

CITY OF ST. CLOUD RESOLUTION NO. 1992-12-424

TOWN OF ST. CLOUD RESOLUTION NO. 92-9

**FIFTH AMENDMENT TO THE JOINT RESOLUTION FOR  
ORDERLY ANNEXATION BETWEEN THE TOWN OF ST. CLOUD  
AND THE CITY OF ST. CLOUD (SCHOOL DISTRICT 742  
PROPERTY AT OAK HILL SCHOOL SITE)**

WHEREAS, the Town of St. Cloud ("Town") and the City of St. Cloud ("City") are parties to a Joint Resolution as to Orderly Annexation dated on or about August 19, 1974 which affects an area of the Town described in said resolution as all property lying east of former Minnesota State Highway No. 152 (known as Stearns County Highway No. 75) and hereinafter referred to as the "Orderly Annexation Area"; and

WHEREAS, the original Joint Resolution was amended by joint resolutions of the City and the Town adopted November 16, 1987, September 19, 1988, January 27, 1992, and May 11, 1992; and

WHEREAS, a request has been made by Independent School District No. 742 ("School District") as owner of a parcel of property herein described, to annex said property to the City of St. Cloud; and

WHEREAS, said property described herein abuts on seventy-five percent (75%) of its boundaries property owned by the School District which is located within the corporate boundaries of the City of St. Cloud; and

WHEREAS, the Town and the City are in agreement as to the orderly annexation of said land, described on Exhibit A and depicted on the map labeled Exhibit B, for the purpose of orderly and planned services to the St. Cloud area community.

NOW, THEREFORE, BE IT JOINTLY RESOLVED AND AGREED by the Town of St. Cloud and the City of St. Cloud that:

1. The property described in Exhibit A ("subject property") is subject to orderly annexation pursuant to Minnesota Statutes 414.0325 and the parties hereto designate the area for orderly annexation.

2. The Town does, upon passage of this resolution, and its adoption by the City, confer jurisdiction upon the Minnesota Municipal Board to approve the annexation pursuant to Minnesota Statutes 414.0325.

3. The subject property contains 2.271 acres.

4. The subject property is appropriate for orderly annexation. No alteration of its stated boundaries is appropriate, nor is consideration by the Municipal Board necessary. Therefore, the Municipal Board may review and comment, but shall order the annexation within thirty (30) days in accordance with the terms of this resolution.

5. All the other terms and provisions of the Joint Resolution for Orderly Annexation dated on or about August 19, 1974, as amended by Joint Resolutions dated November 16, 1987, September 19, 1988, January 27, 1992, and May 11, 1992, shall remain in full force and effect.

This resolution adopted by the St. Cloud City Council the 21st day of December, 1992.

Samy Meyer  
Council President

Attest:

Myrle Engdahl  
City Clerk

This resolution adopted by the Town of St. Cloud Board of Supervisors the 21st day of December, 1992.

Bob Bohm  
Chair, Town Board of Supervisors

Attest:

Myrle Engdahl  
Town Clerk

STATE OF MINNESOTA  
COUNTY OF STEARNS  
CITY OF ST. CLOUD

I, Gregg A. Engdahl, City Clerk of the City of St. Cloud, Minnesota, do hereby certify that the above and foregoing is a true and correct copy of Res. # 1992-12-424 (passed/adopted) by the City Council of the City of St. Cloud, Minnesota.

WITNESS MY HAND AND THE SEAL OF THE CITY OF ST. CLOUD MINNESOTA. This the 21st day of January, 1993

Myrle Engdahl  
City Clerk  
City of St. Cloud, MN

REC'D. BY  
MMR JAN 21 1993

EXHIBIT A - Legal Description

That part of the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) of Section Twenty-Seven (27), in Township One Hundred Twenty-Four (124) North, of Range Twenty-Eight (28) West, described as follows to wit: Commencing at the Northwest corner of said Sec. 27; thence South along the West line of said Sec. 27 for a distance of 596 feet; thence East at right angles a distance of 1339.66 feet to the point of beginning, being the centerline of State Aid Road; thence northerly by a deflected angle of 91 degrees 10 minutes to the left, along the centerline of said road 340 feet; thence Easterly by a deflected angle of 91 degrees 10 minutes to the right, 324 feet; thence Southerly by a deflected angle of 88 degrees 50 minutes, to the right 340 feet; thence Westerly by a deflected angle of 91 degrees 10 minutes to the right, 324 feet to the point of beginning, in Stearns County, Minnesota. Subject to the Westerly 33 feet for State Aid Road.

Less and except that part subject to public right-of-way purposes for what is commonly known as County Road 136.  
right-of-way for County Road 136.

Containing 2.271 acres, more or less.

B

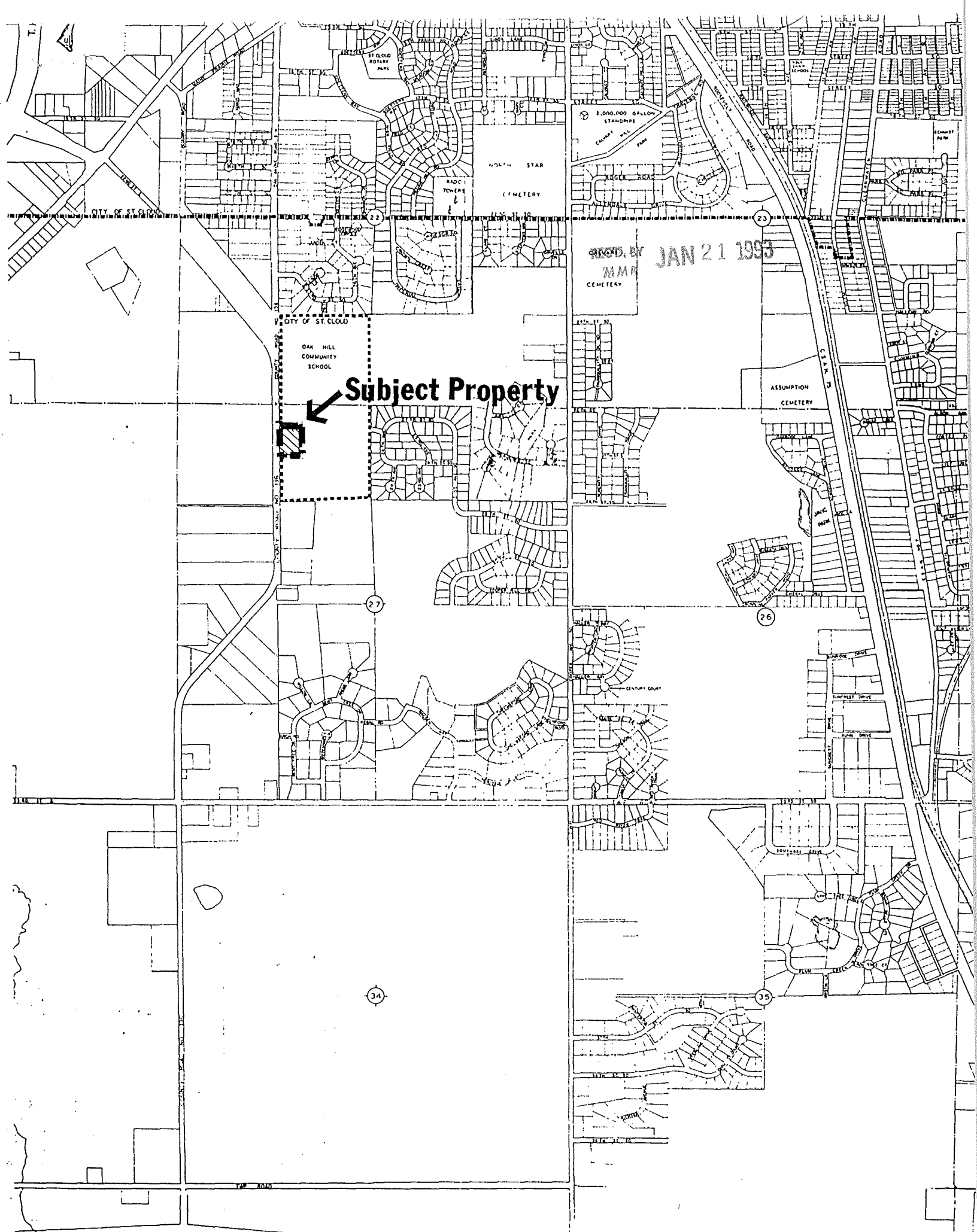
## CORPORATE BOUNDARY

## Subject Property

OAK HILL  
COMMUNITY  
SCHOOL

ASSUMPTION  
CEMETERY

T. H. I 94



**Subject Property**

RECORD BY JAN 21 1993