

**JOINT RESOLUTION FOR DESIGNATION OF CERTAIN LAND AND THE
IMMEDIATE ANNEXATION OF ENTIRE DESIGNATED AREA**

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN
THE CITY OF COLD SPRING AND WAKEFIELD TOWNSHIP
PURSUANT TO MINNESOTA STATUTES § 414.0325**

WHEREAS, a request from all of the property owners of the area proposed for designation and immediate annexation was received.

WHEREAS, the City of Cold Spring and Wakefield Township jointly agree to designate and request the immediate annexation of the following described land located within Wakefield Township to the City of Cold Spring, County of Stearns, Minnesota;

Tract A

That part of Lot 1, Block One, BAUER ADDITION PLAT TWO, as is on file in the office of the County Recorder in and for Stearns County, Minnesota, described as follows:

Commencing at the point of intersection of the right of way boundary line as designated by right of way boundary corners B19 and B20, as depicted on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-55, as is on file in the office of the County Recorder in and for Stearns County, Minnesota (R/W PLAT 73-55) with the northerly line of said Lot 1;
thence southwesterly along said northerly line of Lot 1 on an assumed bearing of South 72 degrees 04 minutes 35 seconds West 781.77 feet;
thence South 18 degrees 05 minutes 46 seconds East 111.46 feet;
thence North 72 degrees 04 minutes 35 seconds East 976.07 feet to a line distant 33.00 feet southwesterly of, as measured at a right angle to and parallel with, the easterly line of said Lot 1;
thence North 28 degrees 43 minutes 05 seconds West, along the last described parallel line, 79.69 feet to the right of way boundary line as designated by right of way boundary corners B18 and B19 as depicted on said R/W PLAT 73-55;
thence South 72 degrees 04 minutes 33 seconds West, along the last described right of way boundary line, 179.71 feet to said right of way boundary corner B19;
thence North 17 degrees 55 minutes 26 seconds West, along said right of way boundary line as designated by right of way boundary corners B19 and B20, for 33.18 feet to the point of beginning.

(see attached Exhibit A, a Certificate of Survey and Exhibit B which is a map showing the Todd and Janell Bauer property which is contiguous to the Cold Spring city boundary) and

WHEREAS, the City of Cold Spring and Wakefield Township are in agreement as to the orderly annexation of the unincorporated land described; and

WHEREAS, Minnesota Statutes § 414.0325 provides a procedure whereby the City of Cold Spring and Wakefield Township may agree on a process of orderly annexation of a designated area; and

WHEREAS, the City of Cold Spring and Wakefield Township have agreed to all the terms and conditions for the annexation of the above-described lands; and the signatories hereto agree that no alteration of the designated area is appropriate and no consideration by the Chief Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Cold Spring and the Township Board of Wakefield Township as follows:

1. **(Property.)** That the following described land is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate the area for orderly annexation; and agree that the land be immediately annexed:

Tract A

That part of Lot 1, Block One, BAUER ADDITION PLAT TWO, as is on file in the office of the County Recorder in and for Stearns County, Minnesota, described as follows:

Commencing at the point of intersection of the right of way boundary line as designated by right of way boundary corners B19 and B20, as depicted on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-55, as is on file in the office of the County Recorder in and for Stearns County, Minnesota (R/W PLAT 73-55) with the northerly line of said Lot 1;
thence southwesterly along said northerly line of Lot 1 on an assumed bearing of South 72 degrees 04 minutes 35 seconds West 781.77 feet;
thence South 18 degrees 05 minutes 46 seconds East 111.46 feet;
thence North 72 degrees 04 minutes 35 seconds East 976.07 feet to a line distant 33.00 feet southwesterly of, as measured at a right angle to and parallel with, the easterly line of said Lot 1;
thence North 28 degrees 43 minutes 05 seconds West, along the last described parallel line, 79.69 feet to the right of way boundary line as designated by right of way boundary corners B18 and B19 as depicted on said R/W PLAT 73-55;
thence South 72 degrees 04 minutes 33 seconds West, along the last described right of way boundary line, 179.71 feet to said right of way boundary corner B19;
thence North 17 degrees 55 minutes 26 seconds West, along said right of way boundary line as designated by right of way boundary corners B19 and B20, for 33.18 feet to the point of beginning.

(see attached Exhibit A, which is Certificate of Survey of Tract A and Exhibit B, which is a map showing the Todd and Janell Bauer property which is contiguous to the Cold Spring City boundary)

2. **(Acreage/Population/Usage.)** That the orderly annexation area consists of approximately 2.34 acres, the population in the area is zero, and the land use type is agricultural. Upon annexation, the Property shall be zoned C-3 Highway Commercial.

3. **(Jurisdiction.)** That Wakefield Township and the City of Cold Spring, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. **(Municipal Reimbursement).** Minnesota Statutes § 414.036.

a. Reimbursement to Towns for lost taxes on annexed property.

The City of Cold Spring and Wakefield Township agree to a lump sum reimbursement to Wakefield Township for lost taxes in the amount of \$100.62.

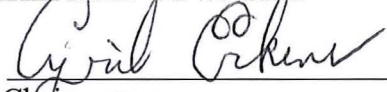
b. Assessments and Debt.

That pursuant to Minnesota Statutes § 414.036 with respect to any special assessment assigned by the Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, the City shall forward to the Township any such assessment or debt revenue paid to the City by the property owner or by the County Auditor.


5. **(Review and Comment).** The City of Cold Spring and Wakefield Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

Adopted by affirmative vote of all the members of the Wakefield Township Board of Supervisors this 4 day of April 2019.

WAKEFIELD TOWNSHIP


By: 
Chairperson
Board of Supervisor

ATTEST:

By: 
Township Clerk

Adopted by affirmative vote of the City Council of Cold Spring this 9th day of April 2019.

CITY OF COLD SPRING

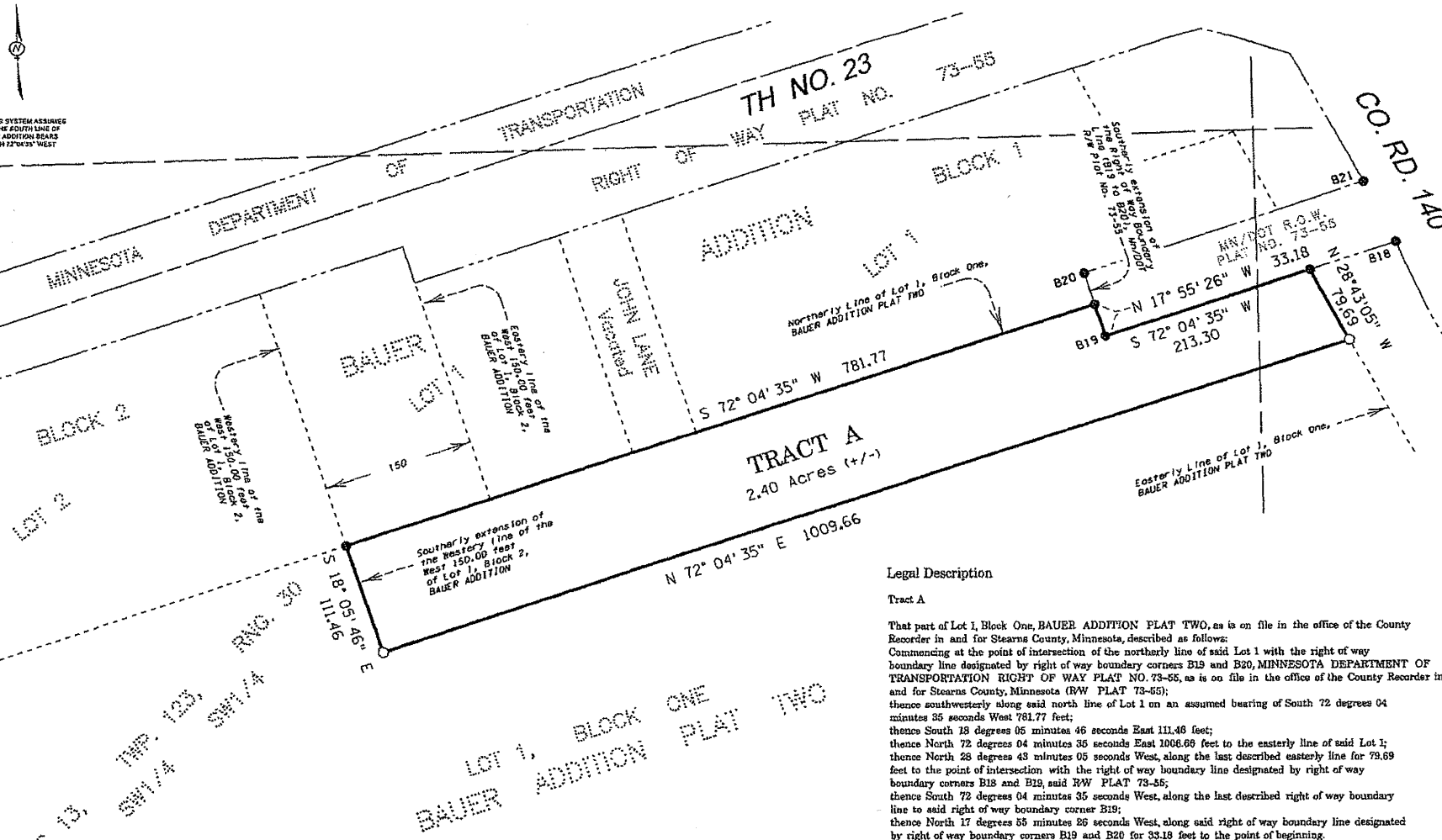
By: 
David Heinen, Mayor

ATTEST:

By: 
Brigid Murphy
City Administrator

Approved this 9th day of April 2019.

BEARING SYSTEM ASSUMES
THAT THE SOUTH LINE OF
BAUER ADDITION BEARS
SOUTH 12°45' WEST

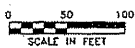


Legal Description

Tract A

That part of Lot 1, Block One, BAUER ADDITION PLAT TWO, as is on file in the office of the County Recorder in and for Stearns County, Minnesota, described as follows:
Commencing at the point of intersection of the northerly line of said Lot 1 with the right of way boundary line designated by right of way boundary corners B19 and B20, MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-55, as is on file in the office of the County Recorder in and for Stearns County, Minnesota (RW PLAT 73-55);
thence southwesterly along said north line of Lot 1 on an assumed bearing of South 72 degrees 04 minutes 35 seconds West 781.77 feet;
thence South 18 degrees 05 minutes 46 seconds East 111.46 feet;
thence North 72 degrees 04 minutes 35 seconds East 1006.66 feet to the easterly line of said Lot 1;
thence North 28 degrees 43 minutes 05 seconds West, along the last described easterly line for 79.69 feet to the point of intersection with the right of way boundary line designated by right of way boundary corners B18 and B19, said RW PLAT 73-55;
thence South 72 degrees 04 minutes 35 seconds West, along the last described right of way boundary line to said right of way boundary corner B19;
thence North 17 degrees 55 minutes 26 seconds West, along said right of way boundary line designated by right of way boundary corners B19 and B20 for 33.18 feet to the point of beginning.

- DENOTES: SET IRON PIPE WITH CAP STAMPED "DELEO 40341"
- ⊙ DENOTES: SET MAGNETIC "PK" NAIL
- DENOTES: FOUND IRON MONUMENT



NO.	REVISIONS AS OF	DATE

KLD
KRAMER LEAS DELEO
SURVEYING - ENGINEERING - PLANNING
ST. CLOUD

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, 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.

Signature: Samuel J. Deleo 6/08/2017
Samuel J. Deleo, MN License No. 40341 Date:

PROJECT NO. BAUET1701

CERTIFICATE OF SURVEY

Property Boundary Survey

Prepared for: Todd Bauer
14455 State Hwy. 23, Cold Spring, MN 56320
Township of Wakefield, County of Stearns, State of Minnesota
Located in Section 13, Township 123 North, Range 30 West

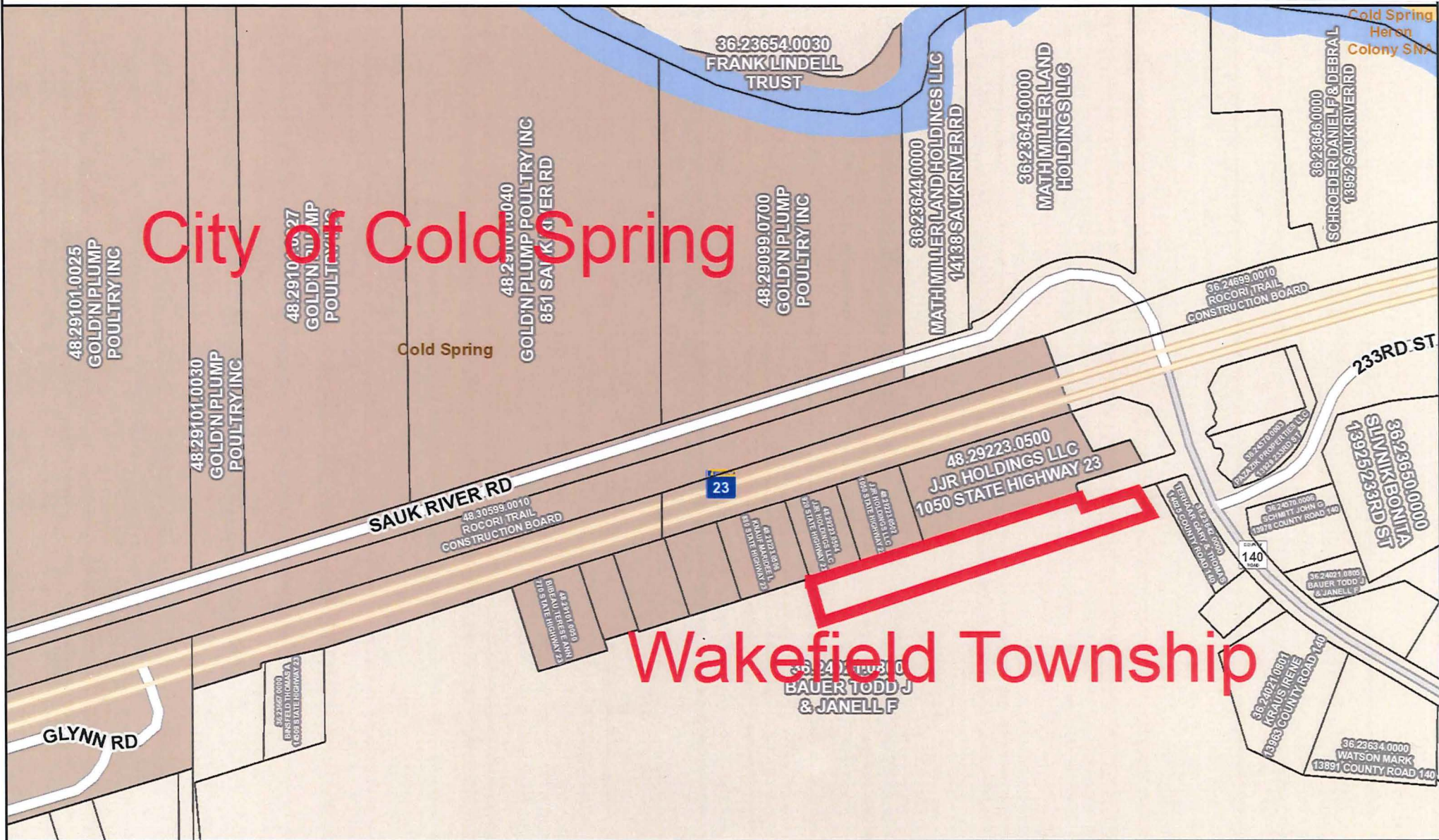
Sheet No. 1 of 1

Annexation Tract

EXHIBIT B

City of Cold Spring

Wakefield Township



Legend

- County Ditches
- Parcels

0 95 190 380 570 760 Feet

Data is as represented in Stearns County Databases. It is NOT Intended for Locational Use and Stearns County waives all liability from this product.



Auditor/Treasurer
Division of Land Management
March 5, 2019



This map is made available on an "as is" basis, without express or implied warranty of any sort including, specifically, any implied warranties of fitness for a particular purpose, warranties of merchantability or warranties relating to the accuracy or completeness of the database(s).



0 40 80 160 240 320 Feet



Auditor/Treasurer
Division of Land Manag
June 9, 2017

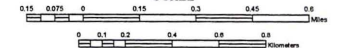
* Red area to be annexed.

MUNICIPALITY OF
COLD SPRING

PREPARED BY THE
MINNESOTA DEPARTMENT OF TRANSPORTATION
OFFICE OF TRANSPORTATION SYSTEM MANAGEMENT

IN COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

SCALE



1 in = 800 ft

2018



North American Datum
of 1986



Population (U.S. Census 2010): 4025