

FEB 10 1983

RESOLUTION APPROVING PETITION FOR ANNEXATION INTO THE CITY OF ST. JOSEPH AND RESOLUTION REQUESTING ANNEXATION OF PROPERTY INTO THE CITY OF ST. JOSEPH BY THE MUNICIPAL BOARD OF THE STATE OF MINNESOTA.

WHEREAS, the City of St. Joseph and the St. Joseph Township have executed a joint Resolution as to orderly annexation of a part of St. Joseph Township to the City of St. Joseph, which Resolution is attached hereto as Exhibit "A", and

WHEREAS, a property owner residing within the area designated in need of orderly annexation and not previously annexed, to-wit: Harvey C. Reber has petitioned for annexation to the City of St. Joseph all of their property, comprising approximately 11,325 square feet, which petition is attached hereto as Exhibit "B",

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

1. The City Council of the City of St. Joseph hereby approves the Petition of Harvey C. Reber for annexation into the City of St. Joseph.

2. The City Council of the City of St. Joseph hereby requests that the Municipal Board of the State of Minnesota hereby annex the following property into the City of St. Joseph:

All that part of the East Half of the Southeast Quarter ( $E\frac{1}{2}$  of  $SE\frac{1}{4}$ ) of Section Ten (10) in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, lying and being Northerly of U.S. Highway No. 52 as now laid out, constructed and traveled over and across said East Half of the Southeast Quarter ( $E\frac{1}{2}$  of  $SE\frac{1}{4}$ ) aforesaid and more particularly described within the following metes and bounds as follows, to-wit: Commencing at the Northeast corner of said East Half of the Southeast Quarter ( $E\frac{1}{2}$  of  $SE\frac{1}{4}$ ) aforesaid, thence South along the East line of said East Half of the Southeast Quarter ( $E\frac{1}{2}$  of  $SE\frac{1}{4}$ ) a distance of about 186 feet to the intersection with the northerly right-of-way line of said U.S. Highway No. 52 a distance of 61 feet; thence North a distance of about 186 feet to a point on the North line of said East Half of the Southeast Quarter ( $E\frac{1}{2}$  of  $SE\frac{1}{4}$ ) which is 61 feet West of the Northeast corner thereof; thence East on said North line of the East Half of the East Half of the Southeast Quarter ( $E\frac{1}{2}$  of  $SE\frac{1}{4}$ ) to the Northeast corner thereof and there terminating.

3. The reason for requesting annexation of the above-described property is that Petitioners have connected with St. Joseph City Services and the area is now urban in character and it would be in the best interest of the area to be annexed into the City.

4. The parties entitled to notice is as follows:

- (a). Township of St. Joseph.
- (b). City of St. Joseph.
- (c). County of Stearns.
- (d). Harvey C. Reber.

Passed by the City Council of St. Joseph on this 18<sup>th</sup>  
day of September, 1980.

Hugo B. Weyers  
Mayor

ATTEST:

Robert G. Johnson  
City Clerk

OCT 15 1975

JOINT RESOLUTION AS TO ORDERLY  
459083 ANNEXATION, CITY OF ST. JOSEPH  
AND TOWNSHIP OF ST. JOSEPH

WHEREAS, The Municipal Commission of the State of Minnesota presently has before it for hearing and consideration the matter of annexation of certain portions of St. Joseph Township to the City of St. Joseph; and

WHEREAS, The Township of St. Joseph and the City of St. Joseph are parties to said hearing; and

WHEREAS, There is a basis for agreement between the parties to this action upon which the matters presently before the Minnesota Municipal Commission can be settled, and the Municipal parties hereto desire to set forth such terms of settlement by means of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township of St. Joseph and the City of St. Joseph, as follows:

1. That the following described area in St. Joseph Township is properly subject to orderly annexation under and pursuant to Minnesota Statutes Section 414.032, and the parties hereto do hereby designate each of the following areas as in need of orderly annexation as provided by Statute:

ZONE 1.

Zone 1 shall consist of that part of the following tracts not now within the City limits of the City of St. Joseph:

The East Half of the Northeast Quarter ( $E\frac{1}{2} NE\frac{1}{4}$ ) of Section Nine (9); ALSO, the Northwest Quarter ( $NW\frac{1}{4}$ ); the Northeast Quarter of the Southwest Quarter ( $NE\frac{1}{4} SW\frac{1}{4}$ ); the Northwest Quarter of the Southeast Quarter ( $NW\frac{1}{4} SE\frac{1}{4}$ ); the Southwest Quarter of the Northeast Quarter ( $SW\frac{1}{4} NE\frac{1}{4}$ ); the Northeast Quarter of the Southeast Quarter ( $NE\frac{1}{4} SE\frac{1}{4}$ ); the Northerly Sixty (60) feet of the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ); and that part of the Southeast Quarter of the Northeast Quarter ( $SE\frac{1}{4} NE\frac{1}{4}$ ) lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, of Section Ten (10); all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

ZONE 2.

Zone 2 includes that part of the following properties not now within the City limits of the City of St. Joseph and not included in Zone 1 described above:

The Easterly Sixty (60) feet of the Southwest Quarter of the Southeast Quarter ( $SW\frac{1}{4} SE\frac{1}{4}$ ), less the Southerly Three Hundred Six and Seven Tenths (306.7) feet thereof; the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ) of Section Ten (10), including Blocks One (1), Two (2) and Three (3) of Cloverdale Estates, excepting therefrom, however, Lots One (1), Two (2) and Three (3) of Block One (1), of Cloverdale Estates; the West Half of the Southwest Quarter ( $W\frac{1}{2} SW\frac{1}{4}$ ) of Section Eleven (11), including all of Mohs Addition; all of Whispering Pines Addition; and that part of the Southwest Quarter of the Northwest Quarter ( $SW\frac{1}{4} NW\frac{1}{4}$ ) of Section Eleven (11), lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

That the Township of St. Joseph does, upon the passage of this resolution and its adoption by the City Council of the City of St. Joseph, agree to withdraw its opposition to the Petition for Annexation and confer jurisdiction upon the Minnesota Municipal Commission so as to accomplish said orderly annexation in accordance with the terms of this resolution.

2. No annexations will take place anywhere within the area designated as in need of orderly annexation unless the area involved is or is about to become urban or sub-urban in character and unless the City is capable of providing municipal services such as water, sanitary sewers and storm sewers.

3. Any persons annexed to the City pursuant to this agreement shall receive a "tax break" consisting of a staged graduated increase in mill rates from the Town rate to the City rate over a period of not less than three (3) nor more than five (5) years. The Municipal Commission shall have the authority to order such tax break consistent with the timing of the municipal services to the area.



✓ 4. The area designated as Zone 1, all of which land is contained in the area subject to orderly annexation, as described in Paragraph 1, is properly subject to annexation during the next one (1) to five (5) years, under and pursuant to Minnesota Statutes, Section 414.032, as amended, subject to all the provisions contained in this agreement.

✓ 5. It is agreed by and between the parties hereto that complete authority and jurisdiction for planning and land use control in all of the area designated as in need of orderly annexation shall be conferred upon the five (5) man committee appointed pursuant to the Joint Powers Agreement between Stearns County, the City of St. Joseph and the Township of St. Joseph entered into among the three (3) municipalities and it is agreed that the decisions of the five (5) man committee will be final, subject to District Court appeal.

✓ 6. Unless a unanimous petition of property owners has been filed with the City, and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any area designated as Zone 1 in Paragraph 1 above for a period of five (5) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 1 by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of five (5) years, the Township agrees not to object to any petition for annexation of Zone 1 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

7. Unless a unanimous petition of property owners has been filed with the City and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any areas designated as Zone 2 in Paragraph 1 above for a period of ten (10) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 2 therein by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of ten (10) years, the Township agrees not to object to any

petition for annexation of Zone 2 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

8. Both parties agree to work jointly to secure Federal Grants in aid for sewer extensions in the area described in Paragraph 1 hereof.

9. Notwithstanding any contrary provisions in Paragraph 6 and Paragraph 7, the Township will not oppose any unanimous petition of land owners of any areas within the orderly annexation area, regardless of whether those lands are developed or undeveloped.

The purpose of this agreement is to preserve the option of the owners of single family residential properties situated in the area to remain in the Township during the term of this agreement as outlined in Paragraphs 6 and 7 above, including existing residential properties and those which may be developed hereafter; and to provide for the annexation of other properties which is, or is about to be, developed for single family residential purposes and which will require municipal water and sewer service and to grant the right to owners of any property to petition for annexation without opposition by the Township on the unanimous petition of property owners.

10. Notwithstanding any other provision of this agreement, any lands annexed to the City which are classified as agricultural lands shall be classified by the City as agricultural lands and shall be taxed only at the rate provided by law for such agricultural lands and not at the full City rate for so long as said lands retain their classification as agricultural lands as herein otherwise provided.

11. Any person owning lands annexed to the City pursuant to this agreement shall have the following rights with regard to the payment of special assessments and hook-up charges on projects previously completed by the City which may be assessable against said annexed property:

a. The property owner may elect to pay, within Thirty (30) days after the effective date of the annexation, the entire principal balance of said assessment, or hook-up charge, assessable against the annexed property as though said assessment had been paid within the statutory grace period for payment of similar assessments as of the date on which the first assessment for said project was made; or

b. The property owner so annexed may elect to pay the entire principal balance in equal annual installments, plus interest on said installments, at the rate established for that assessable project, for all other property owners thereby assessed, over the remaining assessable years, or for such period as the City Council may agree.

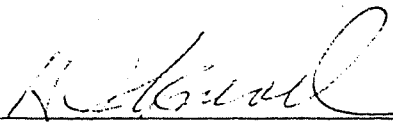
12. In order to give residents now residing within the area and who own large lots a break on the cost of municipal water, sanitary sewer and storm sewer improvements in the area, the City agrees that assessments for such future improvements within the area affecting property owners now residing therein shall be calculated as follows: Eighty percent (80%) of the total cost of the project shall be assessed on a per unit basis, based on the total number of units projected to be served by the project and Twenty percent (20%) of the cost shall be levied on a square foot basis, based on the total number of square feet to be served by the project. In the case of properties owned by persons now residing within the area, which are capable of being divided into more than one residential tract, the City agrees that the per unit cost to be levied against additional units not now in existence shall be deferred until such units are actually constructed, but the City reserves the right to impose the same per unit charge, or hook-up charge in the event additional units are constructed on said tracts.

13. It is agreed that the general policy of the Township shall be not to grant any building permit within the orderly annexation area described in Paragraph 1, unless the property owner has been advised of the terms of this agreement by the recording thereof in the office of the Register of Deeds.

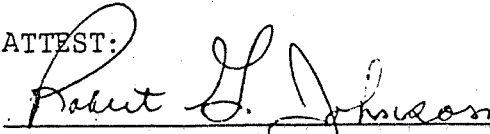
14. Within the area designated for orderly annexation, described in Paragraph 1, any developer or property owner may petition the Minnesota Municipal Commission for the immediate annexation of his property provided he agrees to pay for or finance the full cost of furnishing all municipal services to the area to be developed by him and provided he deposits either cash or a surety bond with the City pursuant to the provisions of the City's Subdivision Ordinance.

15. The City agrees to amend its Subdivision Regulation Ordinance to provide for minimum lot sizes of 10,000 square feet.

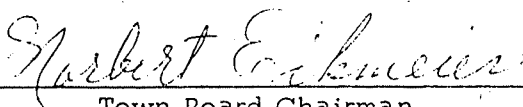
Passed and adopted by the City of St. Joseph this 2 day of October, 1975.

  
Mayor

ATTEST:

  
City Clerk

Passed and adopted by the Township of St. Joseph this 2nd day of October, 1975.

  
Town Board Chairman

ATTEST:


  
Town Clerk

STATE OF MINNESOTA  
COUNTY OF STEARNS

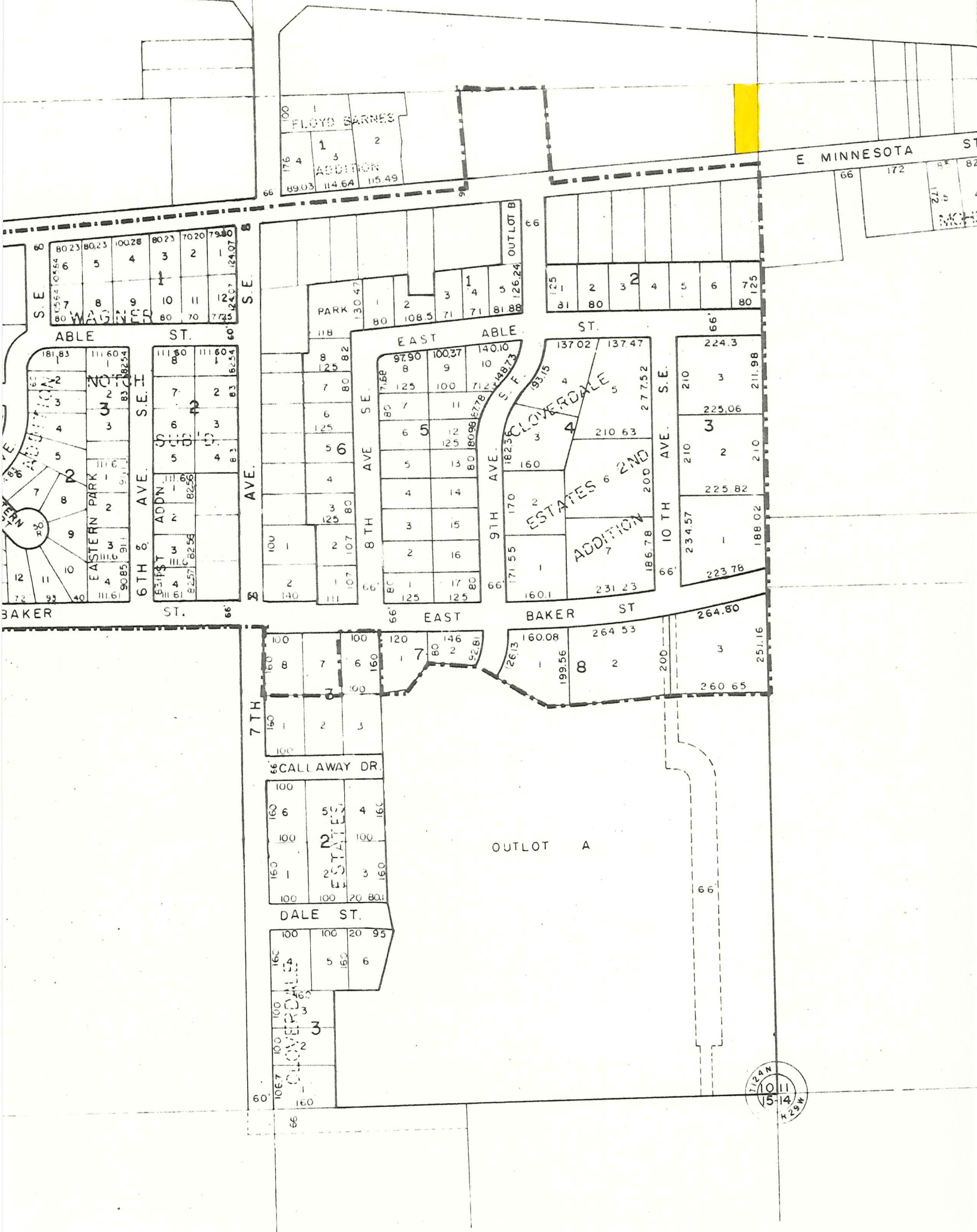
IN THE MATTER OF THE PETITION  
OF HARVEY C. REBER FOR THE  
ANNEXATION OF CERTAIN LANDS  
LOCATED WITHIN ST. JOSEPH TOWNSHIP  
TO THE CITY OF ST. JOSEPH.

The undersigned, being a property owner in the Township of St. Joseph, lying within the area designated in need of orderly annexation pursuant to a joint resolution between the City of St. Joseph and the Township of St. Joseph, executed on October 2, 1976, hereby petitions the St. Joseph City Council for annexation of the following described property, which is owned by the Petitioner and which property is urban in character:

All that part of the East Half of the Southeast Quarter ( $E\frac{1}{2}$  of  $SE\frac{1}{4}$ ) of Section Ten (10) in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, lying and being Northerly of U. S. Highway No. 52 as now laid out, constructed and traveled over and across said East Half of the Southeast Quarter ( $E\frac{1}{2}$  of  $SE\frac{1}{4}$ ) aforesaid and more particularly described within the following metes and bounds as follows, to-wit: Commencing at the Northeast corner of said East Half of the Southeast Quarter ( $E\frac{1}{2}$  of  $SE\frac{1}{4}$ ) aforesaid, thence South along the East line of said East Half of the Southeast Quarter ( $E\frac{1}{2}$  of  $SE\frac{1}{4}$ ) a distance of about 186 feet to the intersection with the northerly right-of-way line of said U. S. Highway No. 52; thence in a Southerly direction along said northerly right-of-way line of said U. S. Highway No. 52 a distance of 61 feet; thence North a distance of about 186 feet to a point on the North line of said East Half of the Southeast Quarter ( $E\frac{1}{2}$  of  $SE\frac{1}{4}$ ) which is 61 feet West of the Northeast corner thereof; thence East on said North line of the East Half of the Southeast Quarter ( $E\frac{1}{2}$  of  $NE\frac{1}{4}$ ) to the Northeast corner thereof and there terminating.

  
Harvey C. Reber

Dated this 23<sup>rd</sup> day of August, 1979.





RESOLUTION APPROVING PETITION FOR ANNEXATION INTO THE CITY OF ST. JOSEPH AND RESOLUTION REQUESTING ANNEXATION OF PROPERTY INTO THE CITY OF ST. JOSEPH BY THE MUNICIPAL BOARD OF THE STATE OF MINNESOTA.

WHEREAS, the City of St. Joseph and the St. Joseph Township have executed a joint Resolution as to orderly annexation of a part of St. Joseph Township to the City of St. Joseph, which Resolution is attached hereto as Exhibit "A", and

WHEREAS, a property owner residing within the area designated in need of orderly annexation and not previously annexed, to-wit: Eugene Scherer and Myra Scherer, have petitioned for annexation to the City of St. Joseph all of their property, comprising approximately 100,494 square feet, which petition is attached hereto as Exhibit "B",

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

1. The City Council of the City of St. Joseph hereby approves the Petition of Eugene Scherer and Myra Scherer for annexation into the City of St. Joseph.

2. The City Council of the City of St. Joseph hereby requests that the Municipal Board of the State of Minnesota hereby annex the following property into the City of St. Joseph:

The West 485 Feet of the East 546 feet of the East One-half of the Southeast Quarter (E½ of SE¼) lying North of Old Highway No. 52, Section Ten (10), Township One Hundred Twenty-four (124), Range Twenty-nine (29), Stearns County, Minnesota.

3. The reason for requesting annexation of the above-described property is that Petitioners have connected with St. Joseph City Services and the area is now urban in character and it would be in the best interest of the area to be annexed into the City.

4. The parties entitled to notice is as follows:

(a). Township of St. Joseph.

(c). County of Stearns.

(d). Eugene Scherer and Myra Scherer.

Passed by the City Council of St. Joseph on this 18<sup>th</sup>  
day of September, 1980.

Hugo B. Weyers  
Mayor

ATTEST:

Robert L. Johnson  
City Clerk

OCT 15 1975

JOINT RESOLUTION AS TO ORDERLY  
459083 ANNEXATION, CITY OF ST. JOSEPH  
AND TOWNSHIP OF ST. JOSEPH

WHEREAS, The Municipal Commission of the State of Minnesota presently has before it for hearing and consideration the matter of annexation of certain portions of St. Joseph Township to the City of St. Joseph; and

WHEREAS, The Township of St. Joseph and the City of St. Joseph are parties to said hearing; and

WHEREAS, There is a basis for agreement between the parties to this action upon which the matters presently before the Minnesota Municipal Commission can be settled, and the Municipal parties hereto desire to set forth such terms of settlement by means of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township of St. Joseph and the City of St. Joseph, as follows:

1. That the following described area in St. Joseph Township is properly subject to orderly annexation under and pursuant to Minnesota Statutes Section 414.032, and the parties hereto do hereby designate each of the following areas as in need of orderly annexation as provided by Statute:

ZONE 1.

Zone 1 shall consist of that part of the following tracts not now within the City limits of the City of St. Joseph:

The East Half of the Northeast Quarter ( $E\frac{1}{2} NE\frac{1}{4}$ ) of Section Nine (9); ALSO, the Northwest Quarter ( $NW\frac{1}{4}$ ); the Northeast Quarter of the Southwest Quarter ( $NE\frac{1}{4} SW\frac{1}{4}$ ); the Northwest Quarter of the Southeast Quarter ( $NW\frac{1}{4} SE\frac{1}{4}$ ); the Southwest Quarter of the Northeast Quarter ( $SW\frac{1}{4} NE\frac{1}{4}$ ); the Northeast Quarter of the Southeast Quarter ( $NE\frac{1}{4} SE\frac{1}{4}$ ); the Northerly Sixty (60) feet of the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ); and that part of the Southeast Quarter of the Northeast Quarter ( $SE\frac{1}{4} NE\frac{1}{4}$ ) lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, of Section Ten (10); all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

ZONE 2.

Zone 2 includes that part of the following properties not now within the City limits of the City of St. Joseph and not included in Zone 1 described above:

The Easterly Sixty (60) feet of the Southwest Quarter of the Southeast Quarter ( $SW\frac{1}{4} SE\frac{1}{4}$ ), less the Southerly Three Hundred Six and Seven Tenths (306.7) feet thereof; the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ) of Section Ten (10), including Blocks One (1), Two (2) and Three (3) of Cloverdale Estates, excepting therefrom, however, Lots One (1), Two (2) and Three (3) of Block One (1), of Cloverdale Estates; the West Half of the Southwest Quarter ( $W\frac{1}{2} SW\frac{1}{4}$ ) of Section Eleven (11), including all of Mohs Addition; all of Whispering Pines Addition; and that part of the Southwest Quarter of the Northwest Quarter ( $SW\frac{1}{4} NW\frac{1}{4}$ ) of Section Eleven (11), lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

That the Township of St. Joseph does, upon the passage of this resolution and its adoption by the City Council of the City of St. Joseph, agree to withdraw its opposition to the Petition for Annexation and confer jurisdiction upon the Minnesota Municipal Commission so as to accomplish said orderly annexation in accordance with the terms of this resolution.

2. No annexations will take place anywhere within the area designated as in need of orderly annexation unless the area involved is or is about to become urban or sub-urban in character and unless the City is capable of providing municipal services such as water, sanitary sewers and storm sewers.

3. Any persons annexed to the City pursuant to this agreement shall receive a "tax break" consisting of a staged graduated increase in mill rates from the Town rate to the City rate over a period of not less than three (3) nor more than five (5) years. The Municipal Commission shall have the authority to order such tax break consistent with the timing of the municipal services to the area.

✓ 4. The area designated as Zone 1, all of which land is contained in the area subject to orderly annexation, as described in Paragraph 1, is properly subject to annexation during the next one (1) to five (5) years, under and pursuant to Minnesota Statutes, Section 414.032, as amended, subject to all the provisions contained in this agreement.

✓ 5. It is agreed by and between the parties hereto that complete authority and jurisdiction for planning and land use control in all of the area designated as in need of orderly annexation shall be conferred upon the five (5) man committee appointed pursuant to the Joint Powers Agreement between Stearns County, the City of St. Joseph and the Township of St. Joseph entered into among the three (3) municipalities and it is agreed that the decisions of the five (5) man committee will be final, subject to District Court appeal.

✓ 6. Unless a unanimous petition of property owners has been filed with the City, and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any area designated as Zone 1 in Paragraph 1 above for a period of five (5) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 1 by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of five (5) years, the Township agrees not to object to any petition for annexation of Zone 1 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

7. Unless a unanimous petition of property owners has been filed with the City and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any areas designated as Zone 2 in Paragraph 1 above for a period of ten (10) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 2 therein by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of ten (10) years, the Township agrees not to object to any

petition for annexation of Zone 2 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

8. Both parties agree to work jointly to secure Federal Grants in aid for sewer extensions in the area described in Paragraph 1 hereof.

9. Notwithstanding any contrary provisions in Paragraph 6 and Paragraph 7, the Township will not oppose any unanimous petition of land owners of any areas within the orderly annexation area, regardless of whether those lands are developed or undeveloped.

The purpose of this agreement is to preserve the option of the owners of single family residential properties situated in the area to remain in the Township during the term of this agreement as outlined in Paragraphs 6 and 7 above, including existing residential properties and those which may be developed hereafter; and to provide for the annexation of other properties which is, or is about to be, developed for single family residential purposes and which will require municipal water and sewer service and to grant the right to owners of any property to petition for annexation without opposition by the Township on the unanimous petition of property owners.

10. Notwithstanding any other provision of this agreement, any lands annexed to the City which are classified as agricultural lands shall be classified by the City as agricultural lands and shall be taxed only at the rate provided by law for such agricultural lands and not at the full City rate for so long as said lands retain their classification as agricultural lands as herein otherwise provided.

11. Any person owning lands annexed to the City pursuant to this agreement shall have the following rights with regard to the payment of special assessments and hook-up charges on projects previously completed by the City which may be assessable against said annexed property:



a. The property owner may elect to pay, within Thirty (30) days after the effective date of the annexation, the entire principal balance of said assessment, or hook-up charge, assessable against the annexed property as though said assessment had been paid within the statutory grace period for payment of similar assessments as of the date on which the first assessment for said project was made; or

b. The property owner so annexed may elect to pay the entire principal balance in equal annual installments, plus interest on said installments, at the rate established for that assessable project, for all other property owners thereby assessed, over the remaining assessable years, or for such period as the City Council may agree.

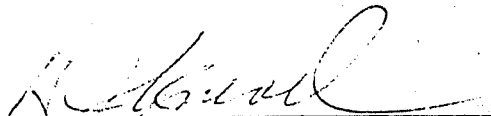
12. In order to give residents now residing within the area and who own large lots a break on the cost of municipal water, sanitary sewer and storm sewer improvements in the area, the City agrees that assessments for such future improvements within the area affecting property owners now residing therein shall be calculated as follows: Eighty percent (80%) of the total cost of the project shall be assessed on a per unit basis, based on the total number of units projected to be served by the project and Twenty percent (20%) of the cost shall be levied on a square foot basis, based on the total number of square feet to be served by the project. In the case of properties owned by persons now residing within the area, which are capable of being divided into more than one residential tract, the City agrees that the per unit cost to be levied against additional units not now in existence shall be deferred until such units are actually constructed, but the City reserves the right to impose the same per unit charge, or hook-up charge in the event additional units are constructed on said tracts.

13. It is agreed that the general policy of the Township shall be not to grant any building permit within the orderly annexation area described in Paragraph 1, unless the property owner has been advised of the terms of this agreement by the recording thereof in the office of the Register of Deeds.

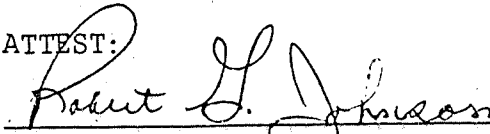
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15. The City agrees to amend its Subdivision Regulation Ordinance to provide for minimum lot sizes of 10,000 square feet.

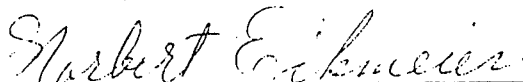
Passed and adopted by the City of St. Joseph this 2 day of October, 1975.

  
Mayor

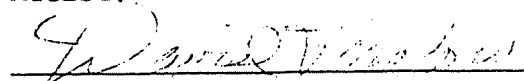
ATTEST:

  
City Clerk

Passed and adopted by the Township of St. Joseph this 2nd day of October, 1975.

  
Town Board Chairman

ATTEST:

  
Town Clerk

STATE OF MINNESOTA  
COUNTY OF STEARNS

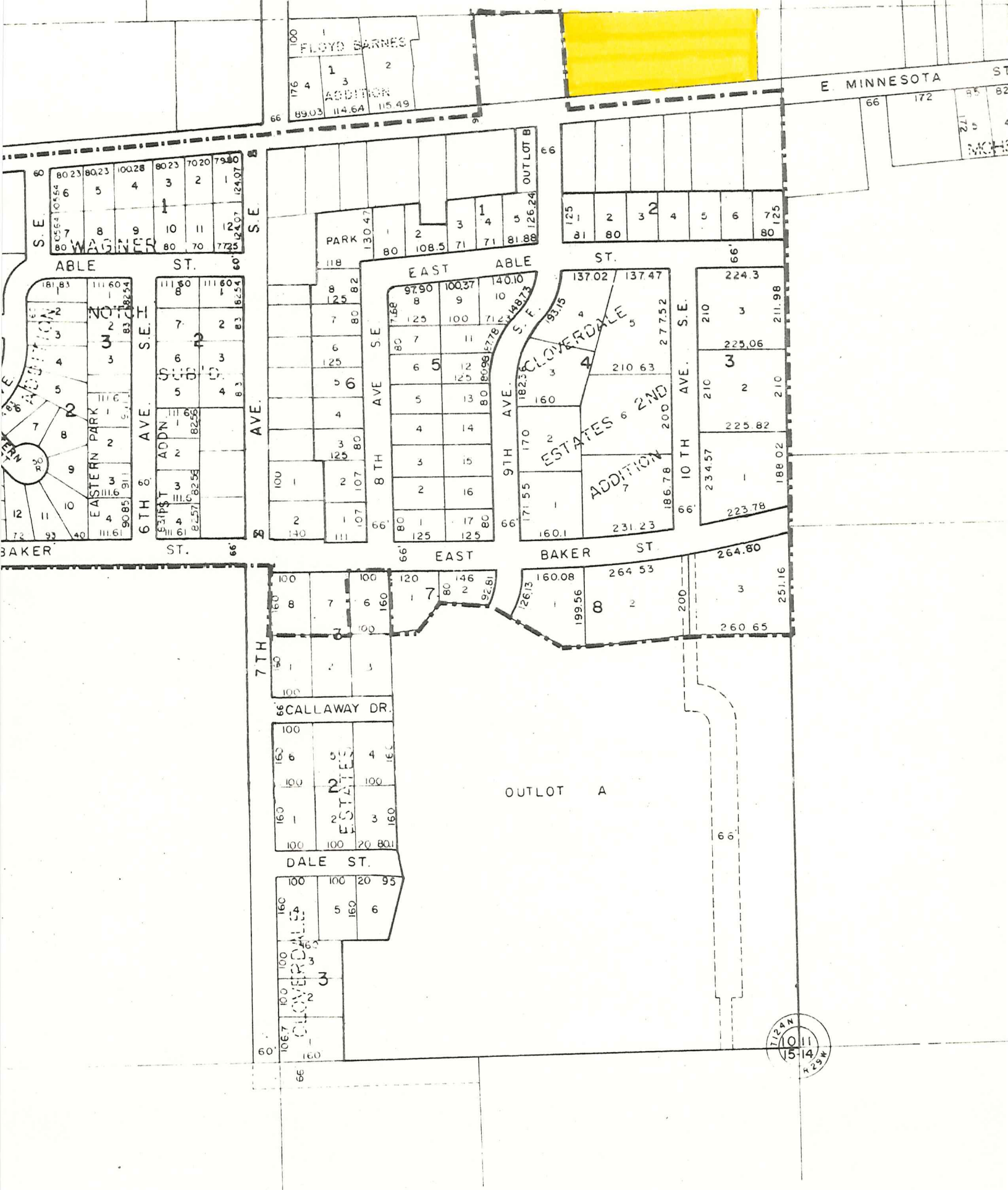
IN THE MATTER OF PETITION OF  
EUGENE SCHERER AND MYRA SCHERER  
FOR THE ANNEXATION OF CERTAIN  
LANDS LOCATED WITHIN ST. JOSEPH  
TOWNSHIP TO THE CITY OF ST. JOSEPH

The undersigned, being a property owner in the Township of St. Joseph, lying within the area designated in need of orderly annexation pursuant to a joint resolution between the City of St. Joseph and the Township of St. Joseph, executed on October 2, 1976, hereby petitions the St. Joseph City Council for annexation of the following described property, which is owned by the Petitioner and which property is urban in character:

The West 485 feet of the East 546 feet of the East One-half of the Southeast Quarter ( $E\frac{1}{2}$  of  $SE\frac{1}{4}$ ) lying North of Old Highway No. 52, Section Ten (10), Township One Hundred Twenty-four (124), Range Twenty-nine (29), Stearns County, Minnesota.

Eugene Scherer  
Eugene Scherer  
Myra Scherer  
Myra Scherer

Dated this 22nd day of August, 1979.





FEB 10 1983

RESOLUTION APPROVING PETITION FOR ANNEXATION  
INTO THE CITY OF ST. JOSEPH AND RESOLUTION  
REQUESTING ANNEXATION OF PROPERTY INTO  
THE CITY OF ST. JOSEPH BY THE  
MUNICIPAL BOARD OF THE STATE OF MINNESOTA

WHEREAS, the City of St. Joseph and the St. Joseph Township have executed a joint Resolution as to orderly annexation of a part of St. Joseph Township to the City of St. Joseph, which Resolution is attached hereto as Exhibit "A", and

WHEREAS, a property owner residing within the area designated in need of orderly annexation and not previously annexed, to-wit: Charles J. Burg, has petitioned for annexation to the City of St. Joseph all of his property, comprising approximately 37,897 square feet, which Petition is attached hereto as Exhibit "B",

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

1. The City Council of the City of St. Joseph hereby approves the Petition of Charles J. Burg for annexation into the City of St. Joseph.

2. The City Council of the City of St. Joseph hereby requests that the Municipal Board of the State of Minnesota hereby annex the following property into the City of St. Joseph:

Approximately .87 acres lying East of Barnes Addition and North of the highway of the Northeast Quarter of the Southeast Quarter (NE1/4 of SE1/4), Section Ten (10), Township One Hundred Twenty-Four (124), Range Twenty-Nine (29) which is described as follows: That part of the Northeast Quarter of the Southeast Quarter (NE1/4 of SE1/4) of

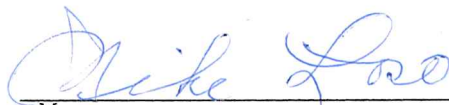
Section Ten (10), Township One Hundred Twenty-Four (124), Range Twenty-Nine (29), Stearns County, Minnesota, described as follows: Beginning at the Northeast corner of Floyd Barnes Addition thence North 89°33'00" East on an assumed bearing along the Easterly extension of the North line of said Floyd Barnes Addition 127.14 feet, thence South 6°15'51" East 243.20 feet to the Northerly right-of-way line of County Road 134, thence South 85°16'00" West along said right-of-way line 164.34 feet to an iron monument at the Southeast corner of said Floyd Barnes Addition, thence North 4°32'00" West along East line of said Floyd Barnes Addition 95.73 feet to an iron monument, thence North 2°49'00" East along said East line 43 feet to an iron monument, thence North 3°41'00" West along said East line 62.0 feet to an iron monument, thence North 86°25'00" East along said East line 23.0 feet to an iron monument, thence North 3°42'00" West along said East line 52.73 feet to an iron monument to the point of beginning.

3. The reason for requesting annexation of the above-described property is that Petitioner has connected with St. Joseph City Services and the area is now urban in character and it would be in the best interest of the area to be annexed into the City.

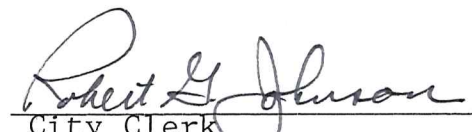
4. The parties entitled to notice are as follows:

- (a) Township of St. Joseph
- (b) City of St. Joseph
- (c) County of Stearns
- (d) Charles J. Burg

Passed by the City Council of St. Joseph on this 20th day of January, 1983.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk



JOINT RESOLUTION AS TO ORDERLY  
459083 ANNEXATION, CITY OF ST. JOSEPH  
AND TOWNSHIP OF ST. JOSEPH

WHEREAS, The Municipal Commission of the State of Minnesota presently has before it for hearing and consideration the matter of annexation of certain portions of St. Joseph Township to the City of St. Joseph; and

WHEREAS, The Township of St. Joseph and the City of St. Joseph are parties to said hearing; and

WHEREAS, There is a basis for agreement between the parties to this action upon which the matters presently before the Minnesota Municipal Commission can be settled, and the Municipal parties hereto desire to set forth such terms of settlement by means of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township of St. Joseph and the City of St. Joseph, as follows:

1. That the following described area in St. Joseph Township is properly subject to orderly annexation under and pursuant to Minnesota Statutes Section 414.032, and the parties hereto do hereby designate each of the following areas as in need of orderly annexation as provided by Statute:

ZONE 1.

Zone 1 shall consist of that part of the following tracts not now within the City limits of the City of St. Joseph:

The East Half of the Northeast Quarter ( $E\frac{1}{2} NE\frac{1}{4}$ ) of Section Nine (9); ALSO, the Northwest Quarter ( $NW\frac{1}{4}$ ); the Northeast Quarter of the Southwest Quarter ( $NE\frac{1}{4} SW\frac{1}{4}$ ); the Northwest Quarter of the Southeast Quarter ( $NW\frac{1}{4} SE\frac{1}{4}$ ); the Southwest Quarter of the Northeast Quarter ( $SW\frac{1}{4} NE\frac{1}{4}$ ); the Northeast Quarter of the Southeast Quarter ( $NE\frac{1}{4} SE\frac{1}{4}$ ); the Northerly Sixty (60) feet of the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ); and that part of the Southeast Quarter of the Northeast Quarter ( $SE\frac{1}{4} NE\frac{1}{4}$ ) lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, of Section Ten (10); all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

ZONE 2.

Zone 2 includes that part of the following properties not now within the City limits of the City of St. Joseph and not included in Zone 1 described above:

The Easterly Sixty (60) feet of the Southwest Quarter of the Southeast Quarter ( $SW\frac{1}{4} SE\frac{1}{4}$ ), less the Southerly Three Hundred Six and Seven Tenths (306.7) feet thereof; the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ) of Section Ten (10), including Blocks One (1), Two (2) and Three (3) of Cloverdale Estates, excepting therefrom, however, Lots One (1), Two (2) and Three (3) of Block One (1), of Cloverdale Estates; the West Half of the Southwest Quarter ( $W\frac{1}{2} SW\frac{1}{4}$ ) of Section Eleven (11), including all of Mohs Addition; all of Whispering Pines Addition; and that part of the Southwest Quarter of the Northwest Quarter ( $SW\frac{1}{4} NW\frac{1}{4}$ ) of Section Eleven (11), lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

That the Township of St. Joseph does, upon the passage of this resolution and its adoption by the City Council of the City of St. Joseph, agree to withdraw its opposition to the Petition for Annexation and confer jurisdiction upon the Minnesota Municipal Commission so as to accomplish said orderly annexation in accordance with the terms of this resolution.

2. No annexations will take place anywhere within the area designated as in need of orderly annexation unless the area involved is or is about to become urban or sub-urban in character and unless the City is capable of providing municipal services such as water, sanitary sewers and storm sewers.

3. Any persons annexed to the City pursuant to this agreement shall receive a "tax break" consisting of a staged graduated increase in mill rates from the Town rate to the City rate over a period of not less than three (3) nor more than five (5) years. The Municipal Commission shall have the authority to order such tax break consistent with the timing of the municipal services to the area.

✓ 4. The area designated as Zone 1, all of which land is contained in the area subject to orderly annexation, as described in Paragraph 1, is properly subject to annexation during the next one (1) to five (5) years, under and pursuant to Minnesota Statutes, Section 414.032, as amended, subject to all the provisions contained in this agreement.

✓ 5. It is agreed by and between the parties hereto that complete authority and jurisdiction for planning and land use control in all of the area designated as in need of orderly annexation shall be conferred upon the five (5) man committee appointed pursuant to the Joint Powers Agreement between Stearns County, the City of St. Joseph and the Township of St. Joseph entered into among the three (3) municipalities and it is agreed that the decisions of the five (5) man committee will be final, subject to District Court appeal.

✓ 6. Unless a unanimous petition of property owners has been filed with the City, and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any area designated as Zone 1 in Paragraph 1 above for a period of five (5) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 1 by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of five (5) years, the Township agrees not to object to any petition for annexation of Zone 1 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

7. Unless a unanimous petition of property owners has been filed with the City and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any areas designated as Zone 2 in Paragraph 1 above for a period of ten (10) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 2 therein by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of ten (10) years, the Township agrees not to object to any

petition for annexation of Zone 2 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

8. Both parties agree to work jointly to secure Federal Grants in aid for sewer extensions in the area described in Paragraph 1 hereof.

9. Notwithstanding any contrary provisions in Paragraph 6 and Paragraph 7, the Township will not oppose any unanimous petition of land owners of any areas within the orderly annexation area, regardless of whether those lands are developed or undeveloped.

The purpose of this agreement is to preserve the option of the owners of single family residential properties situated in the area to remain in the Township during the term of this agreement as outlined in Paragraphs 6 and 7 above, including existing residential properties and those which may be developed hereafter; and to provide for the annexation of other properties which is, or is about to be, developed for single family residential purposes and which will require municipal water and sewer service and to grant the right to owners of any property to petition for annexation without opposition by the Township on the unanimous petition of property owners.

10. Notwithstanding any other provision of this agreement, any lands annexed to the City which are classified as agricultural lands shall be classified by the City as agricultural lands and shall be taxed only at the rate provided by law for such agricultural lands and not at the full City rate for so long as said lands retain their classification as agricultural lands as herein otherwise provided.

11. Any person owning lands annexed to the City pursuant to this agreement shall have the following rights with regard to the payment of special assessments and hook-up charges on projects previously completed by the City which may be assessable against said annexed property:

a. The property owner may elect to pay, within Thirty (30) days after the effective date of the annexation, the entire principal balance of said assessment, or hook-up charge, assessable against the annexed property as though said assessment had been paid within the statutory grace period for payment of similar assessments as of the date on which the first assessment for said project was made; or

b. The property owner so annexed may elect to pay the entire principal balance in equal annual installments, plus interest on said installments, at the rate established for that assessable project, for all other property owners thereby assessed, over the remaining assessable years, or for such period as the City Council may agree.

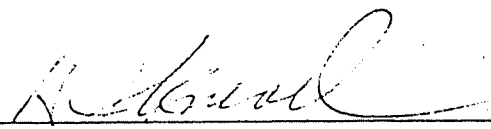
12. In order to give residents now residing within the area and who own large lots a break on the cost of municipal water, sanitary sewer and storm sewer improvements in the area, the City agrees that assessments for such future improvements within the area affecting property owners now residing therein shall be calculated as follows: Eighty percent (80%) of the total cost of the project shall be assessed on a per unit basis, based on the total number of units projected to be served by the project and Twenty percent (20%) of the cost shall be levied on a square foot basis, based on the total number of square feet to be served by the project. In the case of properties owned by persons now residing within the area, which are capable of being divided into more than one residential tract, the City agrees that the per unit cost to be levied against additional units not now in existence shall be deferred until such units are actually constructed, but the City reserves the right to impose the same per unit charge, or hook-up charge in the event additional units are constructed on said tracts.

13. It is agreed that the general policy of the Township shall be not to grant any building permit within the orderly annexation area described in Paragraph 1, unless the property owner has been advised of the terms of this agreement by the recording thereof in the office of the Register of Deeds.

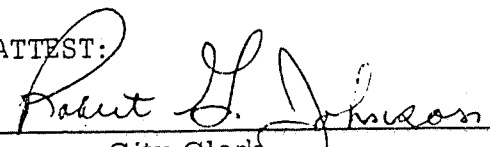
14. Within the area designated for orderly annexation, described in Paragraph 1, any developer or property owner may petition the Minnesota Municipal Commission for the immediate annexation of his property provided he agrees to pay for or finance the full cost of furnishing all municipal services to the area to be developed by him and provided he deposits either cash or a surety bond with the City pursuant to the provisions of the City's Subdivision Ordinance.

15. The City agrees to amend its Subdivision Regulation Ordinance to provide for minimum lot sizes of 10,000 square feet.

Passed and adopted by the City of St. Joseph this 2 day of October, 1975.

  
Mayor

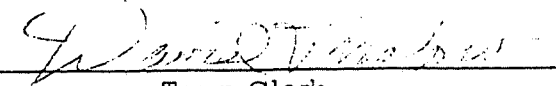
ATTEST:

  
City Clerk

Passed and adopted by the Township of St. Joseph this 2nd day of October, 1975.

  
Town Board Chairman

ATTEST:

  
Town Clerk



STATE OF MINNESOTA  
COUNTY OF STEARNS

IN THE MATTER OF PETITION OF  
CHARLES J. BURG  
FOR THE ANNEXATION OF CERTAIN  
LANDS LOCATED WITHIN ST. JOSEPH  
TOWNSHIP TO THE CITY OF ST. JOSEPH

The undersigned, being a property owner in the Township of St. Joseph, lying within the area designated in need of orderly annexation pursuant to a joint resolution between the City of St. Joseph and the Township of St. Joseph, executed on October 2, 1976, hereby petitions the St. Joseph City Council for annexation of the following-described property, which is owned by the Petitioner and which property is urban in character:

Parcel Number - 20730 .001

.87 A lying E of Barnes Add. & N of HY of NE4 SE4  
Sec. 10 T 124 R 29

Charles J. Burg  
Owner, Charles J. Burg

\_\_\_\_\_  
Owner

BURLINGTON NORTHERN R. R.

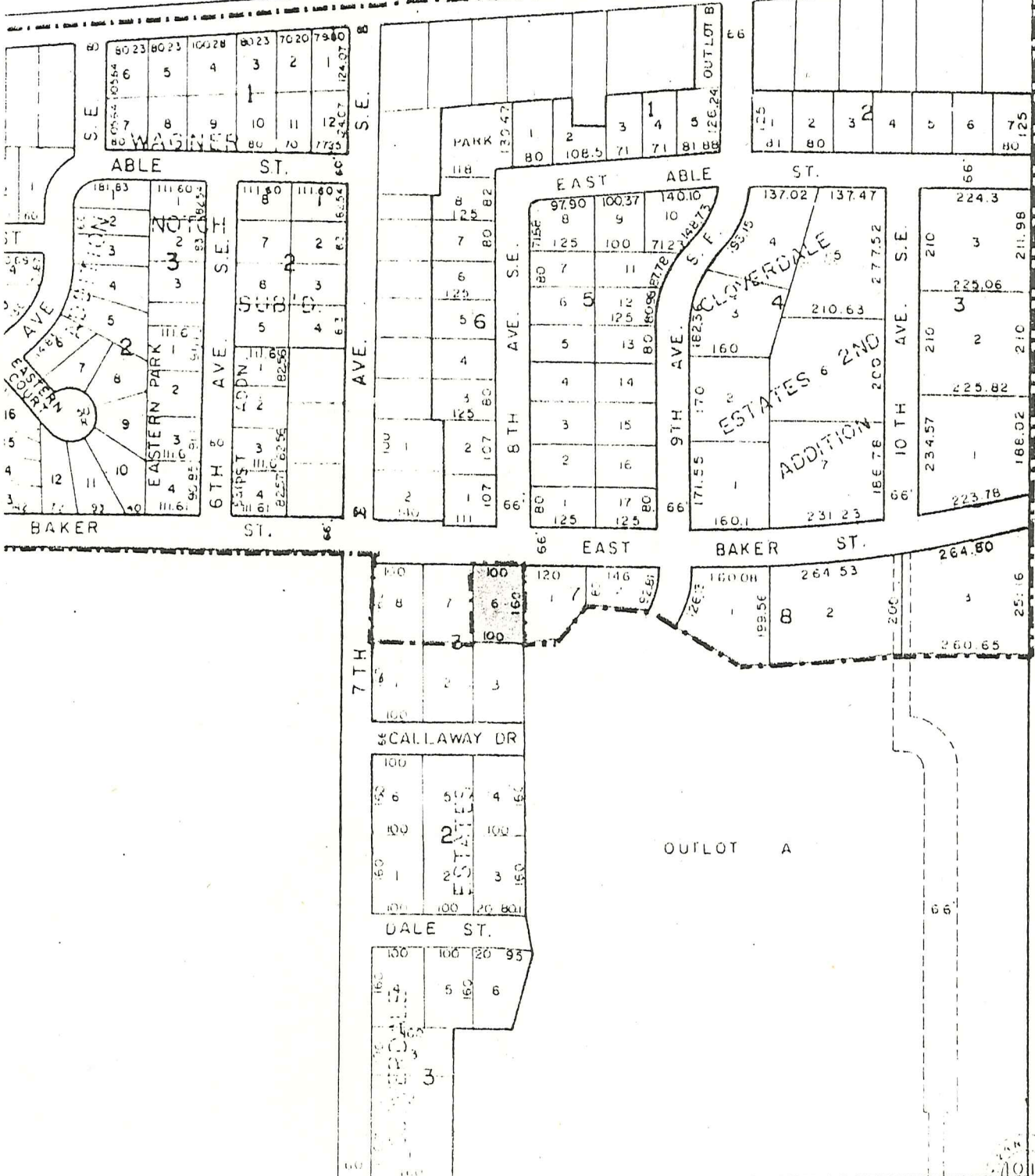
C. S. A. H.

NO.

75

FLOYD BARNES  
1 3 2  
ADDITION  
114.64 115.49

E. MINNESOTA



RESOLUTION APPROVING PETITION FOR ANNEXATION INTO THE CITY OF ST. JOSEPH AND RESOLUTION REQUESTING ANNEXATION OF PROPERTY INTO THE CITY OF ST. JOSEPH BY THE MUNICIPAL BOARD OF THE STATE OF MINNESOTA.

WHEREAS, the City of St. Joseph and the St. Joseph Township have executed a joint Resolution as to orderly annexation of a part of St. Joseph Township to the City of St. Joseph, which Resolution is attached hereto as Exhibit "A", and

WHEREAS, a property owner residing within the area designated in need of orderly annexation and not previously annexed, to-wit: Randall L. Bush has petitioned for annexation to the City of St. Joseph all of their property, comprising approximately 32,656 square feet, which petition is attached hereto as Exhibit "B",

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

1. The City Council of the City of St. Joseph hereby approves the Petition of Randall L. Bush for annexation into the City of St. Joseph.

2. The City Council of the City of St. Joseph hereby requests that the Municipal Board of the State of Minnesota hereby annex the following property into the City of St. Joseph:

Lot 2, Block 1, Floyd Barnes Addition, according to the plat and survey thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota.

3. The reason for requesting annexation of the above-described property is that Petitioners have connected with St. Joseph City Services and the area is now urban in character and it would be in the best interest of the area to be annexed into the City.

4. The parties entitled to notice is as follows:

(a). Township of St. Joseph.

(b). City of St. Joseph.

(c). County of Stearns.

(d). Randall L. Bush.

Passed by the City Council of St. Joseph on this 18<sup>th</sup>  
day of September, 1980.

Hugo B. Weyers  
Mayor

ATTEST:

Robert G. Johnson  
City Clerk

JOINT RESOLUTION AS TO ORDERLY  
459083 ANNEXATION, CITY OF ST. JOSEPH  
AND TOWNSHIP OF ST. JOSEPH

WHEREAS, The Municipal Commission of the State of Minnesota presently has before it for hearing and consideration the matter of annexation of certain portions of St. Joseph Township to the City of St. Joseph; and

WHEREAS, The Township of St. Joseph and the City of St. Joseph are parties to said hearing; and

WHEREAS, There is a basis for agreement between the parties to this action upon which the matters presently before the Minnesota Municipal Commission can be settled, and the Municipal parties hereto desire to set forth such terms of settlement by means of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township of St. Joseph and the City of St. Joseph, as follows:

1. That the following described area in St. Joseph Township is properly subject to orderly annexation under and pursuant to Minnesota Statutes Section 414.032, and the parties hereto do hereby designate each of the following areas as in need of orderly annexation as provided by Statute:

ZONE 1.

Zone 1 shall consist of that part of the following tracts not now within the City limits of the City of St. Joseph:

The East Half of the Northeast Quarter ( $E\frac{1}{2} NE\frac{1}{4}$ ) of Section Nine (9); ALSO, the Northwest Quarter ( $NW\frac{1}{4}$ ); the Northeast Quarter of the Southwest Quarter ( $NE\frac{1}{4} SW\frac{1}{4}$ ); the Northwest Quarter of the Southeast Quarter ( $NW\frac{1}{4} SE\frac{1}{4}$ ); the Southwest Quarter of the Northeast Quarter ( $SW\frac{1}{4} NE\frac{1}{4}$ ); the Northeast Quarter of the Southeast Quarter ( $NE\frac{1}{4} SE\frac{1}{4}$ ); the Northerly Sixty (60) feet of the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ); and that part of the Southeast Quarter of the Northeast Quarter ( $SE\frac{1}{4} NE\frac{1}{4}$ ) lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, of Section Ten (10); all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

ZONE 2.

Zone 2 includes that part of the following properties not now within the City limits of the City of St. Joseph and not included in Zone 1 described above:

The Easterly Sixty (60) feet of the Southwest Quarter of the Southeast Quarter ( $SW\frac{1}{4} SE\frac{1}{4}$ ), less the Southerly Three Hundred Six and Seven Tenths (306.7) feet thereof; the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ) of Section Ten (10), including Blocks One (1), Two (2) and Three (3) of Cloverdale Estates, excepting therefrom, however, Lots One (1), Two (2) and Three (3) of Block One (1), of Cloverdale Estates; the West Half of the Southwest Quarter ( $W\frac{1}{2} SW\frac{1}{4}$ ) of Section Eleven (11), including all of Mohs Addition; all of Whispering Pines Addition; and that part of the Southwest Quarter of the Northwest Quarter ( $SW\frac{1}{4} NW\frac{1}{4}$ ) of Section Eleven (11), lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

That the Township of St. Joseph does, upon the passage of this resolution and its adoption by the City Council of the City of St. Joseph, agree to withdraw its opposition to the Petition for Annexation and confer jurisdiction upon the Minnesota Municipal Commission so as to accomplish said orderly annexation in accordance with the terms of this resolution.

2. No annexations will take place anywhere within the area designated as in need of orderly annexation unless the area involved is or is about to become urban or sub-urban in character and unless the City is capable of providing municipal services such as water, sanitary sewers and storm sewers.

3. Any persons annexed to the City pursuant to this agreement shall receive a "tax break" consisting of a staged graduated increase in mill rates from the Town rate to the City rate over a period of not less than three (3) nor more than five (5) years. The Municipal Commission shall have the authority to order such tax break consistent with the timing of the municipal services to the area.



✓ 4. The area designated as Zone 1, all of which land is contained in the area subject to orderly annexation, as described in Paragraph 1, is properly subject to annexation during the next one (1) to five (5) years, under and pursuant to Minnesota Statutes, Section 414.032, as amended, subject to all the provisions contained in this agreement.

✓ 5. It is agreed by and between the parties hereto that complete authority and jurisdiction for planning and land use control in all of the area designated as in need of orderly annexation shall be conferred upon the five (5) man committee appointed pursuant to the Joint Powers Agreement between Stearns County, the City of St. Joseph and the Township of St. Joseph entered into among the three (3) municipalities and it is agreed that the decisions of the five (5) man committee will be final, subject to District Court appeal.

✓ 6. Unless a unanimous petition of property owners has been filed with the City, and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any area designated as Zone 1 in Paragraph 1 above for a period of five (5) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 1 by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of five (5) years, the Township agrees not to object to any petition for annexation of Zone 1 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

7. Unless a unanimous petition of property owners has been filed with the City and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any areas designated as Zone 2 in Paragraph 1 above for a period of ten (10) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 2 therein by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of ten (10) years, the Township agrees not to object to any



petition for annexation of Zone 2 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

8. Both parties agree to work jointly to secure Federal Grants in aid for sewer extensions in the area described in Paragraph 1 hereof.

9. Notwithstanding any contrary provisions in Paragraph 6 and Paragraph 7, the Township will not oppose any unanimous petition of land owners of any areas within the orderly annexation area, regardless of whether those lands are developed or undeveloped.

The purpose of this agreement is to preserve the option of the owners of single family residential properties situated in the area to remain in the Township during the term of this agreement as outlined in Paragraphs 6 and 7 above, including existing residential properties and those which may be developed hereafter; and to provide for the annexation of other properties which is, or is about to be, developed for single family residential purposes and which will require municipal water and sewer service and to grant the right to owners of any property to petition for annexation without opposition by the Township on the unanimous petition of property owners.

10. Notwithstanding any other provision of this agreement, any lands annexed to the City which are classified as agricultural lands shall be classified by the City as agricultural lands and shall be taxed only at the rate provided by law for such agricultural lands and not at the full City rate for so long as said lands retain their classification as agricultural lands as herein otherwise provided.

11. Any person owning lands annexed to the City pursuant to this agreement shall have the following rights with regard to the payment of special assessments and hook-up charges on projects previously completed by the City which may be assessable against said annexed property:

a. The property owner may elect to pay, within Thirty (30) days after the effective date of the annexation, the entire principal balance of said assessment, or hook-up charge, assessable against the annexed property as though said assessment had been paid within the statutory grace period for payment of similar assessments as of the date on which the first assessment for said project was made; or

b. The property owner so annexed may elect to pay the entire principal balance in equal annual installments, plus interest on said installments, at the rate established for that assessable project, for all other property owners thereby assessed, over the remaining assessable years, or for such period as the City Council may agree.

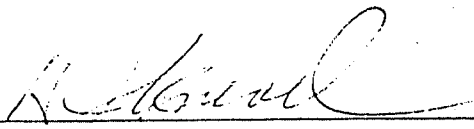
12. In order to give residents now residing within the area and who own large lots a break on the cost of municipal water, sanitary sewer and storm sewer improvements in the area, the City agrees that assessments for such future improvements within the area affecting property owners now residing therein shall be calculated as follows: Eighty percent (80%) of the total cost of the project shall be assessed on a per unit basis, based on the total number of units projected to be served by the project and Twenty percent (20%) of the cost shall be levied on a square foot basis, based on the total number of square feet to be served by the project. In the case of properties owned by persons now residing within the area, which are capable of being divided into more than one residential tract, the City agrees that the per unit cost to be levied against additional units not now in existence shall be deferred until such units are actually constructed, but the City reserves the right to impose the same per unit charge, or hook-up charge in the event additional units are constructed on said tracts.

13. It is agreed that the general policy of the Township shall be not to grant any building permit within the orderly annexation area described in Paragraph 1, unless the property owner has been advised of the terms of this agreement by the recording thereof in the office of the Register of Deeds.

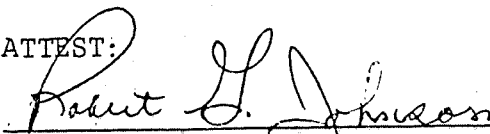
14. Within the area designated for orderly annexation, described in Paragraph 1, any developer or property owner may petition the Minnesota Municipal Commission for the immediate annexation of his property provided he agrees to pay for or finance the full cost of furnishing all municipal services to the area to be developed by him and provided he deposits either cash or a surety bond with the City pursuant to the provisions of the City's Subdivision Ordinance.

15. The City agrees to amend its Subdivision Regulation Ordinance to provide for minimum lot sizes of 10,000 square feet.

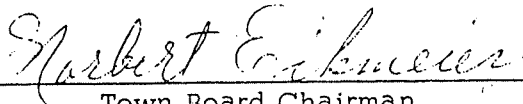
Passed and adopted by the City of St. Joseph this 2 day of October, 1975.

  
Mayor

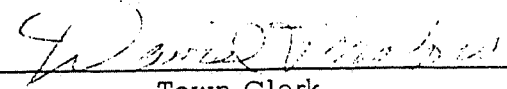
ATTEST:

  
City Clerk

Passed and adopted by the Township of St. Joseph this 2nd day of October, 1975.

  
Town Board Chairman

ATTEST:

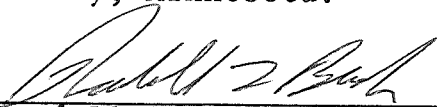
  
Town Clerk

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN THE MATTER OF PETITION OF  
RANDALL L. BUSH FOR THE  
ANNEXATION OF CERTAIN  
LANDS LOCATED WITHIN ST.  
JOSEPH TOWNSHIP TO THE  
CITY OF ST. JOSEPH

The undersigned, being a property owner in the Township of St. Joseph, lying within the area designated in need of orderly annexation pursuant to a joint resolution between the City of St. Joseph and the Township of St. Joseph, executed on October 2, 1976, hereby petitions the St. Joseph City Council for annexation of the following described property, which is owned by the Petitioner and which property is urban in character:

Lot 2, Block 1, Floyd Barnes Addition, according to the plat and survey thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota.

  
Randall L. Bush

C. S. A. H. NO. 75

1	2
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3

ADD: 115-40

E MINNESOTA

The map shows a grid of streets from Baker St. to 66th St. and from 1st St. to 10th St. The streets are labeled as follows:

- Vertical Streets (from left to right):** Baker St., 6th St., 7th St., 8th St., 9th St., 10th St., 11th St., 12th St., 13th St., 14th St., 15th St., 16th St., 17th St., 18th St., 19th St., 20th St., 21st St., 22nd St., 23rd St., 24th St., 25th St., 26th St., 27th St., 28th St., 29th St., 30th St., 31st St., 32nd St., 33rd St., 34th St., 35th St., 36th St., 37th St., 38th St., 39th St., 40th St., 41st St., 42nd St., 43rd St., 44th St., 45th St., 46th St., 47th St., 48th St., 49th St., 50th St., 51st St., 52nd St., 53rd St., 54th St., 55th St., 56th St., 57th St., 58th St., 59th St., 60th St., 61st St., 62nd St., 63rd St., 64th St., 65th St., and 66th St.
- Horizontal Streets (from top to bottom):** Baker St., 6th St., 7th St., 8th St., 9th St., 10th St., 11th St., 12th St., 13th St., 14th St., 15th St., 16th St., 17th St., 18th St., 19th St., 20th St., 21st St., 22nd St., 23rd St., 24th St., 25th St., 26th St., 27th St., 28th St., 29th St., 30th St., 31st St., 32nd St., 33rd St., 34th St., 35th St., 36th St., 37th St., 38th St., 39th St., 40th St., 41st St., 42nd St., 43rd St., 44th St., 45th St., 46th St., 47th St., 48th St., 49th St., 50th St., 51st St., 52nd St., 53rd St., 54th St., 55th St., 56th St., 57th St., 58th St., 59th St., 60th St., 61st St., 62nd St., 63rd St., 64th St., 65th St., and 66th St.

The map also shows the locations of the University of Chicago, the University of Illinois, and the University of Wisconsin. The map is oriented with North at the top.

[illegible][illegible]



RESOLUTION APPROVING PETITION FOR ANNEXATION INTO THE CITY OF ST. JOSEPH AND RESOLUTION REQUESTING ANNEXATION OF PROPERTY INTO THE CITY OF ST. JOSEPH BY THE MUNICIPAL BOARD OF THE STATE OF MINNESOTA.

WHEREAS, the City of St. Joseph and the St. Joseph Township have executed a joint Resolution as to orderly annexation of a part of St. Joseph Township to the City of St. Joseph, which Resolution is attached hereto as Exhibit "A", and

WHEREAS, a property owner residing within the area designated in need of orderly annexation and not previously annexed, to-wit: Alfred R. Zimmer and Roselyn A. Zimmer, have petitioned for annexation to the City of St. Joseph all of their property, comprising approximately 18,910 square feet, which petition is attached hereto as Exhibit "B",

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

1. The City Council of the City of St. Joseph hereby approves the Petition of Alfred R. Zimmer and Roselyn A. Zimmer for annexation into the City of St. Joseph.

2. The City Council of the City of St. Joseph hereby requests that the Municipal Board of the State of Minnesota hereby annex the following property into the City of St. Joseph:

Lot 3, Block 1, Floyd Barnes Addition, according to the plat and survey thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota.

3. The reason for requesting annexation of the above-described property is that Petitioners have connected with St. Joseph City Services and the area is now urban in character and it would be in the best interest of the area to be annexed into the City.

4. The parties entitled to notice is as follows:

(a). Township of St. Joseph.

(b). City of St. Joseph.

(c). County of Stearns.

(d). Alfred R. Zimmer and Roselyn A. Zimmer.

Passed by the City Council of St. Joseph on this 18<sup>th</sup>  
day of September, 1980.

Hugo B. Weyens  
Mayor

ATTEST:

Robert H. Johnson  
City Clerk



JOINT RESOLUTION AS TO ORDERLY  
459083 ANNEXATION, CITY OF ST. JOSEPH  
AND TOWNSHIP OF ST. JOSEPH

WHEREAS, The Municipal Commission of the State of Minnesota presently has before it for hearing and consideration the matter of annexation of certain portions of St. Joseph Township to the City of St. Joseph; and

WHEREAS, The Township of St. Joseph and the City of St. Joseph are parties to said hearing; and

WHEREAS, There is a basis for agreement between the parties to this action upon which the matters presently before the Minnesota Municipal Commission can be settled, and the Municipal parties hereto desire to set forth such terms of settlement by means of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township of St. Joseph and the City of St. Joseph, as follows:

1. That the following described area in St. Joseph Township is properly subject to orderly annexation under and pursuant to Minnesota Statutes Section 414.032, and the parties hereto do hereby designate each of the following areas as in need of orderly annexation as provided by Statute:

ZONE 1.

Zone 1 shall consist of that part of the following tracts not now within the City limits of the City of St. Joseph:

The East Half of the Northeast Quarter ( $E\frac{1}{2} NE\frac{1}{4}$ ) of Section Nine (9); ALSO, the Northwest Quarter ( $NW\frac{1}{4}$ ); the Northeast Quarter of the Southwest Quarter ( $NE\frac{1}{4} SW\frac{1}{4}$ ); the Northwest Quarter of the Southeast Quarter ( $NW\frac{1}{4} SE\frac{1}{4}$ ); the Southwest Quarter of the Northeast Quarter ( $SW\frac{1}{4} NE\frac{1}{4}$ ); the Northeast Quarter of the Southeast Quarter ( $NE\frac{1}{4} SE\frac{1}{4}$ ); the Northerly Sixty (60) feet of the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ); and that part of the Southeast Quarter of the Northeast Quarter ( $SE\frac{1}{4} NE\frac{1}{4}$ ) lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, of Section Ten (10); all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

ZONE 2.

Zone 2 includes that part of the following properties not now within the City limits of the City of St. Joseph and not included in Zone 1 described above:

The Easterly Sixty (60) feet of the Southwest Quarter of the Southeast Quarter ( $SW\frac{1}{4} SE\frac{1}{4}$ ), less the Southerly Three Hundred Six and Seven Tenths (306.7) feet thereof; the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ) of Section Ten (10), including Blocks One (1), Two (2) and Three (3) of Cloverdale Estates, excepting therefrom, however, Lots One (1), Two (2) and Three (3) of Block One (1), of Cloverdale Estates; the West Half of the Southwest Quarter ( $W\frac{1}{2} SW\frac{1}{4}$ ) of Section Eleven (11), including all of Mohs Addition; all of Whispering Pines Addition; and that part of the Southwest Quarter of the Northwest Quarter ( $SW\frac{1}{4} NW\frac{1}{4}$ ) of Section Eleven (11), lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

That the Township of St. Joseph does, upon the passage of this resolution and its adoption by the City Council of the City of St. Joseph, agree to withdraw its opposition to the Petition for Annexation and confer jurisdiction upon the Minnesota Municipal Commission so as to accomplish said orderly annexation in accordance with the terms of this resolution.

2. No annexations will take place anywhere within the area designated as in need of orderly annexation unless the area involved is or is about to become urban or sub-urban in character and unless the City is capable of providing municipal services such as water, sanitary sewers and storm sewers.

3. Any persons annexed to the City pursuant to this agreement shall receive a "tax break" consisting of a staged graduated increase in mill rates from the Town rate to the City rate over a period of not less than three (3) nor more than five (5) years. The Municipal Commission shall have the authority to order such tax break consistent with the timing of the municipal services to the area.

✓ 4. The area designated as Zone 1, all of which land is contained in the area subject to orderly annexation, as described in Paragraph 1, is properly subject to annexation during the next one (1) to five (5) years, under and pursuant to Minnesota Statutes, Section 414.032, as amended, subject to all the provisions contained in this agreement.

✓ 5. It is agreed by and between the parties hereto that complete authority and jurisdiction for planning and land use control in all of the area designated as in need of orderly annexation shall be conferred upon the five (5) man committee appointed pursuant to the Joint Powers Agreement between Stearns County, the City of St. Joseph and the Township of St. Joseph entered into among the three (3) municipalities and it is agreed that the decisions of the five (5) man committee will be final, subject to District Court appeal.

✓ 6. Unless a unanimous petition of property owners has been filed with the City, and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any area designated as Zone 1 in Paragraph 1 above for a period of five (5) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 1 by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of five (5) years, the Township agrees not to object to any petition for annexation of Zone 1 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

7. Unless a unanimous petition of property owners has been filed with the City and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any areas designated as Zone 2 in Paragraph 1 above for a period of ten (10) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 2 therein by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of ten (10) years, the Township agrees not to object to any

petition for annexation of Zone 2 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

8. Both parties agree to work jointly to secure Federal Grants in aid for sewer extensions in the area described in Paragraph 1 hereof.

9. Notwithstanding any contrary provisions in Paragraph 6 and Paragraph 7, the Township will not oppose any unanimous petition of land owners of any areas within the orderly annexation area, regardless of whether those lands are developed or undeveloped.

The purpose of this agreement is to preserve the option of the owners of single family residential properties situated in the area to remain in the Township during the term of this agreement as outlined in Paragraphs 6 and 7 above, including existing residential properties and those which may be developed hereafter; and to provide for the annexation of other properties which is, or is about to be, developed for single family residential purposes and which will require municipal water and sewer service and to grant the right to owners of any property to petition for annexation without opposition by the Township on the unanimous petition of property owners.

10. Notwithstanding any other provision of this agreement, any lands annexed to the City which are classified as agricultural lands shall be classified by the City as agricultural lands and shall be taxed only at the rate provided by law for such agricultural lands and not at the full City rate for so long as said lands retain their classification as agricultural lands as herein otherwise provided.

11. Any person owning lands annexed to the City pursuant to this agreement shall have the following rights with regard to the payment of special assessments and hook-up charges on projects previously completed by the City which may be assessable against said annexed property:

a. The property owner may elect to pay, within Thirty (30) days after the effective date of the annexation, the entire principal balance of said assessment, or hook-up charge, assessable against the annexed property as though said assessment had been paid within the statutory grace period for payment of similar assessments as of the date on which the first assessment for said project was made; or

b. The property owner so annexed may elect to pay the entire principal balance in equal annual installments, plus interest on said installments, at the rate established for that assessable project, for all other property owners thereby assessed, over the remaining assessable years, or for such period as the City Council may agree.

12. In order to give residents now residing within the area and who own large lots a break on the cost of municipal water, sanitary sewer and storm sewer improvements in the area, the City agrees that assessments for such future improvements within the area affecting property owners now residing therein shall be calculated as follows: Eighty percent (80%) of the total cost of the project shall be assessed on a per unit basis, based on the total number of units projected to be served by the project and Twenty percent (20%) of the cost shall be levied on a square foot basis, based on the total number of square feet to be served by the project. In the case of properties owned by persons now residing within the area, which are capable of being divided into more than one residential tract, the City agrees that the per unit cost to be levied against additional units not now in existence shall be deferred until such units are actually constructed, but the City reserves the right to impose the same per unit charge, or hook-up charge in the event additional units are constructed on said tracts.

13. It is agreed that the general policy of the Township shall be not to grant any building permit within the orderly annexation area described in Paragraph 1, unless the property owner has been advised of the terms of this agreement by the recording thereof in the office of the Register of Deeds.

14. Within the area designated for orderly annexation, described in Paragraph 1, any developer or property owner may petition the Minnesota Municipal Commission for the immediate annexation of his property provided he agrees to pay for or finance the full cost of furnishing all municipal services to the area to be developed by him and provided he deposits either cash or a surety bond with the City pursuant to the provisions of the City's Subdivision Ordinance.

15. The City agrees to amend its Subdivision Regulation Ordinance to provide for minimum lot sizes of 10,000 square feet.

Passed and adopted by the City of St. Joseph this 2 day of October, 1975.

*Robert L. Johnson*  
Mayor

ATTEST:

*Robert L. Johnson*  
City Clerk

Passed and adopted by the Township of St. Joseph this 2nd day of October, 1975.

*Harbert E. Eberhart*  
Town Board Chairman

ATTEST:

*Harbert E. Eberhart*  
Town Clerk

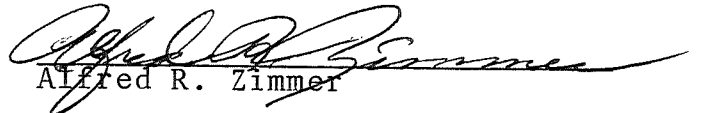


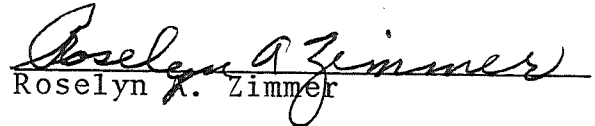
STATE OF MINNESOTA  
COUNTY OF STEARNS

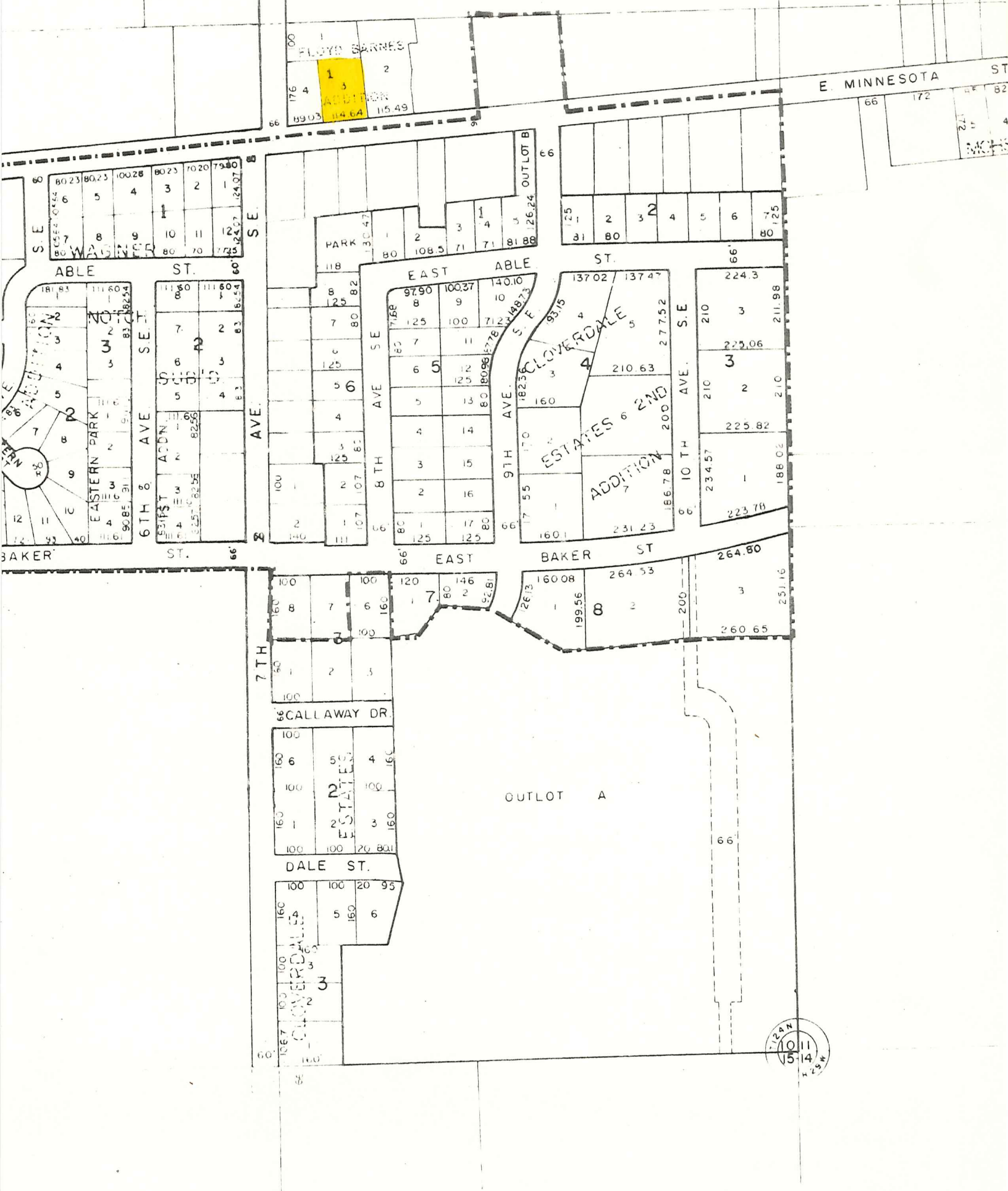
IN THE MATTER OF PETITION OF  
ALFRED R. ZIMMER AND  
ROSELYN A. ZIMMER FOR THE  
ANNEXATION OF CERTAIN  
LANDS LOCATED WITHIN ST.  
JOSEPH TOWNSHIP TO THE  
CITY OF ST. JOSEPH

The undersigned, being a property owner in the Township of St. Joseph, lying within the area designated in need of orderly annexation pursuant to a joint resolution between the City of St. Joseph and the Township of St. Joseph, executed on October 2, 1976, hereby petitions the St. Joseph City Council for annexation of the following described property, which is owned by the Petitioner and which property is urban in character:

Lot 3, Block 1, Floyd Barnes Addition, according to the plat and survey thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota.

  
Alfred R. Zimmer

  
Roselyn A. Zimmer



RESOLUTION APPROVING PETITION FOR ANNEXATION  
 INTO THE CITY OF ST. JOSEPH AND RESOLUTION  
 REQUESTING ANNEXATION OF PROPERTY INTO  
 THE CITY OF ST. JOSEPH BY THE  
 MUNICIPAL BOARD OF THE STATE OF MINNESOTA

WHEREAS, the City of St. Joseph and the St. Joseph Township have executed a joint Resolution as to orderly annexation of a part of St. Joseph Township to the City of St. Joseph, which Resolution is attached hereto as Exhibit "A", and

WHEREAS, a property owner residing within the area designated in need of orderly annexation and not previously annexed, to-wit: Janet J. Frericks, has petitioned for annexation to the City of St. Joseph all of her property, comprising approximately 15,664 square feet, which Petition is attached hereto as Exhibit "B",

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

1. The City Council of the City of St. Joseph hereby approves the Petition of Janet J. Frericks for annexation into the City of St. Joseph.

2. The City Council of the City of St. Joseph hereby requests that the Municipal Board of the State of Minnesota hereby annex the following property into the City of St. Joseph:

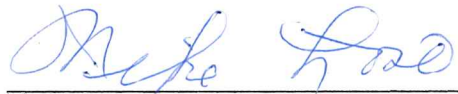
Lot Four (4), Block One (1), Floyd Barnes Addition, according to the plat and survey thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota.

3. The reason for requesting annexation of the above-described property is that Petitioner has connected with St. Joseph City Services and the area is now urban in character and it would be in the best interest of the area to be annexed into the City.

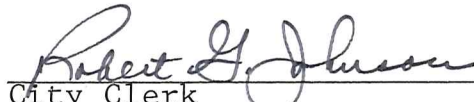
4. The parties entitled to notice are as follows:

- (a) Township of St. Joseph
- (b) City of St. Joseph
- (c) County of Stearns
- (d) Janet J. Frericks

Passed by the City Council of St. Joseph on this 20th day of January, 1983.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

JOINT RESOLUTION AS TO ORDERLY  
459083 ANNEXATION, CITY OF ST. JOSEPH  
AND TOWNSHIP OF ST. JOSEPH

WHEREAS, The Municipal Commission of the State of Minnesota presently has before it for hearing and consideration the matter of annexation of certain portions of St. Joseph Township to the City of St. Joseph; and

WHEREAS, The Township of St. Joseph and the City of St. Joseph are parties to said hearing; and

WHEREAS, There is a basis for agreement between the parties to this action upon which the matters presently before the Minnesota Municipal Commission can be settled, and the Municipal parties hereto desire to set forth such terms of settlement by means of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township of St. Joseph and the City of St. Joseph, as follows:

1. That the following described area in St. Joseph Township is properly subject to orderly annexation under and pursuant to Minnesota Statutes Section 414.032, and the parties hereto do hereby designate each of the following areas as in need of orderly annexation as provided by Statute:

ZONE 1.

Zone 1 shall consist of that part of the following tracts not now within the City limits of the City of St. Joseph:

The East Half of the Northeast Quarter ( $E\frac{1}{2} NE\frac{1}{4}$ ) of Section Nine (9); ALSO, the Northwest Quarter ( $NW\frac{1}{4}$ ); the Northeast Quarter of the Southwest Quarter ( $NE\frac{1}{4} SW\frac{1}{4}$ ); the Northwest Quarter of the Southeast Quarter ( $NW\frac{1}{4} SE\frac{1}{4}$ ); the Southwest Quarter of the Northeast Quarter ( $SW\frac{1}{4} NE\frac{1}{4}$ ); the Northeast Quarter of the Southeast Quarter ( $NE\frac{1}{4} SE\frac{1}{4}$ ); the Northerly Sixty (60) feet of the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ); and that part of the Southeast Quarter of the Northeast Quarter ( $SE\frac{1}{4} NE\frac{1}{4}$ ) lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, of Section Ten (10); all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

ZONE 2.

Zone 2 includes that part of the following properties not now within the City limits of the City of St. Joseph and not included in Zone 1 described above:

The Easterly Sixty (60) feet of the Southwest Quarter of the Southeast Quarter ( $SW\frac{1}{4} SE\frac{1}{4}$ ), less the Southerly Three Hundred Six and Seven Tenths (306.7) feet thereof; the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ) of Section Ten (10), including Blocks One (1), Two (2) and Three (3) of Cloverdale Estates, excepting therefrom, however, Lots One (1), Two (2) and Three (3) of Block One (1), of Cloverdale Estates; the West Half of the Southwest Quarter ( $W\frac{1}{2} SW\frac{1}{4}$ ) of Section Eleven (11), including all of Mohs Addition; all of Whispering Pines Addition; and that part of the Southwest Quarter of the Northwest Quarter ( $SW\frac{1}{4} NW\frac{1}{4}$ ) of Section Eleven (11), lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

That the Township of St. Joseph does, upon the passage of this resolution and its adoption by the City Council of the City of St. Joseph, agree to withdraw its opposition to the Petition for Annexation and confer jurisdiction upon the Minnesota Municipal Commission so as to accomplish said orderly annexation in accordance with the terms of this resolution.

2. No annexations will take place anywhere within the area designated as in need of orderly annexation unless the area involved is or is about to become urban or sub-urban in character and unless the City is capable of providing municipal services such as water, sanitary sewers and storm sewers.

3. Any persons annexed to the City pursuant to this agreement shall receive a "tax break" consisting of a staged graduated increase in mill rates from the Town rate to the City rate over a period of not less than three (3) nor more than five (5) years. The Municipal Commission shall have the authority to order such tax break consistent with the timing of the municipal services to the area.



✓ 4. The area designated as Zone 1, all of which land is contained in the area subject to orderly annexation, as described in Paragraph 1, is properly subject to annexation during the next one (1) to five (5) years, under and pursuant to Minnesota Statutes, Section 414.032, as amended, subject to all the provisions contained in this agreement.

✓ 5. It is agreed by and between the parties hereto that complete authority and jurisdiction for planning and land use control in all of the area designated as in need of orderly annexation shall be conferred upon the five (5) man committee appointed pursuant to the Joint Powers Agreement between Stearns County, the City of St. Joseph and the Township of St. Joseph entered into among the three (3) municipalities and it is agreed that the decisions of the five (5) man committee will be final, subject to District Court appeal.

✓ 6. Unless a unanimous petition of property owners has been filed with the City, and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any area designated as Zone 1 in Paragraph 1 above for a period of five (5) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 1 by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of five (5) years, the Township agrees not to object to any petition for annexation of Zone 1 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

7. Unless a unanimous petition of property owners has been filed with the City and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any areas designated as Zone 2 in Paragraph 1 above for a period of ten (10) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 2 therein by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of ten (10) years, the Township agrees not to object to any

petition for annexation of Zone 2 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

8. Both parties agree to work jointly to secure Federal Grants in aid for sewer extensions in the area described in Paragraph 1 hereof.

9. Notwithstanding any contrary provisions in Paragraph 6 and Paragraph 7, the Township will not oppose any unanimous petition of land owners of any areas within the orderly annexation area, regardless of whether those lands are developed or undeveloped.

The purpose of this agreement is to preserve the option of the owners of single family residential properties situated in the area to remain in the Township during the term of this agreement as outlined in Paragraphs 6 and 7 above, including existing residential properties and those which may be developed hereafter; and to provide for the annexation of other properties which is, or is about to be, developed for single family residential purposes and which will require municipal water and sewer service and to grant the right to owners of any property to petition for annexation without opposition by the Township on the unanimous petition of property owners.

10. Notwithstanding any other provision of this agreement, any lands annexed to the City which are classified as agricultural lands shall be classified by the City as agricultural lands and shall be taxed only at the rate provided by law for such agricultural lands and not at the full City rate for so long as said lands retain their classification as agricultural lands as herein otherwise provided.

11. Any person owning lands annexed to the City pursuant to this agreement shall have the following rights with regard to the payment of special assessments and hook-up charges on projects previously completed by the City which may be assessable against said annexed property:

a. The property owner may elect to pay, within Thirty (30) days after the effective date of the annexation, the entire principal balance of said assessment, or hook-up charge, assessable against the annexed property as though said assessment had been paid within the statutory grace period for payment of similar assessments as of the date on which the first assessment for said project was made; or

b. The property owner so annexed may elect to pay the entire principal balance in equal annual installments, plus interest on said installments, at the rate established for that assessable project, for all other property owners thereby assessed, over the remaining assessable years, or for such period as the City Council may agree.

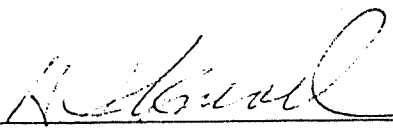
12. In order to give residents now residing within the area and who own large lots a break on the cost of municipal water, sanitary sewer and storm sewer improvements in the area, the City agrees that assessments for such future improvements within the area affecting property owners now residing therein shall be calculated as follows: Eighty percent (80%) of the total cost of the project shall be assessed on a per unit basis, based on the total number of units projected to be served by the project and Twenty percent (20%) of the cost shall be levied on a square foot basis, based on the total number of square feet to be served by the project. In the case of properties owned by persons now residing within the area, which are capable of being divided into more than one residential tract, the City agrees that the per unit cost to be levied against additional units not now in existence shall be deferred until such units are actually constructed, but the City reserves the right to impose the same per unit charge, or hook-up charge in the event additional units are constructed on said tracts.

13. It is agreed that the general policy of the Township shall be not to grant any building permit within the orderly annexation area described in Paragraph 1, unless the property owner has been advised of the terms of this agreement by the recording thereof in the office of the Register of Deeds.

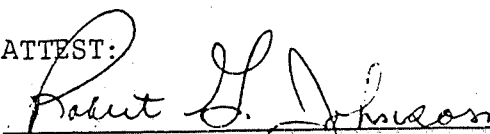
14. Within the area designated for orderly annexation, described in Paragraph 1, any developer or property owner may petition the Minnesota Municipal Commission for the immediate annexation of his property provided he agrees to pay for or finance the full cost of furnishing all municipal services to the area to be developed by him and provided he deposits either cash or a surety bond with the City pursuant to the provisions of the City's Subdivision Ordinance.

15. The City agrees to amend its Subdivision Regulation Ordinance to provide for minimum lot sizes of 10,000 square feet.

Passed and adopted by the City of St. Joseph this 2 day of October, 1975.

  
Mayor

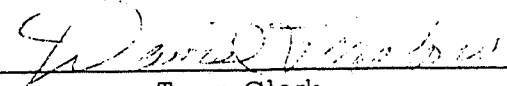
ATTEST:

  
City Clerk

Passed and adopted by the Township of St. Joseph this 2nd day of October, 1975.

  
Town Board Chairman

ATTEST:

  
Town Clerk

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN THE MATTER OF THE PETITION  
OF JANET J. FRERICKS FOR THE  
ANNEXATION OF CERTAIN LANDS  
LOCATED WITHIN ST. JOSEPH  
TOWNSHIP TO THE CITY OF  
ST. JOSEPH

The undersigned, being a property owner in the Township of St. Joseph, lying within the area designated in need of orderly annexation pursuant to a joint resolution between the City of St. Joseph and the Township of St. Joseph, executed on October 2, 1976, hereby petitions the St. Joseph City Council for annexation of the following described property, which is owned by the Petitioner and which property is urban in character:

Lot Four (4), Block One (1), Floyd Barnes Addition,  
according to the plat and survey thereof on file  
and of record in the office of the County Recorder  
in and for Stearns County, Minnesota.

Dated this 19 day of January, 1983.


  
Owner, Janet J. Frericks

EXHIBIT - B

BURLINGTON

NORTHERN

R. R.

C. S. A. H.

NO.

75

E. MINNESOTA

FLOYD BARNES

ADDITION

89.03 114.64 115.49

60	60	60	60	60	60
1023	8023	10028	8023	7020	7980
6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36
37	38	39	40	41	42
43	44	45	46	47	48
49	50	51	52	53	54
55	56	57	58	59	60

ABLE			ST.			8
181.83			111.60			111.60
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RESOLUTION APPROVING PETITION FOR ANNEXATION  
INTO THE CITY OF ST. JOSEPH AND RESOLUTION  
REQUESTING ANNEXATION OF PROPERTY INTO  
THE CITY OF ST. JOSEPH BY THE  
MUNICIPAL BOARD OF THE STATE OF MINNESOTA

WHEREAS, the City of St. Joseph and the St. Joseph Township have executed a joint Resolution as to orderly annexation of a part of St. Joseph Township to the City of St. Joseph, which Resolution is attached hereto as Exhibit "A", and

WHEREAS, a property owner residing within the area designated in need of orderly annexation and not previously annexed, to-wit: Joan M. Huckle, has petitioned for annexation to the City of St. Joseph all of her property, comprising approximately 16,000 square feet, which Petition is attached hereto as Exhibit "B",

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

1. The City Council of the City of St. Joseph hereby approves the Petition of Joan M. Huckle for annexation into the City of St. Joseph.

2. The City Council of the City of St. Joseph hereby requests that the Municipal Board of the State of Minnesota hereby annex the following property into the City of St. Joseph:


Lot Six (6), Block Three (3), Cloverdale Estates Addition, according to the plat and survey thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota.

3. The reason for requesting annexation of the above-described property is that Petitioner has connected with St. Joseph City Services and the area is now urban in character and it would be in the best interest of the area to be annexed into the City.

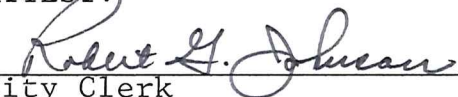
4. The parties entitled to notice are as follows:

- (a) Township of St. Joseph
- (b) City of St. Joseph
- (c) County of Stearns
- (d) Joan M. Huckle

Passed by the City Council of St. Joseph on this 20th day of January, 1983.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

JOINT RESOLUTION AS TO ORDERLY  
**459083** ANNEXATION, CITY OF ST. JOSEPH  
AND TOWNSHIP OF ST. JOSEPH

WHEREAS, The Municipal Commission of the State of Minnesota presently has before it for hearing and consideration the matter of annexation of certain portions of St. Joseph Township to the City of St. Joseph; and

WHEREAS, The Township of St. Joseph and the City of St. Joseph are parties to said hearing; and

WHEREAS, There is a basis for agreement between the parties to this action upon which the matters presently before the Minnesota Municipal Commission can be settled, and the Municipal parties hereto desire to set forth such terms of settlement by means of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township of St. Joseph and the City of St. Joseph, as follows:

1. That the following described area in St. Joseph Township is properly subject to orderly annexation under and pursuant to Minnesota Statutes Section 414.032, and the parties hereto do hereby designate each of the following areas as in need of orderly annexation as provided by Statute:

ZONE 1.

Zone 1 shall consist of that part of the following tracts not now within the City limits of the City of St. Joseph:

The East Half of the Northeast Quarter ( $E\frac{1}{2} NE\frac{1}{4}$ ) of Section Nine (9); ALSO, the Northwest Quarter ( $NW\frac{1}{4}$ ); the Northeast Quarter of the Southwest Quarter ( $NE\frac{1}{4} SW\frac{1}{4}$ ); the Northwest Quarter of the Southeast Quarter ( $NW\frac{1}{4} SE\frac{1}{4}$ ); the Southwest Quarter of the Northeast Quarter ( $SW\frac{1}{4} NE\frac{1}{4}$ ); the Northeast Quarter of the Southeast Quarter ( $NE\frac{1}{4} SE\frac{1}{4}$ ); the Northerly Sixty (60) feet of the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ); and that part of the Southeast Quarter of the Northeast Quarter ( $SE\frac{1}{4} NE\frac{1}{4}$ ) lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, of Section Ten (10); all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

ZONE 2.

Zone 2 includes that part of the following properties not now within the City limits of the City of St. Joseph and not included in Zone 1 described above:

The Easterly Sixty (60) feet of the Southwest Quarter of the Southeast Quarter ( $SW\frac{1}{4} SE\frac{1}{4}$ ), less the Southerly Three Hundred Six and Seven Tenths (306.7) feet thereof; the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ) of Section Ten (10), including Blocks One (1), Two (2) and Three (3) of Cloverdale Estates, excepting therefrom, however, Lots One (1), Two (2) and Three (3) of Block One (1), of Cloverdale Estates; the West Half of the Southwest Quarter ( $W\frac{1}{2} SW\frac{1}{4}$ ) of Section Eleven (11), including all of Mohs Addition; all of Whispering Pines Addition; and that part of the Southwest Quarter of the Northwest Quarter ( $SW\frac{1}{4} NW\frac{1}{4}$ ) of Section Eleven (11), lying Southerly of the Northerly line of Burlington Northern Railway Company's right of way, all in Township One Hundred Twenty-four (124) North of Range Twenty-nine (29) West, Stearns County, Minnesota.

That the Township of St. Joseph does, upon the passage of this resolution and its adoption by the City Council of the City of St. Joseph, agree to withdraw its opposition to the Petition for Annexation and confer jurisdiction upon the Minnesota Municipal Commission so as to accomplish said orderly annexation in accordance with the terms of this resolution.

2. No annexations will take place anywhere within the area designated as in need of orderly annexation unless the area involved is or is about to become urban or sub-urban in character and unless the City is capable of providing municipal services such as water, sanitary sewers and storm sewers.

3. Any persons annexed to the City pursuant to this agreement shall receive a "tax break" consisting of a staged graduated increase in mill rates from the Town rate to the City rate over a period of not less than three (3) nor more than five (5) years. The Municipal Commission shall have the authority to order such tax break consistent with the timing of the municipal services to the area.

✓ 4. The area designated as Zone 1, all of which land is contained in the area subject to orderly annexation, as described in Paragraph 1, is properly subject to annexation during the next one (1) to five (5) years, under and pursuant to Minnesota Statutes, Section 414.032, as amended, subject to all the provisions contained in this agreement.

✓ 5. It is agreed by and between the parties hereto that complete authority and jurisdiction for planning and land use control in all of the area designated as in need of orderly annexation shall be conferred upon the five (5) man committee appointed pursuant to the Joint Powers Agreement between Stearns County, the City of St. Joseph and the Township of St. Joseph entered into among the three (3) municipalities and it is agreed that the decisions of the five (5) man committee will be final, subject to District Court appeal.

✓ 6. Unless a unanimous petition of property owners has been filed with the City, and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any area designated as Zone 1 in Paragraph 1 above for a period of five (5) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 1 by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of five (5) years, the Township agrees not to object to any petition for annexation of Zone 1 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

7. Unless a unanimous petition of property owners has been filed with the City and the City is capable of providing municipal services, the City agrees not to petition for the annexation of any areas designated as Zone 2 in Paragraph 1 above for a period of ten (10) years unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in Zone 2 therein by the Minnesota Pollution Control Agency or any other State or Federal regulatory agency. At the end of ten (10) years, the Township agrees not to object to any

petition for annexation of Zone 2 by the City of St. Joseph pursuant to Minnesota Statutes 414.032.

8. Both parties agree to work jointly to secure Federal Grants in aid for sewer extensions in the area described in Paragraph 1 hereof.

9. Notwithstanding any contrary provisions in Paragraph 6 and Paragraph 7, the Township will not oppose any unanimous petition of land owners of any areas within the orderly annexation area, regardless of whether those lands are developed or undeveloped.

The purpose of this agreement is to preserve the option of the owners of single family residential properties situated in the area to remain in the Township during the term of this agreement as outlined in Paragraphs 6 and 7 above, including existing residential properties and those which may be developed hereafter; and to provide for the annexation of other properties which is, or is about to be, developed for single family residential purposes and which will require municipal water and sewer service and to grant the right to owners of any property to petition for annexation without opposition by the Township on the unanimous petition of property owners.

10. Notwithstanding any other provision of this agreement, any lands annexed to the City which are classified as agricultural lands shall be classified by the City as agricultural lands and shall be taxed only at the rate provided by law for such agricultural lands and not at the full City rate for so long as said lands retain their classification as agricultural lands as herein otherwise provided.

11. Any person owning lands annexed to the City pursuant to this agreement shall have the following rights with regard to the payment of special assessments and hook-up charges on projects previously completed by the City which may be assessable against said annexed property:



a. The property owner may elect to pay, within Thirty (30) days after the effective date of the annexation, the entire principal balance of said assessment, or hook-up charge, assessable against the annexed property as though said assessment had been paid within the statutory grace period for payment of similar assessments as of the date on which the first assessment for said project was made; or

b. The property owner so annexed may elect to pay the entire principal balance in equal annual installments, plus interest on said installments, at the rate established for that assessable project, for all other property owners thereby assessed, over the remaining assessable years, or for such period as the City Council may agree.

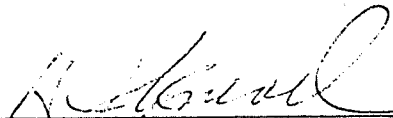
12. In order to give residents now residing within the area and who own large lots a break on the cost of municipal water, sanitary sewer and storm sewer improvements in the area, the City agrees that assessments for such future improvements within the area affecting property owners now residing therein shall be calculated as follows: Eighty percent (80%) of the total cost of the project shall be assessed on a per unit basis, based on the total number of units projected to be served by the project and Twenty percent (20%) of the cost shall be levied on a square foot basis, based on the total number of square feet to be served by the project. In the case of properties owned by persons now residing within the area, which are capable of being divided into more than one residential tract, the City agrees that the per unit cost to be levied against additional units not now in existence shall be deferred until such units are actually constructed, but the City reserves the right to impose the same per unit charge, or hook-up charge in the event additional units are constructed on said tracts.

13. It is agreed that the general policy of the Township shall be not to grant any building permit within the orderly annexation area described in Paragraph 1, unless the property owner has been advised of the terms of this agreement by the recording thereof in the office of the Register of Deeds.

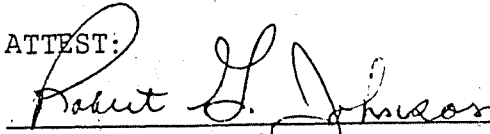
14. Within the area designated for orderly annexation, described in Paragraph 1, any developer or property owner may petition the Minnesota Municipal Commission for the immediate annexation of his property provided he agrees to pay for or finance the full cost of furnishing all municipal services to the area to be developed by him and provided he deposits either cash or a surety bond with the City pursuant to the provisions of the City's Subdivision Ordinance.

15. The City agrees to amend its Subdivision Regulation Ordinance to provide for minimum lot sizes of 10,000 square feet.

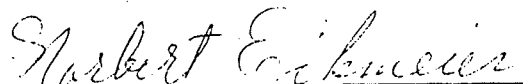
Passed and adopted by the City of St. Joseph this 2 day of October, 1975.

  
Mayor

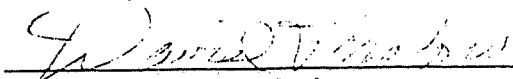
ATTEST:

  
City Clerk

Passed and adopted by the Township of St. Joseph this 2nd day of October, 1975.

  
Town Board Chairman

ATTEST:

  
Town Clerk

STATE OF MINNESOTA  
COUNTY OF STEARNS

IN THE MATTER OF THE PETITION  
OF JOAN M. HUCKLE FOR THE  
ANNEXATION OF CERTAIN LANDS  
LOCATED WITHIN ST. JOSEPH  
TOWNSHIP TO THE CITY OF  
ST. JOSEPH

The undersigned, being a property owner in the Township of St. Joseph, lying within the area designated in need of orderly annexation pursuant to a joint resolution between the City of St. Joseph and the Township of St. Joseph, executed on October 2, 1976, hereby petitions the St. Joseph City Council for annexation of the following described property, which is owned by the Petitioner and which property is urban in character:

Lot Six (6), Block Three (3), Cloverdale Estates Addition, according to the plat and survey thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota.

Dated this 15<sup>th</sup> day of January, 1983.

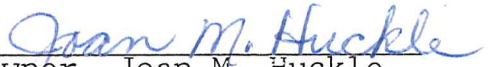
  
Owner, Joan M. Huckle

EXHIBIT - B

C. S. A. H. NO. 75

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E. MINNESOTA

ABLE S.

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ST.

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ADDITION

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BAKER

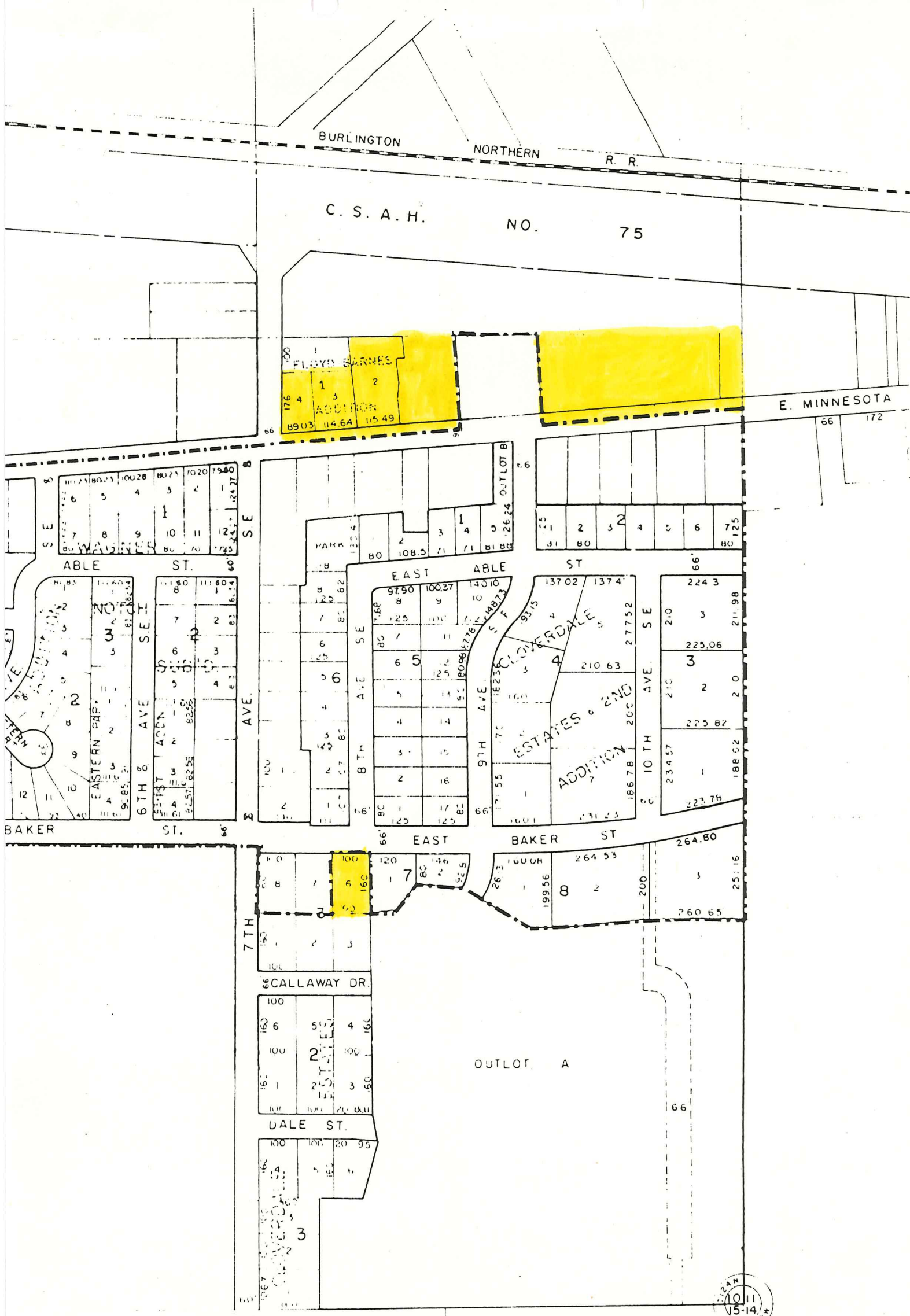
OUTLOT A

DALE ST.

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YELLOW AREAS COMPRISE  
AREA CONTAINED IN THE  
7 RESOLUTIONS FOR ANNEXATION