

REC'D BY MAY 05 1993

Resolution No. 1993-4-146

RESOLUTION ANNEXING PROPERTY IN ST. CLOUD TOWNSHIP TO
THE CITY OF ST. CLOUD, WHICH PROPERTY IS KNOWN AS
THE COUNTRY CLUB TOWNHOUSE PROPERTY, IN ACCORDANCE
WITH THE ORDERLY ANNEXATION AGREEMENT DATED MAY 11, 1992

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 Highway No. 152 (now known as Stearns County Highway No. 75) and hereafter 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; May 11, 1992; December 21, 1992; February 1, 1993; February 8, 1993; and March 1, 1993; and

WHEREAS, paragraph 5 (a)(i) of the May 11, 1992, amendment to the Joint Resolution provides that any property located in that portion of the orderly annexation area described in Exhibit B of the Joint Resolution for Orderly Annexation dated September 19, 1988, shall be subject to annexation to the City upon presentation of a petition signed by a substantial majority of the property owners of record. "Substantial majority" was defined to mean at least 75 percent of the property owners of record in the area requesting annexation and additionally signed by the owners of record of at least 51 percent of the land area; and

WHEREAS, the City received a petition for annexation property located in that part of the Town of St. Cloud that is subject to the resolution and agreement adopted by the City and the Town on May 11, 1992; and

WHEREAS, the request for annexation was supported by a petition signed by 28 of 33 property owners (84.8%) representing in excess of 51% of the land area; and

WHEREAS, the May 11, 1992, amendment provides in paragraph 5 (a)(iii) that if the City desires to annex the property then the annexation shall be accomplished by the adoption of a resolution by the City. Further, that upon receipt of said resolution the Minnesota Municipal Board may review and comment but shall, within 30 days, order the annexation of the property described in the City's resolution.

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

That the City expresses its desire and approval to cause annexation of the property legally described in the attached Exhibit A and as depicted on the maps shown as the attached Exhibit B all in accordance with the Joint Resolution adopted by the City and Town on or about August 19, 1974, as amended, including the resolution adopted on May 11, 1992.

Adopted this 26th day of April, 1993.

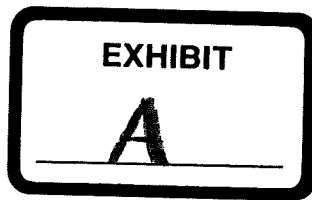
Lauren R. May
Council President

Attest:

Thyge G. Engdahl
city clerk



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Descriptions for Country Club Townhouse area annexation:

Parcel 1 (3.27 acres, more or less):

All that part of the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 25, Township 124 North, Range 28 West, Stearns County, Minnesota, described as follows:

Lots 1, 2 and 3, Block 3, COUNTRY CLUB TOWNHOUSE ADDITION, a duly recorded plat.

AND

Lots 1, 2, 3 and 4, Block 4, COUNTRY CLUB TOWNHOUSE ADDITION, a duly recorded plat.

AND

Lot 1, Block 5, COUNTRY CLUB TOWNHOUSE ADDITION, a duly recorded plat, less part platted as COUNTRY CLUB TOWNHOUSE ADDITION PLAT 2 and COUNTRY CLUB TOWNHOUSE ADDITION PLAT 3, both duly recorded plats.

AND

Lots 1, 2, 3, 4 and 5, Block 1, COUNTRY CLUB TOWNHOUSE ADDITION PLAT 2, a duly recorded plat.

AND

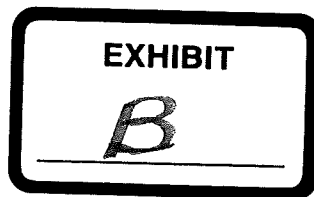
Lots 1, 2, 3, 4, 5, 6 and 7, Block 1, COUNTRY CLUB TOWNHOUSE ADDITION PLAT 3, a duly recorded plat.

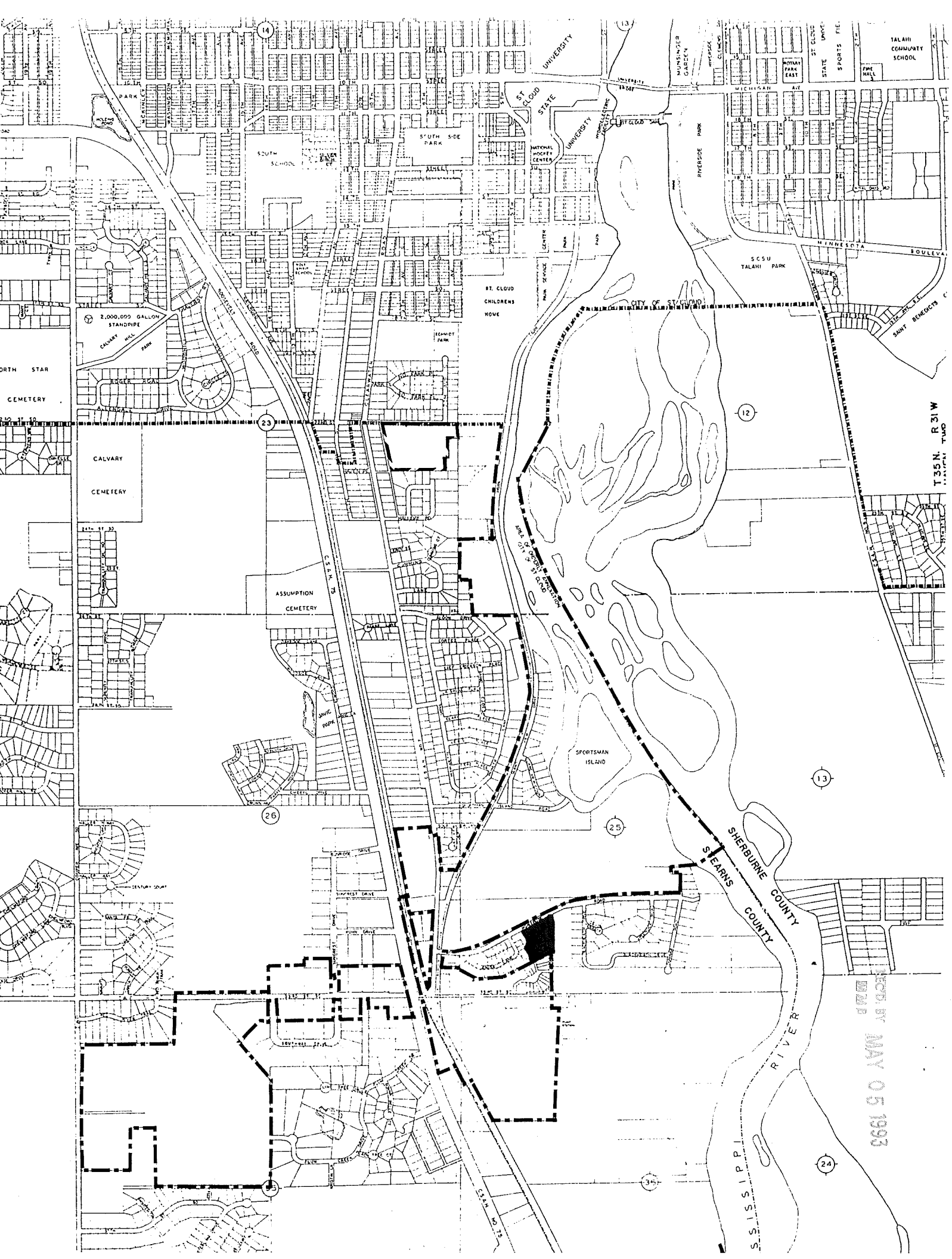
Parcel 2 (0.73 acres, more or less):

All that part of the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) and of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 25, Township 124 North, Range 28 West, Stearns County, Minnesota, described as follows:

All of Lancewood Drive in COUNTRY CLUB TOWNHOUSE ADDITION and LITTLE CREEK TOWNHOMES, both duly recorded plats.

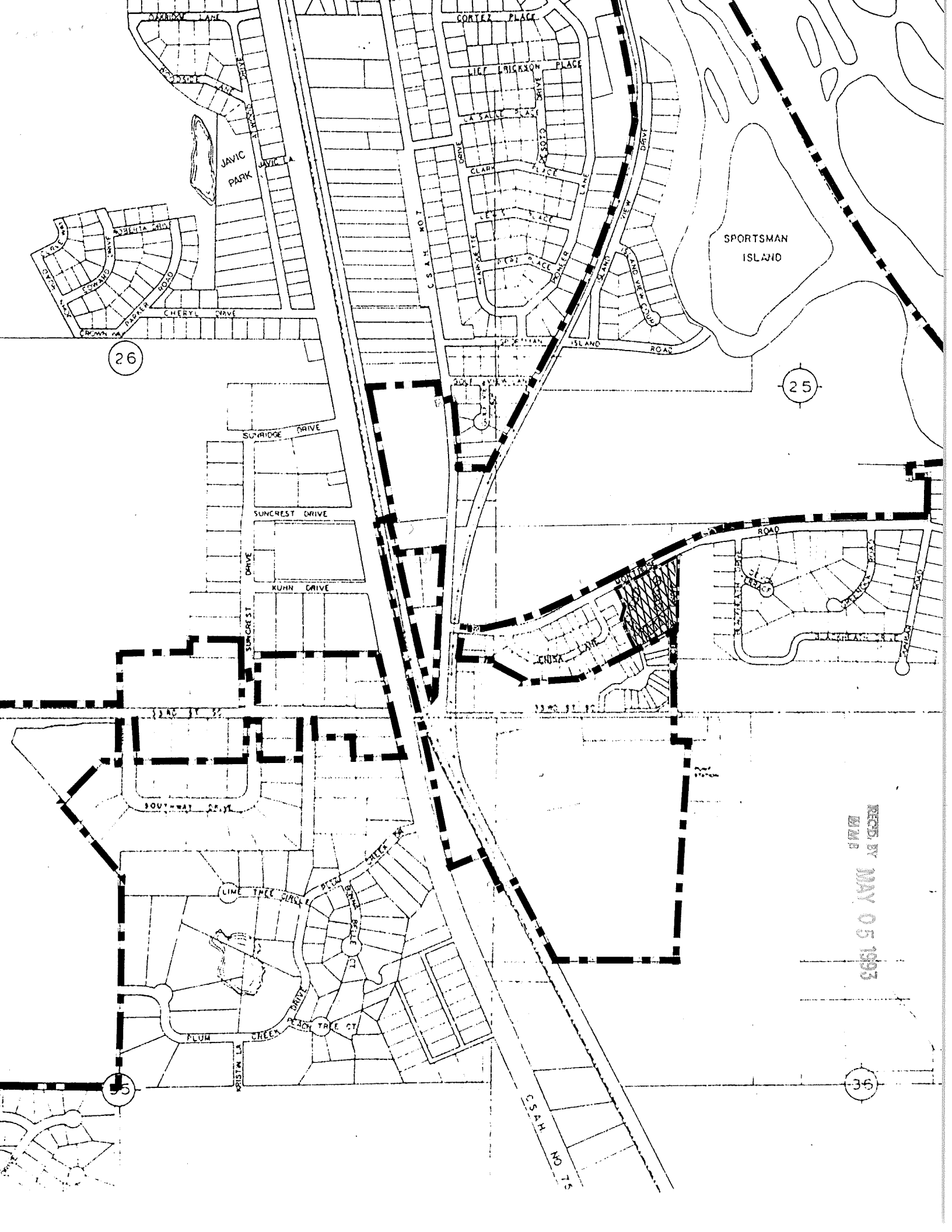
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