

City Resolution No. 1995-7-170
Town Resolution No. 95-11

**NINTH AMENDMENT TO THE JOINT RESOLUTION FOR ORDERLY
ANNEXATION BETWEEN THE TOWN OF ST. CLOUD AND THE
CITY OF ST. CLOUD (G & K SERVICES)**

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

WHEREAS, a petition requesting annexation to the City has been made by all owners of a 5.18± acre parcel of property to facilitate the extension of public utility services for a proposed industrial development (G & K Services); and

WHEREAS, the property requested for annexation abuts the corporate limits 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 in Exhibit A and depicted on the map labeled as Exhibit B which consists of 5.18± acres, 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.

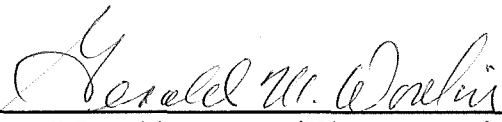
2. The Town does, upon passage of this resolution, and its adoption by the City, confer jurisdiction upon the Minnesota Municipal Board to approve the annexation pursuant to Minnesota Statutes 414.0325.

3. The subject property is appropriate for orderly annexation. No alteration of its stated boundary is appropriate, nor is consideration by the Minnesota 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.

4. No step-up in tax rate shall be provided to the subject property.

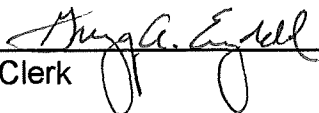
5. All the other terms and provisions of the Joint Resolution for Orderly Annexation dated on or about August 19, 1974, and all subsequent amendments thereto, shall remain in full force and effect.

This resolution adopted by the St. Cloud City Council the 10th day of July, 1995.



Council President (Vice President)

Attest:




City Clerk

This resolution adopted by the Town of St. Cloud Board of Supervisors the 3rd day of July, 1995.



Chair, Town Board of Supervisors

Attest:



Town Clerk

EXHIBIT A

That part of the Southwest Quarter of the Southeast Quarter of Section 26, Township 124 North, Range 28 West of the 5th Principal Meridian, Stearns County, Minnesota, described as follows:

Commencing at the southwest corner of said Southwest Quarter of the Southeast Quarter; thence east along the south line of said Southwest Quarter of the Southeast Quarter, a distance of 420.00 feet; thence north at a right angle, a distance of 168.00 feet; thence east at a right angle, and parallel with the south line of said Southwest Quarter of the Southeast Quarter, a distance of 120.00 feet to the west line of SUNCREST PARK PLAT 2, according to the recorded plat thereof; thence north along the west line of said SUNCREST PARK PLAT 2, a distance of 281.97 feet to the point of beginning of the land to be described; thence continue north along said west line, a distance of 424.00 feet; thence west, parallel with the south line of said Southwest Quarter of the Southeast Quarter, a distance of 529.77 feet, more or less to the west of said line of said Southwest Quarter of the Southeast Quarter; thence south along the west line of said Southwest Quarter of the Southeast Quarter, to point a distance 450.00 feet north of the southwest corner of of said Southwest Quarter of the Southeast Quarter; thence east, parallel with the south line of said Southwest Quarter of the Southeast Quarter, a distance of 534.73 feet, more or less to the point of beginning. Subject to easements of record, if any. Containing 5.181 acres, more or less.

