

**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 (collectively “Petitioner”) 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;

The North Half of the Southeast Quarter and the South Half of the Northeast Quarter of Section 11, Township 123, Range 30, Stearns County, lying northwesterly of the centerline of County Road No. 2.

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.e(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:

The North Half of the Southeast Quarter and the South Half of the Northeast Quarter of Section 11, Township 123, Range 30, Stearns County, lying northwesterly of the centerline of County Road No. 2.

2.e(Acreage/Population/Usage.) That the orderly annexation area consists of approximately 82.27 acres, the population in the area is zero, and the land use type is

agricultural. Upon annexation, the Property shall be zoned I-2 General Industrial and 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 \$2,084.15.

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. **(Road Agreement.)** Prior to approving any access from the annexed property onto 248th Street, the City of Cold Spring will enter into a mutually agreeable road agreement with Wakefield Township with regard to maintenance responsibilities for that portion of 248th Street that abuts the property.

6. **(Submission For Review).** The City of Cold Spring and Wakefield Township agree that this resolution, passed and adopted by each party, shall not be submitted by either party to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings until such time as a contract for deed, purchase and sale, or ground lease agreement between the Petitioner Inventure Properties LLC and Scannell Properties for the development of Petitioner's land as legally described above has been signed. If an agreement between the Petitioner and Scannell Properties is not signed within 30 days of the passing and adopting of this resolution, this resolution shall become null and void.

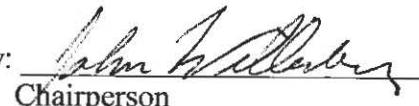
7. **(Review and Comment).** The City of Cold Spring and Wakefield Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of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

Adopted by affirmative vote of all the members of the Wakefield Township Board of Supervisors this 15th day of April, 2020.

WAKEFIELD TOWNSHIP

ATTEST:

By:


Chairperson
Board of Supervisor

By:


Township Clerk

Adopted by affirmative vote of the City Council of Cold Spring this 14th day of
April, 2020.

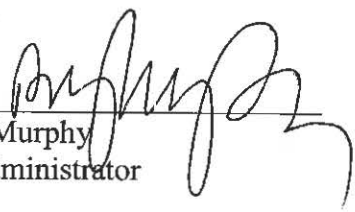
CITY OF COLD SPRING

By:


David Heinen, Mayor

ATTEST:

By:


Brigid Murphy
City Administrator

Annexation tract=

