

Resolution No. 1992-6-228

RESOLUTION ANNEXING PROPERTY IN ST.
CLOUD TOWNSHIP TO THE CITY OF ST. CLOUD
WHICH PROPERTY IS KNOWN AS THE "LANSING PROPERTY"
AND CITY-OWNED TILESTON MILL SPUR PROPERTY

WHEREAS, the Town of St. Cloud ("Town") and City of St. Cloud ("City") are parties to a Joint Resolution as to Orderly Annexation dated on or about August 19, 1974 which effects an area of the Town described in said resolution as all property lying east of former Highway No. 152 (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, and May 11, 1992; 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 of 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 petition for annexation was supported by a petition signed by owners of 100 percent of the non-City-owned property both in number of parcels and total land area; and

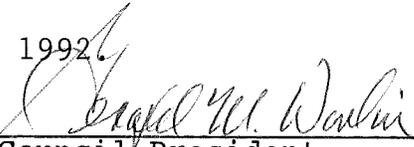
WHEREAS, at a meeting of the Board of the Town of St. Cloud conducted on June 1, 1992, the Town advised the City of St. Cloud that it does not object to the annexation request since it meets the criteria contained in the Orderly Annexation Resolution dated May 11, 1992; and

WHEREAS, the May 11, 1992 amendment provides in paragraph 5(a)(iii) that if the City desires to annex the property then 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 to annex the privately owned and City-owned property legally described in the attached Exhibit A as depicted on the maps shown as attached Exhibit B all in accordance with the Joint Resolution adopted by the City of St. Cloud and the Town of St. Cloud on or about August 19, 1974 as amended including the resolution of amendment adopted on May 11, 1992.

Adopted this 22nd day of June, 1992.



Council President

Vice

Attest:



City Clerk

THIS INSTRUMENT DRAFTED BY:

Jan F. Petersen
St. Cloud City Attorney
400 2nd Street South
St. Cloud, MN 56301
612-255-7204
Reg. No. 85480

All that part of Section 24, Township 124 North, Range 28 West, Stearns County, Minnesota, described as follows:

Parcel 1 (19.6 acres, more or less)

All that part of Government Lot Three (3) of Section 24, Township 124 North, Range 28 West, lying easterly of the abandoned right-of-way of the Burlington Northern Railway Tilson Mill spur.

AND

All that part of Government Lot Four (4) of Section 24, Township 124 North, Range 28 West, lying easterly of the abandoned right-of-way of the Burlington Northern Railway Tilson Mill spur.

AND

All that part of Government Lot Four (4) of Section 24, Township 124 North, Range 28 West, lying westerly of the abandoned right-of-way of the Burlington Northern Railway Tilson Mill Spur LESS AND EXCEPT the following-described tracts:

A tract of land lying in and being part of Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4), Section Twenty-four (24), Township One Hundred Twenty-four (124) North, Range Twenty-eight (28) West, described as follows, to-wit: Beginning at a point on the West line of said Section 24, Township 124, Range 28, 453 feet North of the Southwest corner of said Section 24; thence at right angles East for a distance of 150 feet; thence at right angles South and parallel with the West line of said Section 24, for a distance of 172 feet; thence at right angles West for a distance of 150 feet to a point of intersection with the West line of said Section 24; thence due North along said West line of said Section 24, for a distance of 172 feet to the point of beginning and there terminating.

And

That part of the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section Twenty-four (24), Township One Hundred Twenty-four (124) North, Range Twenty-eight (28) West, described as follows: Commencing at the Southwest corner of Section 24, Township 124 North, Range 28 West; thence North 200 feet for point of beginning; thence North 81 feet; thence East 150 feet at right angles parallel to the South section line of Section 24, Township 124 North, Range 28 West; thence South 150 feet at right angles parallel to the west section line of said Section 24, to a point 150 feet East of the said west section line of the point of beginning.



And

Beginning at the southwest corner of Section 24, Township 124, Range 28; thence North on West line of said Section 24 a distance of 200 feet; thence East parallel to South line of said Section 24 a distance of 170.0 feet; thence southerly to a point on South line of said Section 24 which is 178.0 feet East of southwest corner thereof; thence West on said South line of Section 24, 178 feet to point of beginning.

And

A tract of land lying in and being a part of Government Lot 4, Section 24, Township 124 North, Range 28 West as follows, to-wit: Beginning at the Northwest corner of said Government Lot 4; thence South along the West line of said Government Lot 4 Two Hundred Ninety-five and five-tenths (295.50) feet; thence East and parallel with the North line of said Government Lot 4 Five Hundred Forty (540.00) feet to an intersection with the westerly line of a Great Northern Railway Co. Spur track right-of-way; thence northwesterly along said westerly right-of-way line of said Two Hundred Ninety-seven (297.00) feet to an intersection with the said North line of said Government Lot 4; thence West along said North line of said Government Lot 4 Five Hundred Thirteen and two-tenths (513.20) feet to the point of beginning and there terminating, said tract containing 3.54 acres (more or less).

Parcel 2 (4.65 acres, more or less)

That part of the abandoned right-of-way of the Burlington Northern Railway Tilson Mill Spur situated in the Southwest Quarter (SW1/4) of Section 24, Township 124 North, Range 28 West.

Parcel 3

That part of the Mississippi River and its backwaters that lie in Stearns County, Minnesota, adjacent to and adjoining the above-described parcels.

REC'D. BY JUN 29 1992
M.M.P.

ST. CLOUD
CHILDRENS
HOME

CITY OF ST. CLOUD

North

ST. Cloud
Corporate
Limits

12

Proposed Annexation Area is
24.25 acres more or less

Property
Proposed
for
Annexation

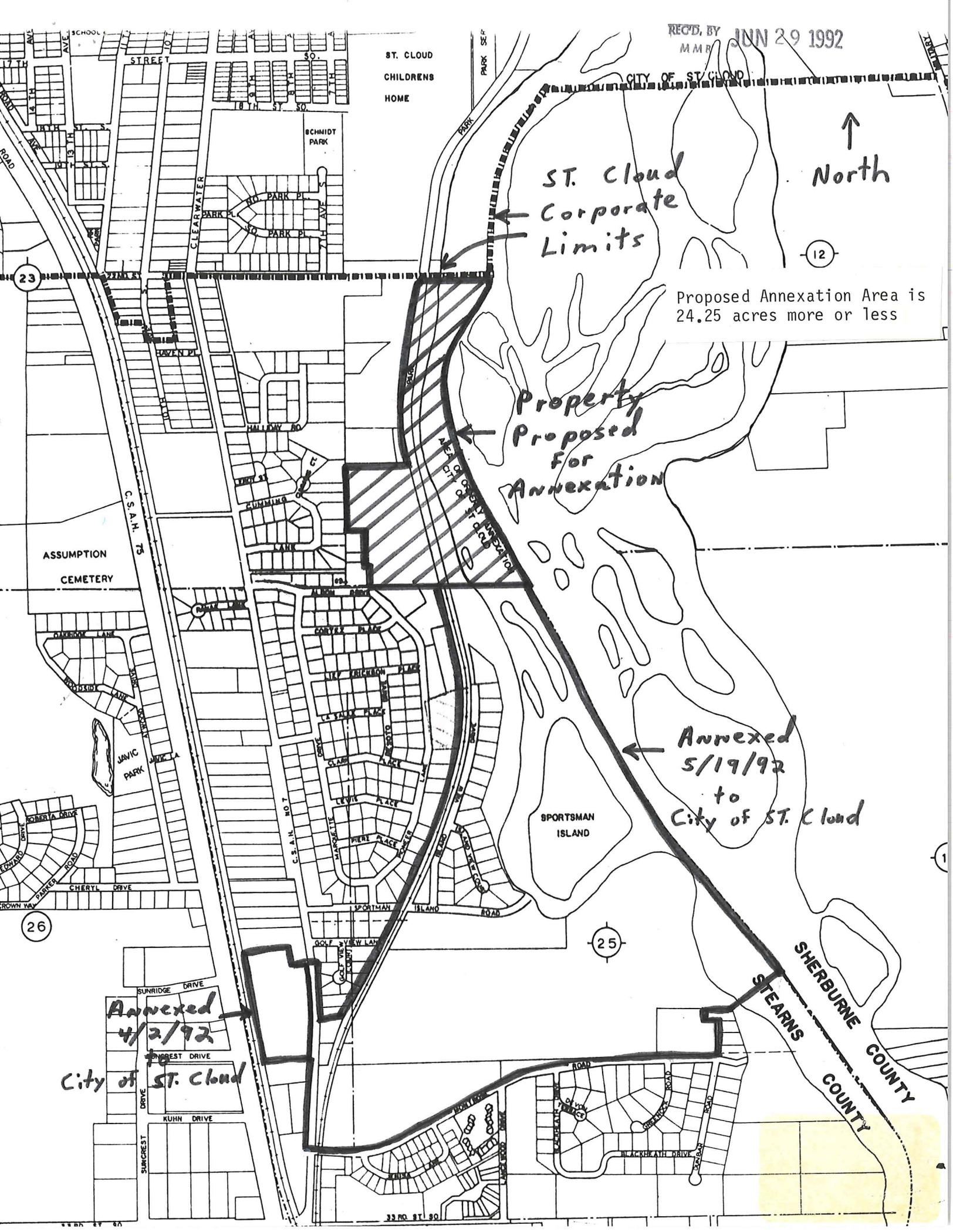
Annexed
5/19/92
to
City of ST. Cloud

SPORTSMAN
ISLAND

Annexed
4/2/92

City of ST. Cloud

SHERBURNE COUNTY
STEARNS COUNTY



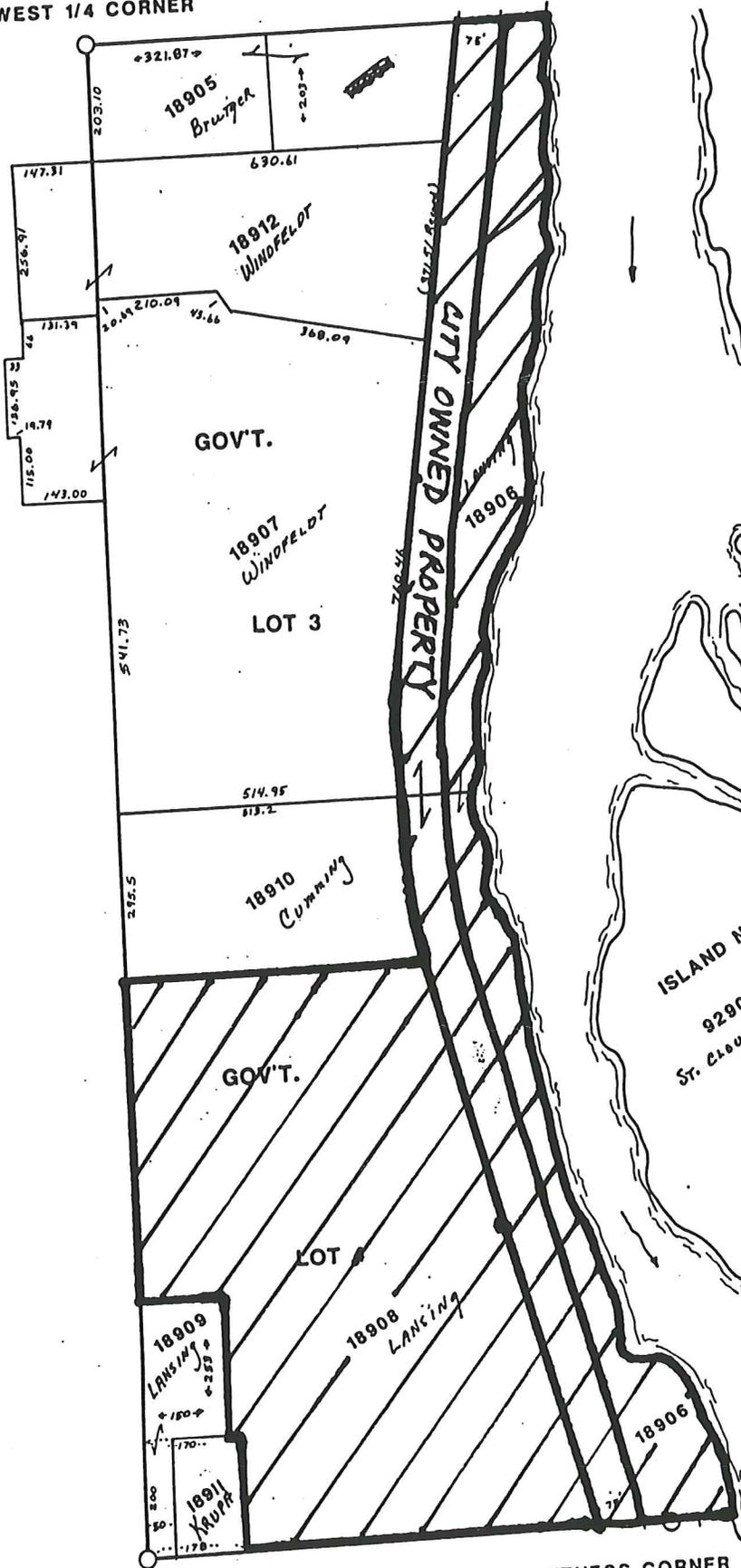
23

26

25

SOUTH 1/2 Sec. 24
1" = 200'

WEST 1/4 CORNER



WITNESS CORNER

