council and the St. Cloud Council desire to accomplish future planning and development of land areas adjacent to a portion of St. Cloud in an orderly fashion and insofar as is reasonable and possible, and to resolved any present and future differences between said Town, Sartell and St. Cloud by mutual agreement.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS
OF THE TOWN OF LESAUK, THE COUNCIL FOR THE CITY OF SARTELL,
AND THE COUNCIL FOR THE CITY OF ST. CLOUD, MINNESOTA:**

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 1992 LeSauk/Sartell Agreement.
2. Designation of Orderly Annexation Area. The property legally described in Exhibit A and whose location is indicated on the map included as Exhibit B is designated for orderly annexation to St. Cloud under and pursuant to Minnesota Statute 414.0325, Subdivision 1. The area designated as an orderly annexation area is approximately 8.78 acres.
3. Minnesota Jurisdiction. That upon approval by the parties, this agreement shall confer jurisdiction upon Minnesota _____ - so as to accomplish said orderly annexation in accordance with the terms of this agreement.

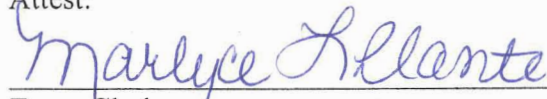
4. No alteration of Boundaries. The Town, Sartell, and St. Cloud mutually state that no alteration by the Board of the boundaries of the area designated for orderly annexation to St. Cloud is appropriate.
5. Review and Comment by Minnesota Planning. The Town, Sartell and St. Cloud mutually state that this agreement sets forth all of the conditions for annexation of the area designated herein for orderly annexation to St. Cloud and that no consideration by Minnesota Planning is necessary. Minnesota Planning may review and comment, but shall within thirty (30) days order annexation in accordance with the terms and conditions of this agreement.
6. 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.
7. Authorization. Appropriate officers of the Town, Sartell, and St. Cloud are hereby authorized to carry the terms of this agreement into effect.
8. Severability and Repealer. All prior resolutions and ordinances of the Town, Sartell and St. Cloud, 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.
9. Effective Date. This agreement shall be effective immediately upon its adoption by the respective governing bodies of the Town, Sartell and St. Cloud.

Adopted this 27th day of January 2004, by the Board of Supervisors for the Town of LeSauk.



Board Chair

Attest:



Town Clerk

REC'D BY
MMB

MAR 10 2004

Adopted this 28th day of January 2004, by the Council for the City of
Sartell.

Robert J. Sartell
Mayor

Attest:

Pam Bartland
City Administrator

Adopted this 9 day of Feb., 2004, by the
Council for the City of St. Cloud.

Carolyn R. Gauen
City Council President

Attest:

Myra E. Gauen
City Clerk

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PROPOSED LEGAL DESCRIPTION FOR ANNEXATION

That part of the Southeast Quarter of Section 34 and the Southwest Quarter of Section 35, both in Township 125 North, Range 28 West, Stearns County, Minnesota described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence North 01 degrees 50 minutes 49 seconds West, assumed bearing, along the east line of said Southeast Quarter, a distance of 1194.46 feet to a Judicial Monument at the northwest corner of MILL CREEK, according to the recorded plat thereof, said Stearns County; thence South 01 degrees 50 minutes 49 seconds East, along said east line of the Southeast Quarter, also being a west line of said MILL CREEK, a distance of 232.18 feet to a north line of said MILL CREEK; thence North 87 degrees 23 minutes 49 seconds West, along said north line, a distance of 155.10 feet to an angle point in said north line, being the point of beginning of the tract of land to be described; thence South 87 degrees 23 minutes 49 seconds East, along said north line, a distance of 155.10 feet to said east line of the Southeast Quarter, also being said west line of MILL CREEK; thence North 01 degrees 50 minutes 49 seconds West, along said east line of the Southeast Quarter, also being said west line of MILL CREEK, a distance of 232.18 feet to said Judicial Monument at the northwest corner of said MILL CREEK; thence continuing North 01 degrees 50 minutes 49 seconds West, along said east line of the Southeast Quarter, a distance of 274.04 feet to a Judicial Monument; thence North 89 degrees 02 minutes 23 seconds East, a distance of 240.00 feet; thence North 81 degrees 39 minutes 12 seconds West, a distance of 482 feet, more or less, to the thread of the Sauk River; thence southwesterly, along said thread to the intersection with a line bearing North 89 degrees 31 minutes 49 seconds West, being the westerly extension of said north line of MILL CREEK, from the point of beginning; thence South 89 degrees 31 minutes 49 seconds East, along said westerly extension and said north line, a distance of 1320 feet, more or less to the point of beginning.

The above tract includes part of AUDITOR'S SUBDIVISION NO. 2, according to the recorded plat thereof, said Stearns County.

PROPOSED LEGAL DESCRIPTION FOR ANNEXATION

That part of the Southeast Quarter of Section 34 and the Southwest Quarter of Section 35, both in Township 125 North, Range 28 West, Stearns County, Minnesota described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence North 01 degrees 50 minutes 49 seconds West, assumed bearing, along the east line of said Southeast Quarter, a distance of 1194.46 feet to a Judicial Monument at the northwest corner of MILL CREEK, according to the recorded plat thereof, said Stearns County; thence South 01 degrees 50 minutes 49 seconds East, along said east line of the Southeast Quarter, also being a west line of said MILL CREEK, a distance of 232.18 feet to a north line of said MILL CREEK; thence North 87 degrees 23 minutes 49 seconds West, along said north line, a distance of 155.10 feet to an angle point in said north line, being the point of beginning of the tract of land to be described; thence South 87 degrees 23 minutes 49 seconds East, along said north line, a distance of 155.10 feet to said east line of the Southeast Quarter, also being

REQUESTED BY:

Helm Milling Company

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