

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

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

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)	

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 1 (18.13 acres, more or less):

That part of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW1/4) of Section 25 and of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section 26, all in Township 125 North, Range 28 West, St. Cloud Township, Stearns County, Minnesota, described as follows:

LITTLE CREEK TOWNHOMES, LITTLE CREEK TOWNHOMES PLAT 2,

and LITTLE CREEK TOWNHOMES PLAT 3, all duly recorded plats, LESS AND EXCEPT Lancewood Drive. Containing 6.79 acres, more or less.

AND

A tract of land described as follows: Beginning at the southeast corner of said SW1/4 SW 1/4 of Section 25; thence North along the East line of said SW1/4 SW1/4 a distance of 126.25 feet to a point on the east line of Lancewood Drive, said point being a southeastern corner of LITTLE CREEK TOWNHOMES, a duly recorded plat; thence Southwesterly along the southeasterly line of said plat a distance of 228.29 feet to the South line of said SW1/4 SW1/4 of Section 25; thence East along the South line of said SW1/4 SW1/4 of Section 25 a distance of 190.03 feet to the point of beginning, and there terminating. Containing 0.28 acres, more or less.

AND

That part of said SE1/4 SE1/4 of Section 26 described as follows: Beginning at the southeast corner of said Section 26; thence North along the East line of said Section 26 a distance of 342.20 feet; thence West and parallel with the South line of said Section 26 a distance of 239.77 feet to the easterly right of way line of the Burlington Northern Railroad Company's Tileston Mill Spur Track; thence Southerly along said easterly right of way line a distance of 342.18 feet to the South line of said Section 26; thence East along the South line of said Section 26 a distance of 255.70 feet to the point of beginning, and there terminating. Containing 2.19 acres, more or less.

AND

That part of the SW1/4 SW1/4 of Section 25 described as follows: Beginning at the southwest corner of said Section 25; thence North along the West line of said Section 25 a distance of 342.20 feet; thence East and parallel with the South line of said Section 25 a distance of 138.38 feet to a point on the southwest line of Outlot "B", COUNTRY CLUB TOWNHOUSE ADDITION, a duly recorded plat; thence Southeasterly along said southwest line of said Outlot "B" a distance of 151.69 feet, more or less, to a corner of said Outlot "B"; thence East along the south line of said Outlot "B" a distance of 110.00 feet to the southwest corner of Outlot "A" of said COUNTRY CLUB TOWNHOUSE ADDITION; thence East along the south line of said Outlot "A" a distance of 222.80 feet to its intersection with the northwesterly line of LITTLE CREEK TOWNHOMES, a duly recorded plat, thence Southwesterly along the northwesterly line of said LITTLE CREEK TOWNHOMES a distance of 6.09 feet to the northwest corner thereof; thence Southeasterly along the westerly line of said LITTLE CREEK TOWNHOMES a distance of 254.90 feet to the South line of said Section 25; thence Westerly along the South line of said Section 25 to the point of beginning, and there terminating. Containing 3.94 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 SE1/4 SE1/4 of Section 26, lying Easterly of the East right of way line of Clearwater Road (a.k.a. old St. Cloud to St. Augusta Road), and bounded between a westerly extension of the Northerly right of way line of Montrose Road and the South line of said SE1/4 SE1/4 of Section 26. Containing 0.53 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 SE 1/4 SE 1/4 of Section 26, bounded between the North line of said SE1/4 SE1/4 of Section 26 and the South line of said SE1/4 SE1/4 of Section 26. Containing 3.1 acres, more or less.

AND

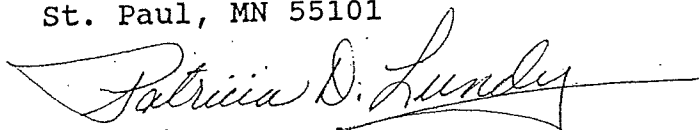
That part of Clearwater Road (a.k.a. old St. Cloud to St. Augusta Road), lying easterly of County State Aid Highway 75 (formerly Minnesota Trunk Highway 152) and bounded between the westerly extension of the northerly line of Montrose Road and the South line of said SE1/4 SE1/4 of Section 26. Containing 1.30 acres, more or less.

IT IS FURTHER ORDERED: That the tax rate of the City of St. Cloud on the property herein ordered annexed, excluding the city-owned property, shall be increased in substantially equal proportions over a period of six years to equality with the tax rate of the property already within the city. The step up in tax rate shall be administered in accordance with the St. Cloud City and Township amendment to the orderly annexation agreement dated May 11, 1992.

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