

Resolution No. 2021-10-194

RESOLUTION ANNEXING PROPERTY IN MINDEN TOWNSHIP
TO THE CITY OF ST. CLOUD, WHICH PROPERTY IS KNOWN
AS THE BERG 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 Berg property, a copy of which was submitted to the Town on September 10, 2021; 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 in Exhibit A, containing 37.5 acres, more or less and depicted in map form in Exhibit B, 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 25 day of October, 2021.

Attest:



Seth Kauffman, City Clerk

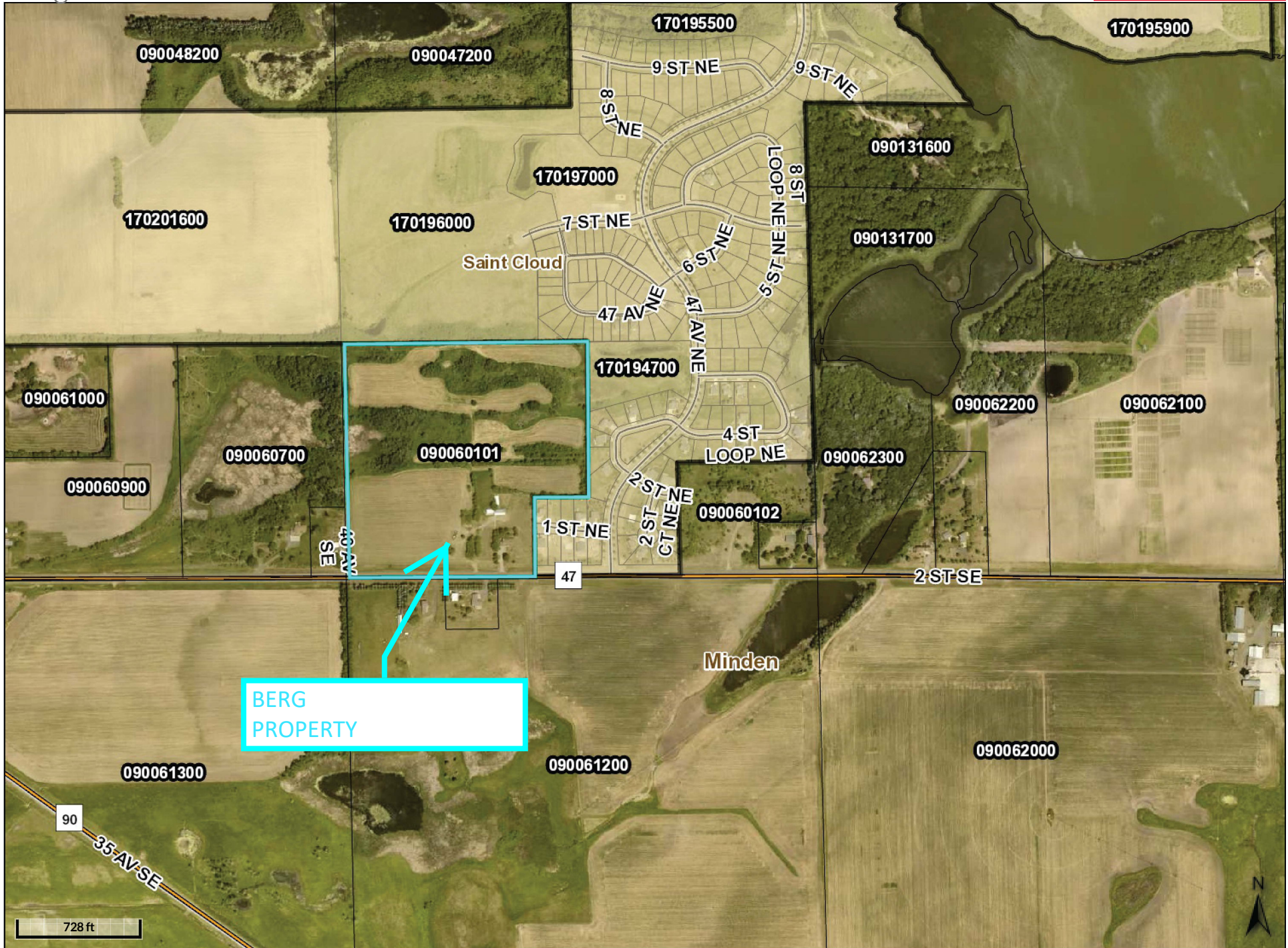


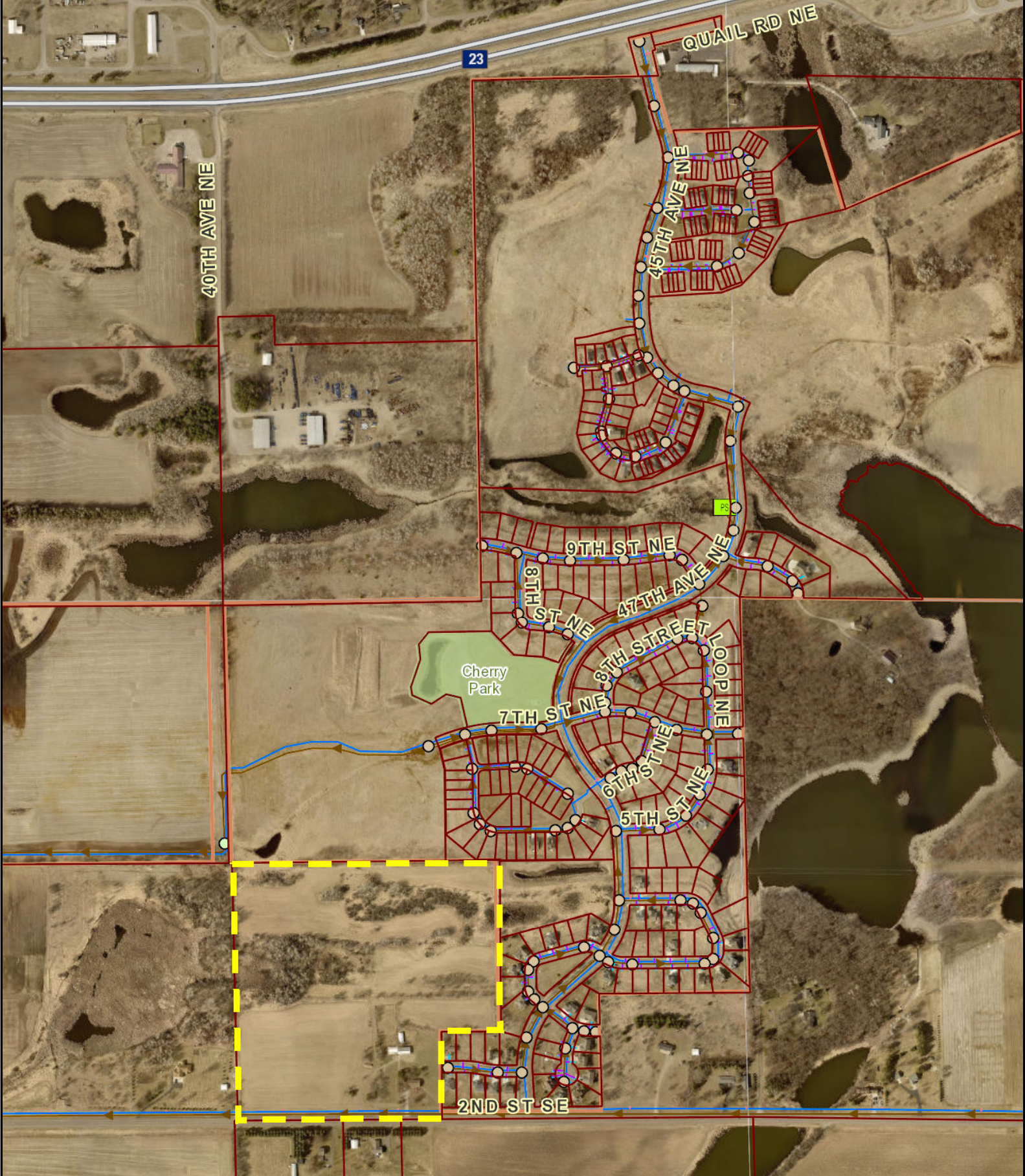
Dave Kleis, Mayor

EXHIBIT A

Complete legal description for the "Berg Property":

That part of the South half of the Northeast quarter ($S\frac{1}{2}$ NE $\frac{1}{4}$) in Section thirty-three (33), Township thirty-six (36), Range thirty (30), Benton County, Minnesota, lying North and West of the following described line: Commencing at the East quarter corner of said section thirty-three (33); thence West along the South line of said South half of the Northeast Quarter ($S\frac{1}{2}$ NE $\frac{1}{4}$) a distance of 1608.62 feet to the point of beginning of the line to be described; Thence North at a right angle (as measured from said South line) a distance of 450 feet; Thence East at a right angle and parallel to said South line a distance of 307.75 feet; Thence North at a right angle to the point of intersection with the North line of said South half of the Northeast quarter ($S\frac{1}{2}$ NE $\frac{1}{4}$) and there terminating, excepting therefrom the following described tracts: (1) That part of the South half of the Northeast quarter ($S\frac{1}{2}$ NE $\frac{1}{4}$), in said section thirty-three (33) described as follows: Beginning at a point on the West line of said South half of the Northeast quarter ($S\frac{1}{2}$ NE $\frac{1}{4}$) a distance of 2 rods south of the Northwest corner of the Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) in said section thirty-three (33); Thence North along said West line a distance of 2 rods to said Northwest corner; Thence East on the North line of said Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) in said Section thirty-three (33) a distance of 2 rods, thence in a straight line and in a southwesterly direction to the point of beginning and there terminating; and (2) commencing at the Southwest corner of the South half of the Northeast quarter ($S\frac{1}{2}$ NE $\frac{1}{4}$) in said section thirty-three (33); Thence East a distance of 1 rod; Thence north parallel to the West quarter section line to a point on a line extended between a point 2 rods east of the NW corner of the Southwest Quarter of the Northeast Quarter, Section 33, and a point 2 rods south of the NW corner of the Southwest Quarter of the Northeast Quarter; Thence Southwest a distance of 1.415 rods to a point on the West quarter section line distant 33 feet South of the Northwest corner of said South half of the Northeast quarter ($S\frac{1}{2}$ NE $\frac{1}{4}$) in said section thirty-three (33); Thence South along said West quarter section line a distance of 78 rods to the point of beginning and there terminating.





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Berg Annexation - General Location

Minden Township



1:11,015

Date: 10/25/2021

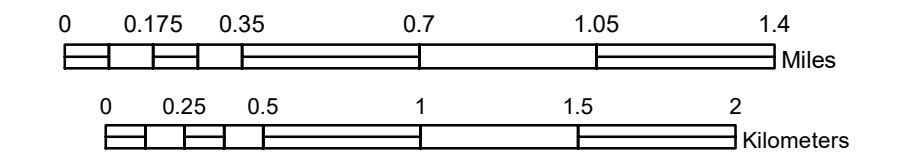
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

MUNICIPALITY OF SAINT CLOUD

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

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

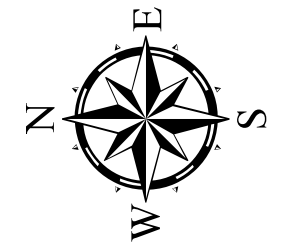
SCALE



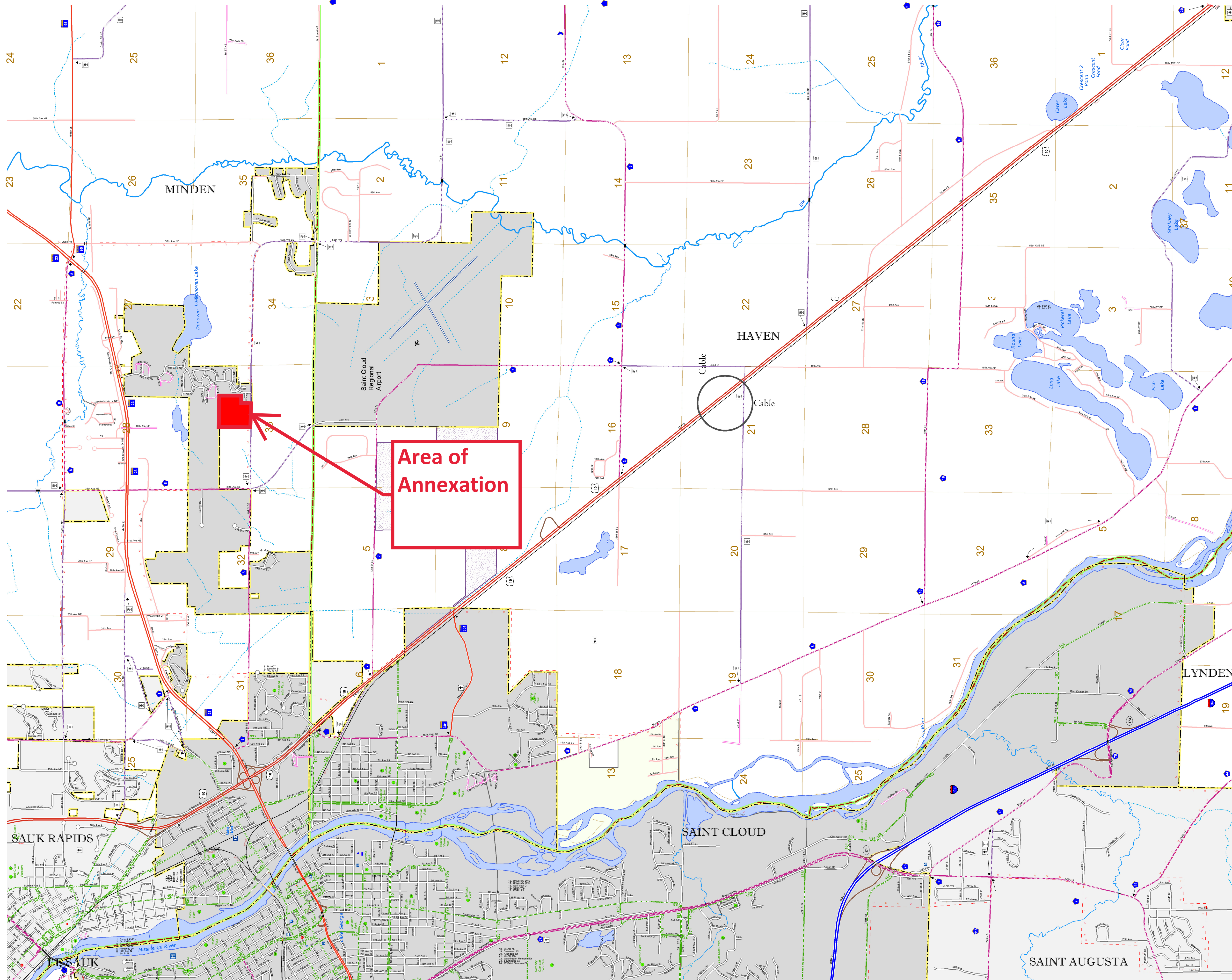
1 in = 2,000 ft

2020

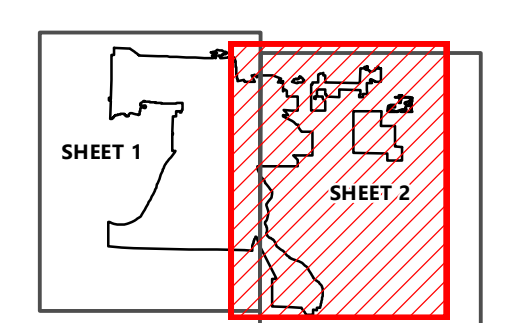
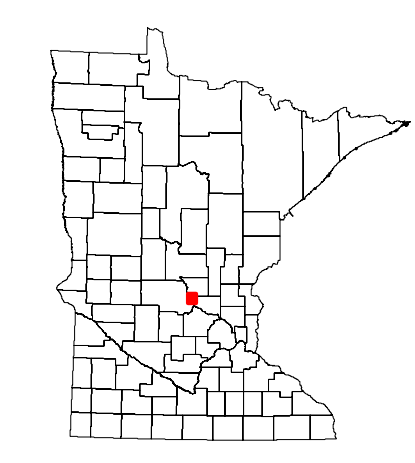
Projection:
Transverse Mercator
NAD 1986
UTM Zone 15



North American Datum
of 1986



ROAD AND ROADWAY FEATURES		PUBLIC SERVICE FEATURES	
INTERSTATE		MINDOT OFFICE	
US HIGHWAY		MINDOT TRUCK STATION	
MN HIGHWAY		HIGHWAY PATROL DISTRICT OFFICE	
COUNTY STATE AID HIGHWAY		STATE TRAVEL INFORMATION CENTER	
COUNTY ROAD		REST AREA (Full Service)	
MUNICIPAL STATE AID STREET		REST AREA (Vault Toilet)	
MUNICIPAL STREET		WAYSIDE (Vault or Pit Toilet)	
PRIVATE STREET/ROAD		LOCAL PARK	
TOWNSHIP ROAD		PUBLIC ACCESS POINT	
UNORGANIZED TERRITORY ROAD		FAIRGROUNDS	
RAMP OR CONNECTOR		PORT OF ENTRY	
INTERSTATE EXIT		RUNK AND RIDE LOT	
GREAT RIVER ROAD		PRIVATE UNIVERSITY/COLLEGE	
OTHER ROADS:		PRIVATE UNIVERSITY/COLLEGE	
Frontage		STATE HISTORICAL MARKER	
State Park		HISTORIC DISTRICT	
NATIONAL		HISTORIC SITE	
National Park		MONUMENT	
State Forest		BOUNDARY FEATURES	
Military		TRIBAL LAND	
State Game		COUNTY	
AVIATION FEATURES		MUNICIPALITY	
COMMERCIAL AIRPORT		ADJACENT MUNICIPALITY	
GENERAL AIRPORT		FEDERAL ADJUSTED URBAN AREA (2014)	
AIRSTRIP		MILITARY	
SEAPLANE		VOYAGEURS NATIONAL PARK	
AIRPORT RUNWAY		BOUNDARY WATERS CANOE AREA WILDERNESS	
RAILROAD AND RAILWAY FEATURES		STATE PARK	
EMPIRE BUILDER STATION (AMTRAK)		REGIONAL PARK	
NORTHSTAR STATION (COMPUTER)		NATIONAL FOREST	
LIGHT RAIL		NATIONAL AND STATE FOREST	
BLUE LINE		STATE FOREST	
GREEN LINE		NATIONAL TRAIL	
LONG BRIDGE (100' OR GREATER SPAN)		WILDLIFE REFUGE AREA	
MAJOR BRIDGE (20' TO 100' SPAN)		WILDLIFE MANAGEMENT AREA	
MINOR BRIDGE (8' TO 20' SPAN)		RIVER OR STREAM (PULHELMAN)	
DAM		LAKE, POND OR RESERVOIR	
LOCK AND DAM		STREAM (INTERMITTENT)	
STATE CAPITOL		DRAINAGE DITCH	
FEDERAL COURTHOUSE		WETLAND	
COUNTY COURTHOUSE		ISLAND OR LAND	
ARMORY		REGIONAL WATERSHED	
CITY CENTERS			
TRIBAL GOVERNMENT CENTER			
CITY CENTER			
LOCALLY KNOWN PLACE			
UNINCORPORATED COMMUNITY			



To request information from this document in an alternative format, call 651-366-4718 or 1-800-657-3774 (Greater Minnesota); 711 or 1-800-627-3529 (Minnesota Relay). You may also send an e-mail to ADarequest.dot@state.mn.us. (Please request at least one week in advance.)

LAST EDITED ON 8-17-2020

Population (U.S. Census 2010): 65,842