

Resolution No. 2019-10-170

RESOLUTION ANNEXING PROPERTY IN MINDEN TOWNSHIP
TO THE CITY OF ST. CLOUD, WHICH PROPERTY IS KNOWN
AS THE KITCHAR PROPERTY,
IN ACCORDANCE WITH THE ORDERLY ANNEXATION AGREEMENT OF
FEBRUARY 12 AND 13, 2001

WHEREAS, the Town of Minden ("Town") and the City of St. Cloud ("City") are parties to a Joint Resolution as to Orderly Annexation ("Orderly Annexation Agreement") dated on or about February 13, 2001, which affects an area of the Town located south of TH 23 and west of the Elk River; and,

WHEREAS, paragraph 5 and 5.a. of the Orderly Annexation Agreement entitles the City to adopt a resolution approving annexation of property where a petition requesting annexation is signed by owners of 100% of individual parcels of record for agricultural and/or undeveloped properties in an area proposed for annexation; and,

WHEREAS, the City of St. Cloud received a written petition signed by 100% of property owners requesting annexation to the City for property referred to as the Kitchar property, a copy of which was submitted to the Town on September 3, 2019; and,

WHEREAS, in accordance with paragraph 5 of the Orderly Annexation Agreement, at least 45 days have passed since submission of a copy of the annexation petition to the Town; and,

WHEREAS, the petitioning property owners have indicated a desire to have their properties annexed to facilitate development with municipal utility service; and,

WHEREAS, the subject property is located within the urban growth boundary identified in the officially adopted St. Cloud Area Joint Planning District Plan; and,

WHEREAS, the City of St. Cloud and Minden 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 BY THE COUNCIL OF THE CITY OF ST. CLOUD, MINNESOTA:

That the City expresses its desire and approval to cause annexation of the property legally described as LOT 10, BLOCK 2, POINT PLEASANT, SECTION 31, TOWNSHIP 036, RANGE 030, Benton County, MN, containing 0.287 acres, more or less and depicted in map form in Exhibit A, in accordance with the Joint Resolution as to Orderly Annexation adopted by the City on February 12, 2001, and by the Town on February 13, 2001.

BE IT FURTHER RESOLVED:

That the City shall annually rebate to the Town for a 9-year period a portion of the property taxes collected for the subject property as provided for in paragraph 8 of the Orderly Annexation Agreement. In accordance with paragraph 9 of the Orderly Annexation Agreement, the subject property is eligible for a six-year tax step-up.

This resolution is adopted by the St. Cloud City Council the 21 day of October, 2019.


Dave Kleis, Mayor

Attest:


Seth Kauffman, City Clerk

Kitchar Annexation

EXHIBIT A

