

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Kenneth F. Sette	Chair
Robert J. Ferderer	Vice Chair
John W. Carey	Commissioner

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IN THE MATTER OF THE ORDERLY ANNEXATION	)	
AGREEMENT BETWEEN THE CITY OF ST. CLOUD	)	<u>ORDER</u>
AND THE TOWN OF ST. CLOUD PURSUANT TO	)	
MINNESOTA STATUTES 414	)	

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WHEREAS, a joint resolution for orderly annexation was adopted by the City of St. Cloud and the Town of St. Cloud and duly accepted by the Minnesota Municipal Board; and

WHEREAS, a resolution was received from the City of St. Cloud indicating their desire that certain property be annexed to the City of St. Cloud pursuant to M.S. 414.0325, Subdivision 1; and

WHEREAS, M.S. 414.0325 states that in certain circumstances the Minnesota Municipal Board may review and comment, but shall within 30 days order the annexation of land pursuant to said subdivision; and

WHEREAS, on October 1, 1992, the Minnesota Municipal Board has reviewed and accepted the resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed to the City of St. Cloud, Minnesota, the same as if it had originally been made a part thereof:

Parcel 2 (63.09 acres, more or less):

That part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 35 and of the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section 36 and of the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section 36 and of the East Half of the Northwest Quarter (E1/2 NW1/4) of Section 36, all in Township 125 North, Range 28 West, St. Cloud Township, Stearns County, Minnesota, described as follows:

All that part of said NE1/4 NE1/4 of Section 35 described as

follows: Commencing at the NE corner of said Section 35; thence in a westerly direction along the north line of said section a distance of 424.28 feet to the westerly right of way line of the Burlington Northern Railroad (formerly Great Northern Railroad), now discontinued; thence Southeasterly along said railroad right of way line a distance of 196.90 feet to the point of beginning; thence continuing Southeasterly along said railroad right of way line a distance of 879.75 feet; thence deflect right  $95^{\circ}34'$  (bearing S  $73^{\circ}00'$  W) a distance of 306.28 feet to the east right of way line of County State Aid Highway 75 (formerly Minnesota Trunk Highway 152); thence northwesterly in a curve along said highway right of way line a distance of 364.45 feet to a point in a line that bears S  $04^{\circ}51'$  W from the point of beginning; thence N  $04^{\circ}51'$  E a distance of 550.36' to the point of beginning and there terminating. Containing 3.49 acres, more or less.

AND

That part of said NE1/4 NE1/4 of Section 35 and that part of said NW1/4 NW1/4 of Section 36 described as follows: Commencing at the northeast corner of said NW1/4 NW1/4 of Section 36; thence due North 126.25 feet; thence South  $56^{\circ}07'$  West 226.18 feet to the North line of said NW1/4 NW1/4 of Section 36; thence due West along said North line 525.10 feet to the point of beginning; thence South  $3^{\circ}30'$  East 200.37 feet; thence due East 190 feet, more or less, to the center line of the stream known as Three Mile Creek; thence Southwesterly following the thread of said stream to the Northeasterly right of way line of the Burlington Northern Railroad (now discontinued); thence Northwesterly along said Northeasterly right of way line 1110 feet, more or less, to the North line of said NE1/4 NE1/4 of Section 35; thence East along said North line 315.25 feet to the northeast corner of said Section 35, being also the northwest corner of said Section 36; thence East along the North line of said Section 36 a distance of 610.38 feet to the point of beginning and there terminating, LESS AND EXCEPT the right of way of the railroad spur track known as the Tileston Mill Spur, being 33 feet in width. Containing 14 acres, more or less.

AND

All that part of said NW1/4 NW1/4 of Section 36 described as follows: Beginning at the northeast corner of said NW1/4 NW1/4 of Section 36; thence South  $29^{\circ}50'42''$  West a distance of 230.71 feet; thence South  $89^{\circ}57'30''$  West a distance of 578.76 feet to the easterly line of the parcel described in Deed Document 262496 on file and of record in the office of the Stearns County Recorder; thence North  $03^{\circ}24'18''$  West along said parcel described in Document 262496 a distance of 200.37 feet to the north line of said Section 36; thence East along said north section line a distance of 705.48 feet to the point of beginning and there terminating. Containing ~~2.95~~ 2.95 acres, more or less.

AND

All that part of said NW1/4 NW1/4 of Section 36 described as follows: Beginning at a point that is 200 feet due South of the Northeast corner of said NW1/4 NW1/4 of Section 36; thence due North 200 feet to said Northeast corner of NW1/4 NW1/4 of Section 36; thence South 29°50'42" West a distance of 230.71 feet; thence due East and parallel with the North line of said NW1/4 NW1/4 to the point of beginning and there terminating. Containing 0.23 acres, more or less.

AND

That part of said NW1/4 NW1/4 and said SW1/4 NW1/4 of Section 36 described as follows: Beginning at a point 200 feet due South of the Northeast corner of said NW1/4 NW1/4 of Section 36; thence due West and parallel with the North line of said NW1/4 NW1/4 of Section 36, 698.80 feet to the centerline of the stream known as Three Mile Creek; thence Southwesterly along the thread of said stream to the Easterly right of way line of the Burlington Northern Railroad (formerly Great Northern Railroad); thence in a southeasterly direction along said right of way line to the South line of the North three-eighths (N3/8) of said SW1/4 NW1/4 of Section 36; thence due East to a point due South of the point of beginning; thence due North 1618 feet to the point of beginning and there terminating. Containing 35.53 acres, more or less.

AND

That part of said E1/2 NW1/4 of Section 36 described as follows: Beginning at a point 200 feet due South of the Northwest corner of said E1/2 NW1/4; thence due East and parallel with the North line of said E1/2 NW1/4 183.60 feet; thence South 9°20' West 1184.80 feet to an intersection with the West line of said E1/2 NW1/4; thence due North on said West line of said E1/2 NW1/4 1170 feet to the point of beginning and there terminating. Containing 2.44 acres, more or less.

AND

All that portion of Burlington Northern Railroad Company's, formerly Great Northern Railway Company's, 100 foot wide Clearwater Junction to St. Cloud, Minnesota Branch Line right of way, now discontinued, situated in said NE1/4 NE1/4 of Section 35 and in the SW1/4 of said NW1/4 NW1/4 of Section 36, bounded between the North line of said NE1/4 NE1/4 of Section 35 and a line drawn at right angles to the Main Track centerline distant 300.00 feet Southeasterly of the West line of said SW1/4 NW1/4 NW1/4 of Section 36 as measured along said Main Track centerline. Containing 4.35 acres, more or less.

AND

All that portion of Burlington Northern Railroad Company's, formerly Great Northern Railway Company's, Tileston Mill Spur track right of way, now discontinued, situated in said NE1/4 NE1/4 of Section 35, lying Easterly of Clearwater Road (a.k.a.

old St. Cloud to St. Augusta Road), and bounded between the North line of said NE1/4 NE1/4 of Section 35 and a line drawn parallel with and distant 50.0 feet Easterly of, as measured radially to, the Clearwater Junction to St. Cloud Branch Line Main Track centerline. Containing 0.10 acres, more or less.

IT IS FURTHER ORDERED: That the tax rate of the City of St. Cloud on the property described below shall be increased in substantially equal proportions over a period of three years to equality with the tax rate of the property already within the city.

That part of said NE1/4 NE1/4 of Section 35 and that part of said NW1/4 NW1/4 of Section 36 described as follows: Commencing at the northeast corner of said NW1/4 NW1/4 of Section 36; thence due North 126.25 feet; thence South 56°07' West 226.18 feet to the North line of said NW1/4 NW1/4 of Section 36; thence due West along said North line 525.10 feet to the point of beginning; thence South 3°30' East 200.37 feet; thence due East 190 feet, more or less, to the center line of the stream known as Three Mile Creek; thence Southwesterly following the thread of said stream to the Northeasterly right of way line of the Burlington Northern Railroad (now discontinued); thence Northwesterly along said Northeasterly right of way line 1110 feet, more or less, to the North line of said NE1/4 NE1/4 of Section 35; thence East along said North line 315.25 feet to the northeast corner of said Section 35, being also the northwest corner of said Section 36; thence East along the North line of said Section 36 a distance of 610.38 feet to the point of beginning and there terminating, LESS AND EXCEPT the right of way of the railroad spur track known as the Tileston Mill Spur, being 33 feet in width. Containing 14 acres, more or less.

AND

All that part of said NW1/4 NW1/4 of Section 36 described as follows: Beginning at the northeast corner of said NW1/4 NW1/4 of Section 36; thence South 29°50'42" West a distance of 230.71 feet; thence South 89°57'30" West a distance of 578.76 feet to the easterly line of the parcel described in Deed Document 262496 on file and of record in the office of the Stearns County Recorder; thence North 03°24'18" West along said parcel described in Document 262496 a distance of 200.37 feet to the north line of said Section 36; thence East along said north section line a distance of 705.48 feet to the point of beginning and there terminating. Containing 2.95 acres, more or less.

AND

All that part of said NW1/4 NW1/4 of Section 36 described as follows: Beginning at a point that is 200 feet due South of the Northeast corner of said NW1/4 NW1/4 of Section 36; thence due North 200 feet to said Northeast corner of NW1/4 NW1/4 of

Section 36; thence South  $29^{\circ}50'42''$  West a distance of 230.71 feet; thence due East and parallel with the North line of said NW1/4 NW1/4 to the point of beginning and there terminating. Containing 0.23 acres, more or less.

AND

That part of said NW1/4 NW1/4 and said SW1/4 NW1/4 of Section 36 described as follows: Beginning at a point 200 feet due South of the Northeast corner of said NW1/4 NW1/4 of Section 36; thence due West and parallel with the North line of said NW1/4 NW1/4 of Section 36, 698.80 feet to the centerline of the stream known as Three Mile Creek; thence Southwesterly along the thread of said stream to the Easterly right of way line of the Burlington Northern Railroad (formerly Great Northern Railroad); thence in a southeasterly direction along said right of way line to the South line of the North three-eighths ( $N3/8$ ) of said SW1/4 NW1/4 of Section 36; thence due East to a point due South of the point of beginning; thence due North 1618 feet to the point of beginning and there terminating. Containing 35.53 acres, more or less.

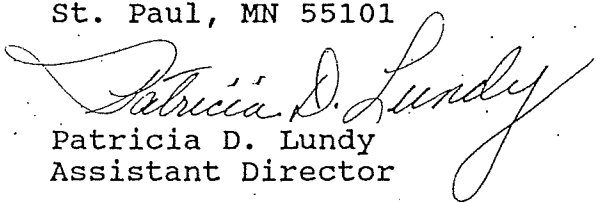
AND

That part of said E1/2 NW1/4 of Section 36 described as follows: Beginning at a point 200 feet due South of the Northwest corner of said E1/2 NW1/4; thence due East and parallel with the North line of said E1/2 NW1/4 183.60 feet; thence South  $9^{\circ}20'$  West 1184.80 feet to an intersection with the West line of said E1/2 NW1/4; thence due North on said West line of said E1/2 NW1/4 1170 feet to the point of beginning and there terminating. Containing 2.44 acres, more or less.

IT IS FURTHER ORDERED: That the effective date of this order is October 1, 1992.

Dated this 8th day of October, 1992.

MINNESOTA MUNICIPAL BOARD  
475 McColl Building  
St. Paul, MN 55101

  
Patricia D. Lundy  
Assistant Director