

Resolution No. 1993-8-289

**RESOLUTION ANNEXING PROPERTY IN ST. CLOUD TOWNSHIP TO
THE CITY OF ST. CLOUD, WHICH PROPERTY IS OWNED BY THE
CITY OF ST. CLOUD AND IS KNOWN AS "THE SHAW 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 original Joint Resolution provides that any property located in that portion of the orderly annexation area described in Exhibit C of the September 19, 1988, amendment shall be subject to annexation to the City upon presentation of a petition signed by a "substantial majority" of property owners which 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 purchased a parcel of property containing one single family dwelling unit which is located at 2204 Clearwater Road, St. Cloud, MN, for the purpose of securing adequate right-of-way for a street improvement project along 22nd Street South; and,

WHEREAS, it is the City's intent to remove the attached garage part of the dwelling unit to provide adequate space for the street, public utilities, sidewalk, and boulevard improvements, and to then resell the house and lot, less that part needed for right-of-way purposes, for private ownership; and,

WHEREAS, the City formally petitioned for annexation of said property at its meeting on June 28, 1992; and,

WHEREAS, said property is 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 involves a single parcel of property involving a single property owner (the City) which results in a petition signed by 100% of the property owners; and,

REC'D. BY
MMB AUG 23 1993

WHEREAS, the May 11, 1992, amendment provides in paragraph 5 (a) (iii) that if the City then 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:

1. 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 dated May 11, 1992.

2. That, because the property is owned by the City of St. Cloud and is tax-exempt for property tax purposes, no phase-in of the tax rate difference shall be provided.

Adopted this 2nd day of August, 1993.



Council President

Attest:



City Clerk

8/16/93
Date

REC'D. BY AUG 23 1993
M M R

EXHIBIT

A

Descriptions for Shaw Annexation:

All that part of the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) of Section 23, Township 124 North, Range 28 West, Stearns County, Minnesota, described as follows:

Parcel 1 (0.35 acres, more or less):

Lot One (1), HALLIDAY HILLS, a duly recorded plat.

AND

Right-of-Way (0.04 acres, more or less):

All that part of the public alley in HALLIDAY HILLS, a duly recorded plat, that lies northerly of an easterly extension of the southerly line of Lot One (1) of said HALLIDAY HILLS.

HALLIDAY HILLS

TOWN OF ST. CLOUD

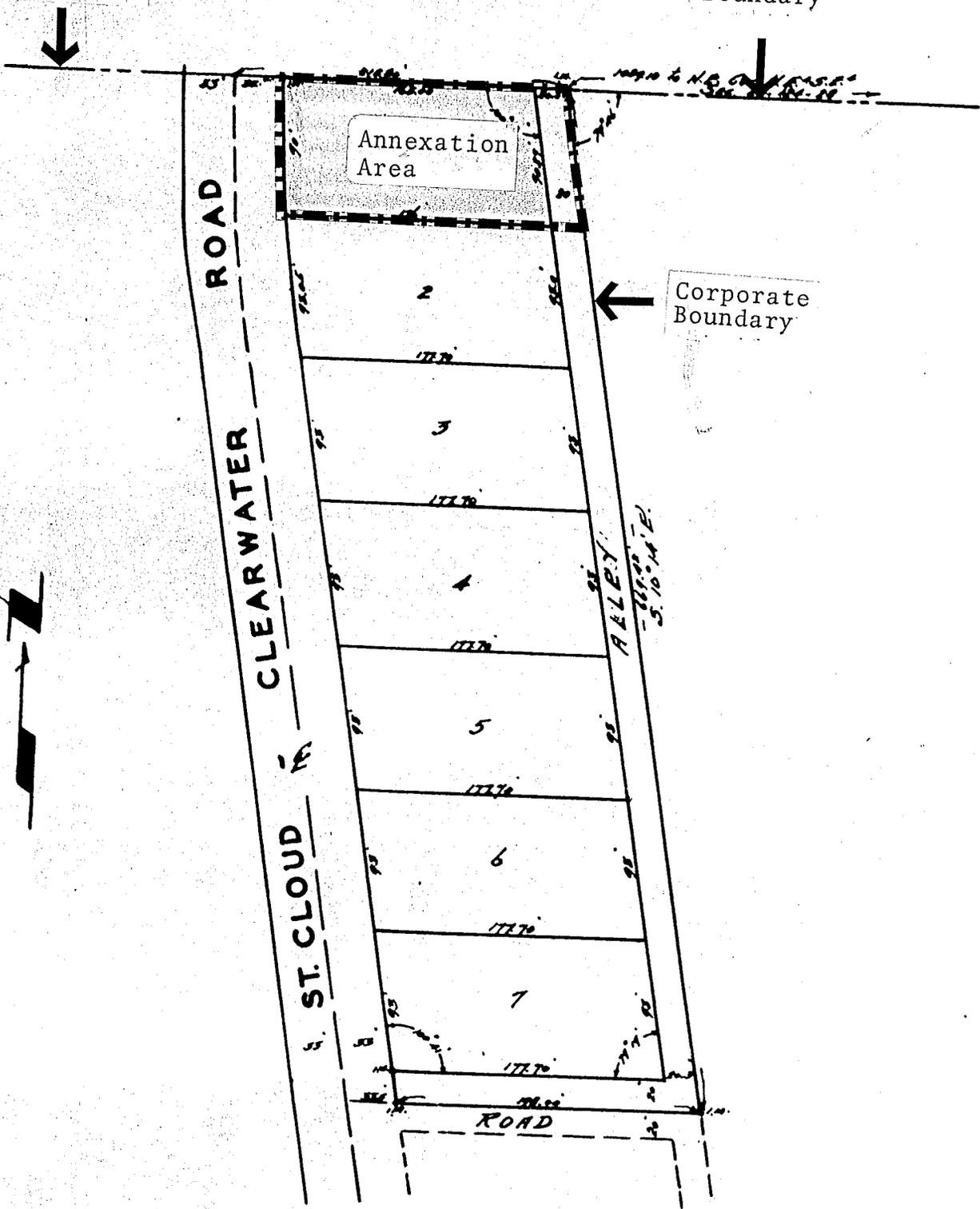
EXHIBIT
B

REC'D. BY
MMR AUG 23 1993

Scale 1" = 40'

Corporate Boundary

Corporate Boundary



Corporate Boundary

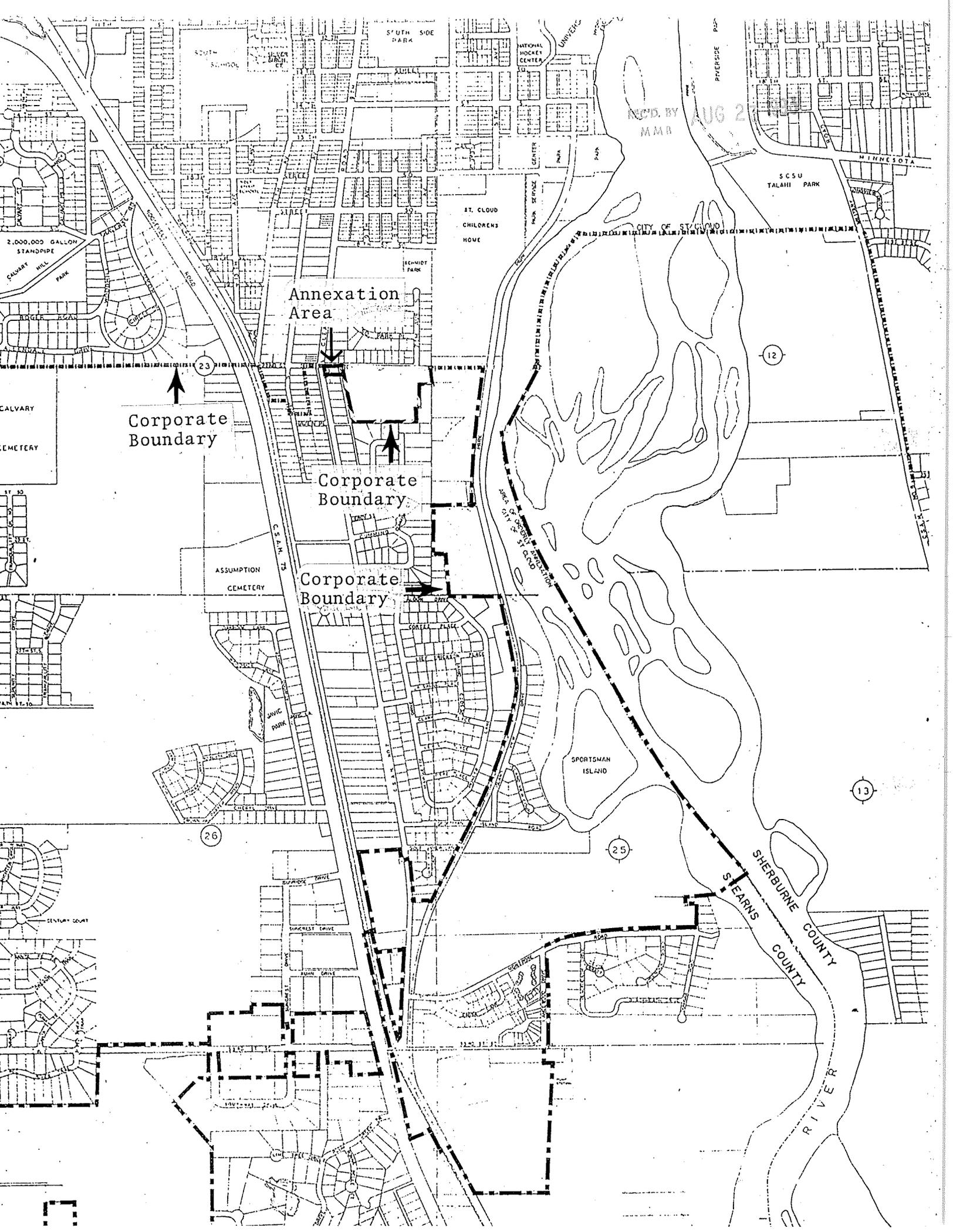
I hereby certify
1993 on the lands
L. J. [Signature]
L. J. [Signature]

I hereby certify that the hereto annexed plat is in my office according to the provisions of the laws of this State.
County Auditor
By _____

AUDITOR

COUNTY TREASURER

REGISTERED



REC'D. BY MMR AUG 27

Annexation Area

Corporate Boundary

Corporate Boundary

Corporate Boundary

ST. CLOUD CHILDRENS HOME

CITY OF ST. CLOUD

SCSU TALAHKI PARK

SPORTSMAN ISLAND

SHERBURNE COUNTY
S. EARNIS COUNTY
RIVER

23

12

26

25

13

2,000,000 GALLON STANDPIPE

CALVARY CEMETERY

ASSUMPTION CEMETERY

CENTURY COURT

ST. 30
ST. 29
ST. 28
ST. 27
ST. 26
ST. 25
ST. 24
ST. 23
ST. 22
ST. 21
ST. 20
ST. 19
ST. 18
ST. 17
ST. 16
ST. 15
ST. 14
ST. 13
ST. 12
ST. 11
ST. 10
ST. 9
ST. 8
ST. 7
ST. 6
ST. 5
ST. 4
ST. 3
ST. 2
ST. 1

SOUTH SIDE PARK

NATIONAL HOCKEY CENTER

ST. CLOUD CHILDRENS HOME

ASSUMPTION CEMETERY

CALVARY CEMETERY

SPORTSMAN ISLAND

SHERBURNE COUNTY

S. EARNIS COUNTY

RIVER

ST. CLOUD CHILDRENS HOME

SPORTSMAN ISLAND

SHERBURNE COUNTY