
**JOINT RESOLUTION FOR ORDERLY ANNEXATION
BETWEEN THE TOWN OF WAKEFIELD AND THE CITY OF COLD SPRING**

JEROSE PROPERTIES, LLC.
COLD SPRING GRANITE COMPANY, INC.
CITY OF COLD SPRING

RECITALS

A. The Town of Wakefield (the "Town") and the City of Cold Spring ("City"), both of Stearns County, Minnesota, agree on the orderly annexation of certain real property described in this resolution for orderly and planned services to the community.

B. The property proposed to be annexed (as depicted on the map attached as **Exhibit A**) is not already part of another city, and it adjoins and is contiguous to the City.

C. All owners of the property proposed to be annexed have petitioned the City and the Town for annexation.

D. An orderly annexation of the proposed property is in the best interest of the area proposed for annexation.

RESOLUTION

In consideration of this resolution's mutual terms and conditions, the Town and the City jointly resolve and enter into this Joint Resolution for Orderly Annexation (the "Joint Resolution") as

follows:

1. **Designation of Orderly Annexation Area.** The Town and City designate the area set forth on the map attached as **Exhibit A** and as legally described below (the "Designated Property") as subject to orderly annexation pursuant to Minnesota Statutes § 414.0325.

JEROSE PROPERTIES, LLC & CITY OF COLD SPRING

That part of Tracts A and B described below:

TRACT A

Lot 13, Block 1 and Outlots "C" and "D", all in Chapel Hill Sub-Division, according to the plat thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota;

TRACT B

That part of Outlot "E", Chapel Hill Sub-Division, according to the plat thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota, described as follows: Beginning at the southwest corner of said Outlot "E"; thence easterly along the southerly line thereof for 157 feet; thence northerly to the northeast corner of said Outlot "E"; thence southwesterly for 143 feet along the northerly line thereof; thence southerly along the westerly line of said Outlot "E" to the southwest corner thereof and the point of beginning;

which lies southerly and easterly of Line 1 described below:

Line 1. Commencing at the south quarter corner of Section 14, Township 123 North, Range 30 West; thence run westerly on a azimuth of 268 degrees 25 minutes 07 seconds along the southerly line of said section for 44.186 meters (144.97 feet) to the point of beginning of Line 1 to be described; thence northeasterly for 62.508 meters (205.08 feet) on a non-tangential curve, concave to the southeast, having a radius of 60.000 meters (196.85 feet), a delta angle of 59 degrees 41 minutes 28 seconds and a chord azimuth of 42 degrees 13 minutes 44 seconds; thence on an azimuth of 72 degrees 04 minutes 28 seconds for 114.489 meters (375.62 feet) to Right of Way Boundary Corner B4 as shown on Minnesota Department of Transportation Right of Way Plat No. 73-62 as the same is on file and of record in the office of the County Recorder in and for said county and there terminating.

COLD SPRING GRANITE COMPANY, INC.

Tract of land lying and being in the County of Stearns, State of Minnesota, described as follows, to-wit:

That part of the NE 1/4 of the NW 1/4 of Section 23, Township 123, Range 30, Stearns County, Minnesota and that part of Lots 3, 4, 5, & 6 of Block One and Outlot "B" of CHAPEL HILL as of public record, Stearns County, Minnesota described as follows: Beginning at the Northwest corner of said Lot 3; thence on an assumed bearing of N 88° 56' 26" E along the North line of said Lot 3 a distance of, 164.00 feet to its intersection with a line 16.00 West of and parallel with the East line of said Lots 3,4,5, & 6; thence on a bearing of S 1° 00' 53" E along last said line 294.73 feet to MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-65 as of public record, Stearns County, Minnesota; thence on a bearing of S 88° 23' 49" W along said plat, 19.74 feet; thence Southwesterly along said plat 144.27 feet along a non-tangent curve, concave to the Northwest, having a radius of 164.04 feet, a central angle of 50° 23' 27", and a chord bearing and distance of S 23° 35' 32" W, 139.67 feet; thence Northwesterly along said plat 162.85 feet along a non-tangent curve, concave to the Southwest, having a radius of 787.40 feet, a central angle of 11° 50' 59", and a chord bearing and distance of N 41° 58' 45" W, 162.56 feet; thence on a bearing of N 47° 54' 15" W along said plat, tangent to last said curve 140.31 feet; thence on a bearing of S 42° 05' 45" W along said plat, 72.18 feet; thence on a bearing of N 47° 54' 15" W along said plat, 230.13 feet; thence on a bearing of N 47° 05' 45" E along said plat, 240.53 feet; thence Northeasterly along said plat 209.70 feet along a tangent curve, concave to the Southeast, having a radius of 2817.18 feet and a central angle of 4° 15' 54" to the West line of Block One in said CHAPEL HILL; thence on a bearing of S 1° 00' 53" E along last said line,

438.11 feet to the point of beginning. Subject to easements of record. Containing 3.46 acres, more or less.

2. **Minnesota Office of Strategic and Long Range Planning Jurisdiction** Upon approval by the Town Board and City Council, this Joint Resolution shall confer jurisdiction upon the Office of Administrative Hearings, Municipal Boundary Adjustments Unit to approve annexation of the Designated Property pursuant to Minnesota Statutes § 414.0325.

3. **No Alteration of Boundaries**. The Town and City agree and state that no alterations by the Office of Administrative Hearings, Municipal Boundary Adjustments of the Designated Property's stated boundaries is appropriate.

4. **Office of Strategic and Long Range Planning Review and Comment** The Town and City agree and state that this Joint Resolution sets forth all the conditions for annexation of the designated property, and no consideration by the Office of Strategic and Long Range Planning is necessary. The Office of Strategic and Long Range Planning may review and comment, but shall order the annexation of the Designated Property according to this Joint Resolution's terms within thirty (30) days of the Office of Strategic and Long Range Planning's receipt of this Joint Resolution.

5. **Acreage and Population**. The Designated Property consists of **5.85 acres**, more or less, and has a current population of **zero**.

6. **Authorization**. The Town and the City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.

7. **Planning and Land Use Control Authority**. Upon the annexation's effective date, the City's zoning regulations and land use controls shall govern the designated property. The City may by separate resolution designate the zoning district.

8. **Severability**. A determination by any court of competent jurisdiction that any provision of this Joint Resolution is invalid, illegal or unenforceable shall not affect the validity of

this Joint Resolution's other provisions. If any of this Joint Resolution's provisions is inapplicable to any person or circumstance, it shall still remain applicable to all other persons or circumstances.

9. **Effective Date.** This Joint Resolution shall be effective from the date of the Office of Strategic and Long Range Planning's order calling for the Designated Property's annexation to the City.

10. **Governing Law.** Minnesota law will govern this Agreement.

TOWN OF WAKEFIELD

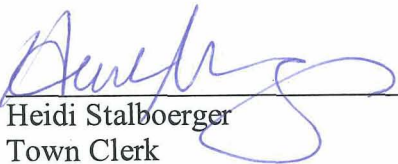
The Town of Wakefield Board of Supervisors adopts this Joint Resolution on the first day of June 2005.

Signed:

Attest:



John Willenbring
Board of Supervisors Chairperson



Heidi Stalboerger
Town Clerk

CITY OF COLD SPRING

The Cold Spring City Council adopts this Joint Resolution on May 24, 2006.

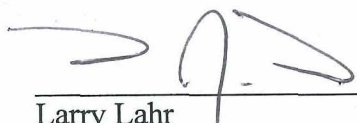
The City separately resolves that upon completion of the annexation, the annexed property shall be zoned as (C-3) Highway Commercial District.

Signed:

Attest:



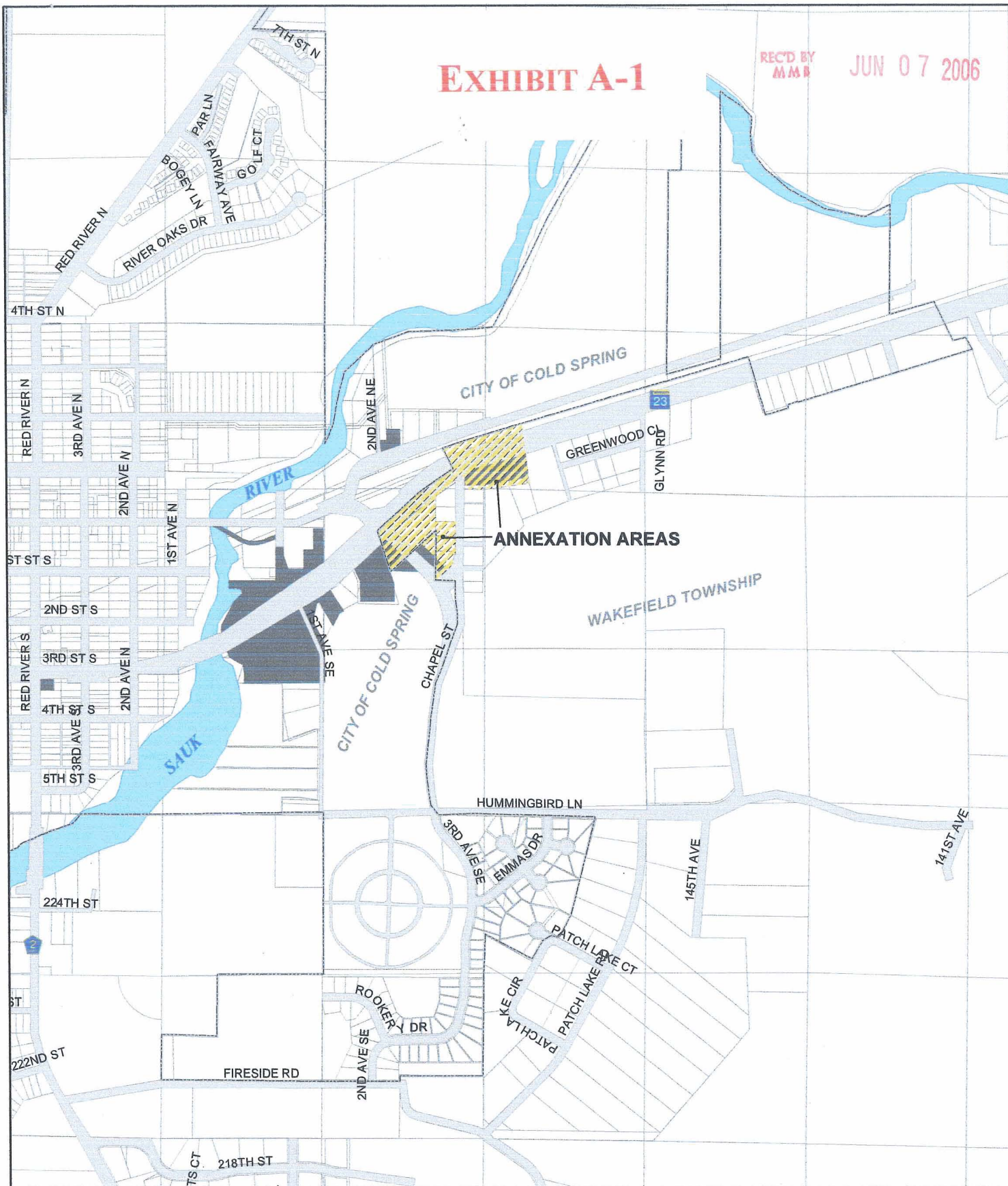
Doug Schmitz
Mayor



Larry Lahr
City Administrator

This document was drafted by:
Rajkowski Hansmeier, Ltd.
Sue Dege, Attorney at Law
11 Seventh Avenue North
St. Cloud, MN 56302-1433

JUN 07 2006



CITY OF COLD SPRING

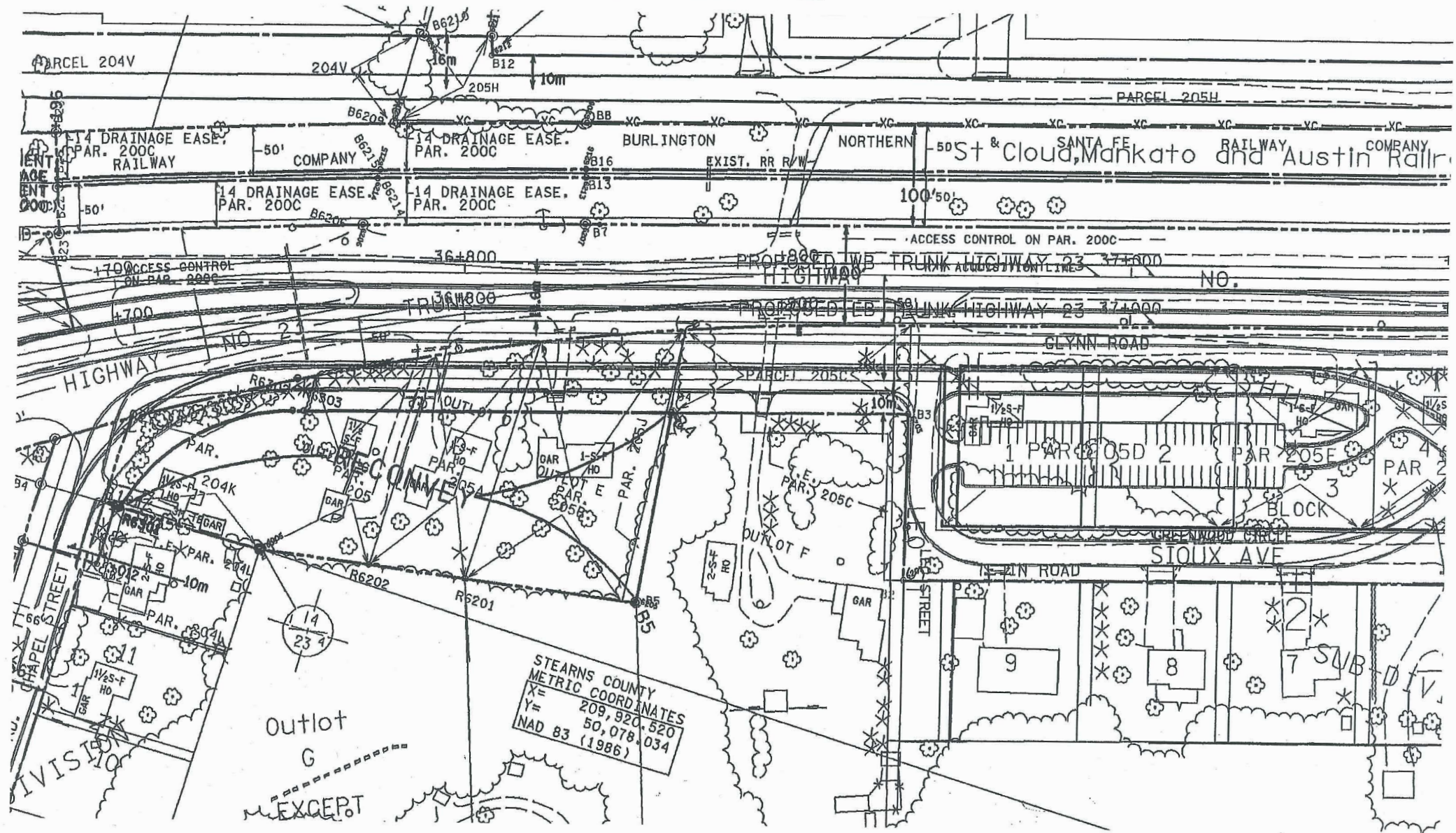
ANNEXATION MAP - FEBRUARY 2006



EXHIBIT B



Exhibit A-2



REC'D BY
M M B

JUN 07 2006

Exhibit A-3

1/4 COR. SEC. 23
T-123, R-30

CERTIFICATE OF SURVEY PREPARED FOR COLD SPRING GRANITE COMPANY

THE LEGAL DESCRIPTION OF THE
PROPERTY DESCRIBED AS FOLLOWS:

Tract of land lying and being in the County of Stearns, State of Minnesota, described as follows, to-wit:

That part of the NE 1/4 of the NW 1/4 of Section 23, Township 123, Range 30, Stearns County, Minnesota and that part of Lots 3, 4, 5, & 6 of Block One and Outlot "B" of CHAPEL HILL as of public record, Stearns County, Minnesota described as follows: Beginning at the Northwest corner of said Lot 3; thence on an assumed bearing of N 88° 56' 26" E along the North line of said Lot 3 a distance of, 164.00 feet to its intersection with a line 16.00 West of and parallel with the East line of said Lots 3, 4, 5, & 6; thence on a bearing of S 1° 00' 53" E along last said line 294.73 feet to MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-65 as of public record, Stearns County, Minnesota; thence on a bearing of S 88° 23' 49" W along said plat, 19.74 feet; thence Southwesterly along said plat 144.27 feet along a non-tangent curve, concave to the Northwest, having a radius of 164.04 feet, a central angle of 50° 23' 27", and a chord bearing and distance of S 23° 35' 32" W, 139.67 feet; thence Northwesterly along said plat 162.85 feet along a non-tangent curve, concave to the Southwest, having a radius of 787.40 feet, a central angle of 11° 50' 59", and a chord bearing and distance of N 41° 58' 45" W, 162.56 feet; thence on a bearing of N 47° 54' 15" W along said plat, tangent to last said curve 160.31 feet; thence on a bearing of S 42° 05' 45" W along said plat, 72.18 feet; thence on a bearing of N 47° 54' 15" W along said plat, 230.13 feet; thence on a bearing of N 47° 05' 45" E along said plat, 240.53 feet; thence Northeastly along said plat 209.70 feet along a tangent curve, concave to the Southeast, having a radius of 2817.18 feet and a central angle of 4° 15' 54" to the West line of Block One in said CHAPEL HILL; thence on a bearing of S 1° 00' 53" E along last said line, 438.11 feet to the point of beginning.

Subject to easements of record.

Containing 3.46 acres, more or less.



SCALE IN FEET

- INDICATES IRON MONUMENT FOUND
- INDICATES IRON MONUMENT PLACED
- ⊙ INDICATES STEARNS COUNTY CAST IRON MONUMENT
- ⊙ INDICATES MINNDOT PLAT CORNER

SURVEYOR'S NOTE: DO TO CONSTRUCTION AT THE TIME OF THIS SURVEY, MINNDOT HAS YET TO PLACED MONUMENTS AT THE DESIGNATED CORNERS.

CERTIFICATE OF SURVEY

O'MALLEY & BOE LAND SURVEYORS, INC.

210 MAIN STREET
COLD SPRING, MINNESOTA 56320
PHONE NO. (320) 685-5905
FAX NO. (320) 685-3056

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

REG. NO. 42300 DATE 3-28-05

NOTE: THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE WITHOUT FIRST CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING.

NW COR. SEC. 23
T-123, R-30

MINNESOTA DEPARTMENT OF TRANSPORTATION
OUTLOT "B"
SEC. 23

1
2
BLOCK
N 88° 56' 26" E
164.00

3
CHAPEL

STREET

MILL 11

10

9

ONE
8

7

RIGHT OF WAY

NE 1/4

NW 1/4

PLAT NO. 73-65
T-123

R-30

1/4 COR. SEC. 23
T-123, R-30

04126A.DRG

REC'D BY
MMB

JUN 07 2006