

Minnesota Municipal Board Docket No. _____

City of St. Cloud Resolution No. 1990-11-233

JOINT RESOLUTION AS TO ORDERLY ANNEXATION
BY AND BETWEEN THE CITY OF ST. CLOUD AND
THE TOWN OF LESAUK

WHEREAS, the City of St. Cloud (the "City") and the Town of LeSauk (the "Town") desire to provide for the orderly development and extension of services to areas of the Town that are or are about to become urban or suburban in character; and

WHEREAS, the City and the Town have reached an agreement which is in the best interests of both citizens of the City and the citizens of the Town.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF ST. CLOUD AND THE BOARD OF SUPERVISORS OF THE TOWN OF LESAUK:

1. Description of Area to be Annexed. That the following described areas are properly subject to orderly annexation under and pursuant to Minnesota Statutes §414.0325, and the parties do hereby designate these areas for orderly annexation as provided by statute:

- A. Those areas set forth on the attached map (Exhibit 1).
- 1). Legal Descriptions Attached as Exhibits A, B and C.

2. Municipal Board Jurisdiction. That upon approval by the parties, this agreement shall confer jurisdiction upon the Minnesota Municipal Board (the "Board") so as to accomplish said orderly annexation in accordance with the terms of this agreement.

3. No Alterations of Boundaries. The City and the Town mutually state that no alteration by the Board of the boundaries of those areas designated herein for orderly annexation is appropriate.

4. Conditions for Annexation. The City and the Town mutually state that this resolution sets forth all of the conditions for annexation of the areas designated herein for orderly annexation and that no consideration by the Board is necessary, the Board may review and comment, but shall, within thirty (30) days, order annexation.

Greg Rupp Development of St. Cloud, Inc. agrees to assume all expenses related to the improvement of 321st Street (Foley Street) from Mill Pond Drive East to Stearns County 1. Such

improvements to be limited exclusively to the widening and paving of said street to acceptable Town standards.

The City agrees not to extend improvements to or assess for any improvements against the Exhibit C parcel until such time as improvements are petitioned for by the property owner, or the parcel is platted or otherwise developed or ceases to be vacant.

This resolution adopted by the St. Cloud City Council this 19th day of November, 1990.

Attested:

CITY OF ST. CLOUD, MINNESOTA

By *Shirley A. Engdahl*
City Clerk

By *James E. Meyer*
Council President

This resolution adopted by the LeSauk Town Board of Supervisors this 12th day of OCTOBER, 1990.

Attested:

TOWN OF LESAUK, MINNESOTA

By *Marlyce L. Leante*
Town Clerk

By *Robert D. Hein*
Chairman, Board of
Supervisors

Total Area to be Annexed:
35.6 ± Acres

North
Scale 1" = 800'

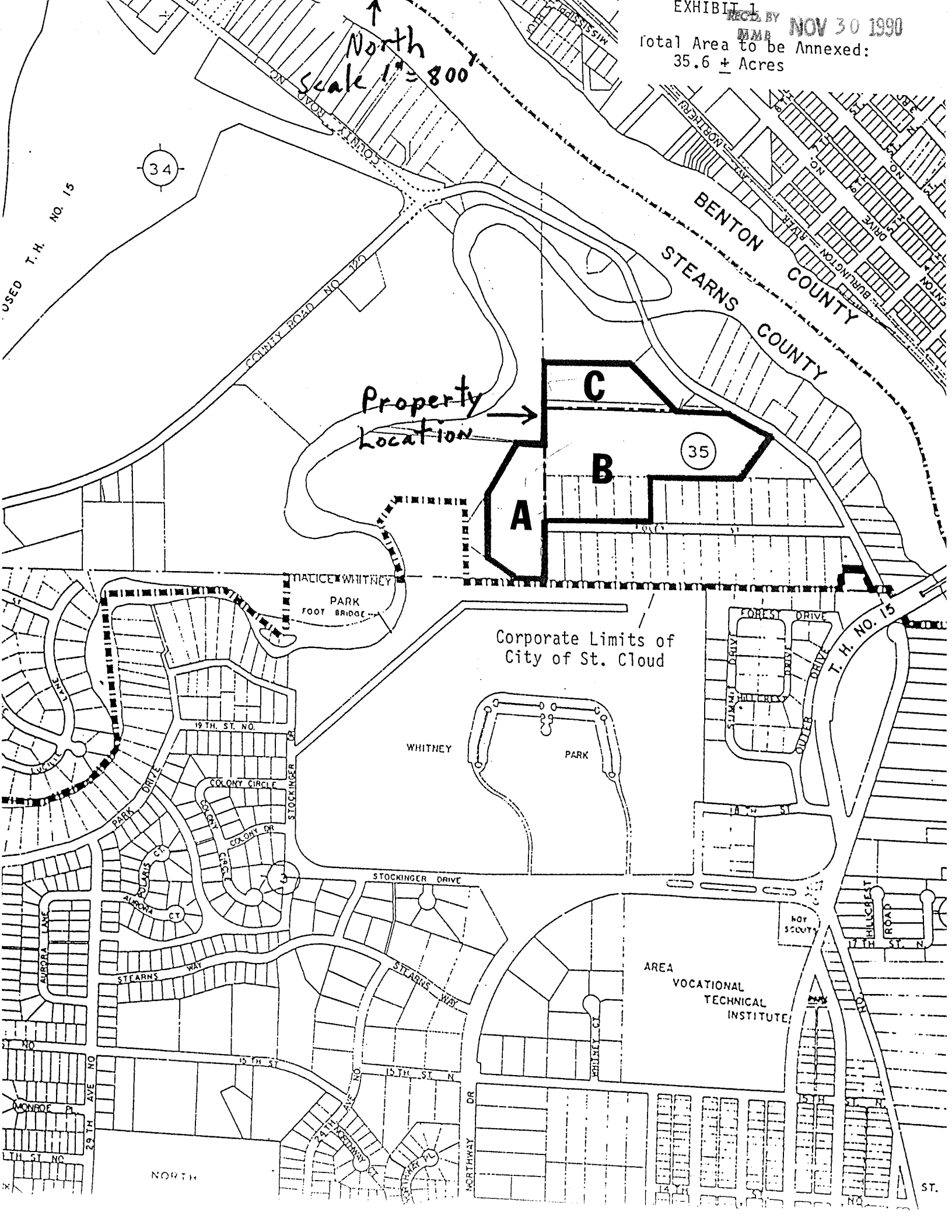


EXHIBIT A

That part of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 34, Township 125 North, Range Twenty-eight West, described as follows: Commencing at the corner of Sections 34 and 35 on the Town line between Townships 124 and 125, Range 28; thence North 14.58 chains to a stake; thence North 85 degrees, 33 minutes West 2.35 chains to an oak tree; thence North 87 degrees, 41 minutes West 37 links; thence South 34 degrees, 9 minutes West 12.25 chains; thence South 55 degrees, 51 minutes East 8.15 chains, to Town line between Townships 124 and 125; thence East along said Town line to the beginning, about 2.60 chains, said tract being also known as Lots B and C of Auditor's Subdivision No. 2. LESS AND EXCEPT that part thereof which lies Westerly of the following described line: Commencing at the Southeast corner of said Section 34; thence West along the South line thereof 411.50 feet; thence North 0 degrees, 14 minutes, 51 seconds West 153.80 feet to a point on the Southwest line of the aforesaid described parcel, which is the point of beginning of the line to be described; thence continuing North 0 degrees, 14 minutes, 55 seconds West 481.07 feet to a point on the Northwest line of said described parcel and there terminating.

EXHIBIT B

A tract of land lying in the Southwest Quarter (SW 1/4) of Section 35, Township 125, Range 28, Stearns County, Minnesota described as follows, to-wit: Beginning at a point on the West line of said Section 35, 708.5 feet North of the Southwest corner of said Section 35; thence at a right angle Easterly and parallel to the South line of said Section 35 which line is the North line of North Side Acres, a platted subdivision, a distance of 1408.2 feet to an iron monument, thence North 52 degrees East a distance of 404.7 feet to an iron monument on the West line of the Sartell-St. Cloud road as now constructed; thence Northwesterly along the West side of said road a distance of 343.5 feet to an iron monument; thence due West and parallel to the South line of said Section 35 a distance of 1434.7 feet to a point on the West line of said Section 35; thence South on the West line of said Section a distance of 486 feet to the point of beginning and there terminating; and Lots 11, 12, 13, 14, 15 and 16 of Northside Acres. LESS AND EXCEPT that part of Government Lot 2, Section 35 and that part of the Southwest Quarter of Section 35 all in Township 125 North, Range 28 West, Stearns County, Minnesota described as follows: Commencing at the Southwest corner of said Section 35; thence on an assumed bearing of North along the West line of said Section 35 a distance of 1194.50 feet to the Northwest corner of a parcel of land described in Book 374 of Deeds on page 627 as Document Number 403015; thence North 89 degrees, 38 minutes, 20 seconds East, parallel with the South line of the said Southwest Quarter, along the North line of said parcel, a distance of 1046.78 feet to the actual point of beginning; thence on a bearing of South a distance of 37.48 feet; thence South 88 degrees, 20 minutes, 19 seconds East a distance of 391.93 feet to the Westerly right of way line of County State Aid Highway Number 1; thence North 57 degrees, 43 minutes, 10 seconds West, along said Westerly right of way line, a distance of 35.50 feet; thence North 53 degrees, 40 minutes, 28 seconds West, along said Westerly right of way line, a distance of 53.84 feet to the Northerly line of said parcel described in Book 374 of Deeds on page 627; thence South 89 degrees, 38 minutes, 20 seconds West along said Northerly line a distance of 318.38 feet to the point of beginning. Containing 0.35 of an acre, more or less, and is subject to easements of record.

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EXHIBIT C

That part of the Southwest Quarter of Section 35, Township 125 North, Range 28 West, Stearns County, Minnesota described as follows: Commencing at the Southwest corner of the said Southwest Quarter; thence on an assumed bearing of North, along the West line of the said Southwest Quarter, a distance of 1194.50 feet to the Northwest corner of a parcel of land described in Book 374 of Deeds on Page 627 and the actual point of beginning; thence continue North along the West line, a distance of 274.00 feet to the South line of a parcel of land described in Document Number 643603; thence South 89 degrees, 06 minutes, 48 seconds East along the said South line, a distance of 683.60 feet; thence South 55 degrees, 16 minutes, 24 seconds East continuing along said South line and the South line of a parcel of land described in Document Number 643602, a distance of 441.96 feet; thence on a bearing of South a distance of 5.06 feet to the North line of the said parcel of land described in Book 374 of Deeds on Page 627; thence South 89 degrees, 38 minutes, 20 seconds West along said North line, a distance of 1046.78 feet to the point of beginning. Containing 5.28 acres, more or less, and is subject to easements of record.
