

RESOLUTION NO. 2006 - 28 - II

CITY OF CLEARWATER, MINNESOTA

RESOLUTION EXTENDING THE CORPORATE LIMITS OF CITY TO INCLUDE CERTAIN
LANDS ABUTTING UPON THE CITY LIMITS (St. Luke's II)

WHEREAS, the Church of St. Luke has presented a petition to the City of Clearwater for annexation of its land to be used for a new church facility and cemetery, which land is described in the attached "Exhibit 1" ("Subject Property"); and

WHEREAS, such petition was presented to Clearwater Township, which stated to the City in a letter dated April 22, 2005, that the Township had no opposition to the annexation of the Subject Property into the City; and

WHEREAS, the Subject Property to be annexed is located within the Orderly Annexation Area of the City of Clearwater and Clearwater Township; and

WHEREAS, the Subject Property serves as a cemetery accessory to the adjoining church use, abuts upon the City limits, and is urban or suburban in character; and

WHEREAS, the Subject Property is adjacent to land not currently served by public water or sewer facilities and the request for annexation would facilitate the extension of such services to the properties of the main church use adjoining the Subject Property; and

WHEREAS, the petitioners have met with the City Planning and Zoning officials to discuss the proper zoning designations for the Subject Property;

NOW THEREFORE BE IT RESOLVED by the City of Clearwater City Council as follows:

1. The Clearwater City Council hereby determines that the annexation will be in the best interests of the City and of the territory affected and said territory as described in the attached legal description abuts upon the City limits;

2. The Subject Property is not included within the limits of any City and does not abut upon the limits of any other City.

3. The Subject Property has no residents and is less than sixty (60) acres in size.


4. The Subject Property is in the orderly annexation area with Clearwater Township and the Township has approved annexation of the Subject Property. No alteration of its stated boundaries is appropriate. The director of the Municipal Boundary Adjustments Office may review and comment, but may not alter the boundaries and shall order the orderly annexation in accordance with the orderly annexation agreement.

5. The Subject Property upon annexation will be zoned for Public Institutional (PI) use under the Zoning Ordinance of the City of Clearwater.

6. This Resolution shall take effect upon passage by the City Council, its filing with the Minnesota Municipal Boundary Adjustments Office as directed herein, and approval by the Boundary Adjustments Office.

7. The City Clerk-Treasurer is hereby authorized and directed to file certified copies of this Resolution of Annexation with the State of Minnesota Boundary Adjustments Office for approval. Copies shall also be sent to the Church of St. Luke, Clearwater Township, and to Wright County.

Adopted by the City Council for the City of Clearwater, Wright County, Minnesota the 15 day of May, 2006.


Janelle Hennen, Mayor

ATTEST:


Joni Golden, Clerk-Treasurer

REC'D BY
JMM
OCT 27 2006

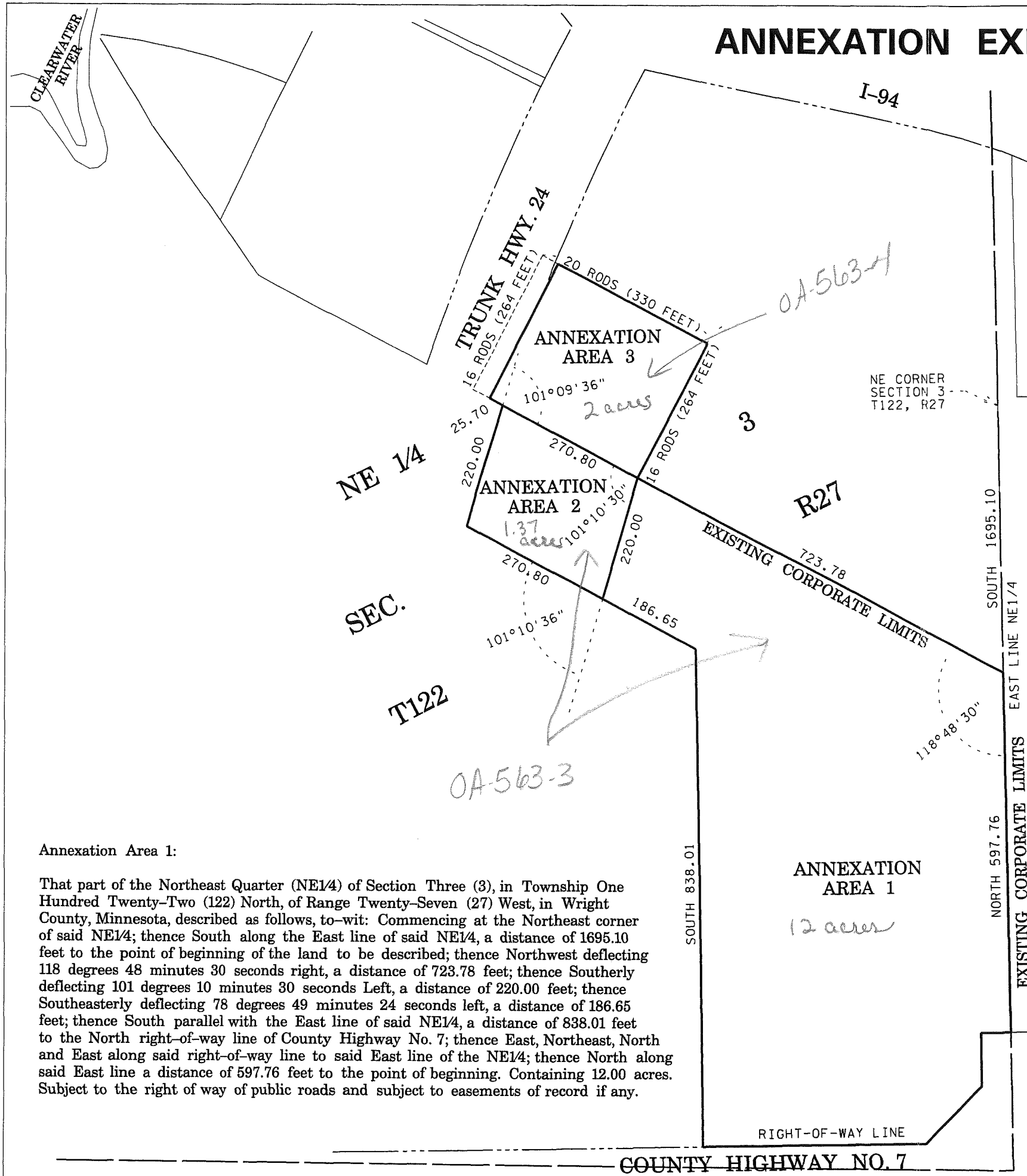
Exhibit 1 – Description of Annexation Area

Annexation Area 3:

The following description is from a Deed dated April 15, 1889 between Peter A. Leuie and Nellie M. Leuie, husband and wife to Right Reverend Bishop John Ireland:

Beginning in the center of the so called Big Lake road, at the corner in said road, of the lands of Julia A. Woodworth, Elizabeth Stewart, and Richard Baxter, being the Southwest corner of land deeded by Louisa Woodworth, August 16, 1876 to Peter A. Leuie, East of the Big Lake road, thence running in a northerly direction along the center of said Big Lake road Sixteen (16) rods, thence in an Easterly direction Twenty (20) rods, thence in a southerly direction Sixteen (16) rods to the boundary line between Leuie and Baxter, thence westerly along said boundary land Twenty (20) rods to the place of beginning, containing Two (2) acres for the purpose of a Catholic Cemetery in Section Three (3) Township One Hundred Twenty Two (122) Range Twenty Seven (27).

ANNEXATION EXHIBIT



Annexation Area 1:

That part of the Northeast Quarter (NE1/4) of Section Three (3), in Township One Hundred Twenty-Two (122) North, of Range Twenty-Seven (27) West, in Wright County, Minnesota, described as follows, to-wit: Commencing at the Northeast corner of said NE1/4; thence South along the East line of said NE1/4, a distance of 1695.10 feet to the point of beginning of the land to be described; thence Northwest deflecting 118 degrees 48 minutes 30 seconds right, a distance of 723.78 feet; thence Southerly deflecting 101 degrees 10 minutes 30 seconds Left, a distance of 220.00 feet; thence Southeasterly deflecting 78 degrees 49 minutes 24 seconds left, a distance of 186.65 feet; thence South parallel with the East line of said NE1/4, a distance of 838.01 feet to the North right-of-way line of County Highway No. 7; thence East, Northeast, North and East along said right-of-way line to said East line of the NE1/4; thence North along said East line a distance of 597.76 feet to the point of beginning. Containing 12.00 acres. Subject to the right of way of public roads and subject to easements of record if any.

Annexation Area 2:

Book 265 of Deeds, pages 136-167 File No. 293157

That part of the Northeast Quarter (NE1/4) of Section Three (3), in Township One Hundred Twenty-Two (122) North, of Range Twenty-Seven (27) West, in Wright County, Minnesota, described as follows, to-wit: Commencing at the Northeast corner of said NE1/4; thence South along the East line of said NE1/4, a distance of 1695.10 feet; thence deflecting 118 degrees 48 minutes 30 seconds right, 37.88 feet to an iron pipe said pipe being the most southerly corner of Lot "A" of Lot 10; thence continuing on the same described course, 685.90 feet along the southwesterly line of said Lot "A" of Lot 10 to the point of beginning, said point of beginning being the southeasterly corner of the existing cemetery; thence deflecting 101 degrees 10 minutes 30 seconds left, 220.00 feet; thence deflecting 101 degrees 10 minutes 36 seconds right, 270.8 feet to the easterly right of way line of Trunk Hwy. 24; thence northeasterly along said right of way line on a tangential curve concave to the East a distance of 220.00 feet more or less to a point of the southwesterly line of said existing cemetery, said point being 25.70 feet easterly from the most westerly corner of existing cemetery; thence deflecting 101 degrees 09 minutes 36 seconds right and on the southwesterly line of existing cemetery, 270.80 feet to the point of beginning.

Annexation Area 3:

The following description is from a Deed dated April 15, 1889 between Peter A. Leuie and Nellie M. Leuie, husband and wife to Right Reverend Bishop John Ireland:

Beginning in the center of the so called Big Lake road, at the corner in said road, of the lands of Julia A. Woodworth, Elizabeth Stewart, and Richard Baxter, being the Southwest corner of land deeded by Louisa Woodworth, August 16, 1876 to Peter A. Leuie, East of the Big Lake road, thence running in a northerly direction along the center of said Big Lake road Sixteen (16) rods, thence in an Easterly direction Twenty (20) rods, thence in a southerly direction Sixteen (16) rods to the boundary line between Leuie and Baxter, thence westerly along said boundary land Twenty (20) rods to the place of beginning, containing Two (2) acres for the purpose of a Catholic Cemetery in Section Three (3) Township One Hundred Twenty Two (122) Range Twenty Seven (27).



1200 25TH AVE. SO.
P.O. BOX 1717
ST. CLOUD, MN 56302-1717
320.229.4300

SEH PROJ. NO.
CLEAR 0601.00

Clearwater, MN
Annexation Area

- Existing City Limits
- Parcels
- Annexation Area

REC'D BY
MAM
DEC 20 2006

0 1,000 Feet

