
**JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN
THE TOWN OF WAKEFIELD AND THE CITY OF COLD SPRING
(DJP PROPERTIES, INC./MARBETH PROPERTIES)**

RECITALS

- A. The Town of Wakefield (the "Town") and the City of Cold Spring (the "City"), both of Stearns County, Minnesota, agree on the orderly annexation of certain real property described in this resolution for orderly and planned services to the community.
- B. The property proposed to be annexed is not already part of another city, and it adjoins and is contiguous to the City (see attached map).
- C. All owners of the property proposed to be annexed have petitioned the City for annexation.
- D. An orderly annexation of the proposed property is in the best interest of the area proposed for annexation.

RESOLUTION

In consideration of this resolution's mutual terms and conditions, the Town and City jointly resolve and enter into this Joint Resolution for Orderly Annexation (the "Joint Resolution") as follows:

1. **Designation of Orderly Annexation Area.** The Town and City designate the area set forth on the map(s) attached as Exhibit 1 and the legal description of the properties attached as Exhibit 2 (the "Designated Property") as subject to orderly annexation pursuant to Minnesota Statutes § 414.0325.
2. **Minnesota Office of Strategic and Long Range Planning Jurisdiction.** Upon approval by the Town Board and City Council, this Joint Resolution shall confer jurisdiction upon the Minnesota Office of Strategic and Long Range Planning to approve annexation of the designated property pursuant to Minnesota Statutes § 414.0325.
3. **No Alteration of Boundaries.** The Town and City agree and state that no alterations by the Office of Strategic and Long Range Planning of the Designated Property's stated boundaries is appropriate.
4. **Office of Strategic and Long Range Planning Review and Comment.** The Town and City agree and state that this Joint Resolution sets forth all the conditions for annexation of the designated property, and no consideration by the Office of Strategic and Long Range Planning is necessary. The Office of Strategic and Long Range Planning may review and comment, but shall order the annexation of the designated property according to this Joint Resolution's terms within thirty (30) days of the Office of Strategic and Long Range Planning's receipt of this Joint Resolution.
5. **Planning and Land Use Control Authority.** Upon the annexation's effective date, the City's zoning regulations and land use controls shall govern the Designated Property.
6. **Acreage and Population.** The Designated Property consists of 214.91 acres, more or less, and has a current population of 0.
7. **Authorization.** The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.
8. **Modification.** The Town and City may modify, amend or terminate this Joint Resolution only by a mutually signed, written agreement.
9. **Severability.** A determination by any court of competent jurisdiction that any provision of this

MAY 24 2002

Joint Resolution is invalid, illegal or unenforceable shall not affect the validity of this Joint Resolution's other provisions. If any of this Joint Resolution's provisions is inapplicable to any person or circumstance, it shall still remain applicable to all other persons or circumstances.

10. **Effective Date.** This Joint Resolution shall be effective from the date of the Office of Strategic and Long Range Planning's order calling for the Designated Property's annexation to the City.

11. **Governing Law.** Minnesota law will govern this Agreement.

The Town of Wakefield Board of Supervisors adopts this Joint Resolution on the 7th day of March, 2002.

TOWN OF WAKEFIELD

SIGNED:

ATTEST:



John Willenbring
Board of Supervisors Chairperson



Leander Hansen
Town Clerk

CITY OF COLD SPRING

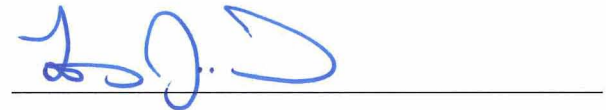
The Cold Spring City Council adopts this Joint Resolution on the 12th day of February, 2001.

SIGNED:

ATTEST:



Eric Vogt
Mayor







Larry J. Lahr
City Administrator

This document was drafted by:

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St. Cloud, MN 56302-1433

City of Cold Spring

Wenner/Steil Annexation

-  Wenner/Steil Parcel
-  City Boundary
-  Right of Way
-  Water



Bonestroo
Williamson
Kotsmith
Engineers & Architects
Surveyors



Scale: 0 20 40 60 80 100 120 140 160 180 200 220 240 Feet





**Wenner / Steil's
Parcel**

EXHIBIT 1
MAP 1 of 2

REC'D BY
M.M.B.
MAY 24 2002

City of Cold Spring

Wenner/Steil Annexation

-  Wenner/Steil Parcel
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Bonestroo
Williamson
Kotowski
Engineers Architects
Surveyors



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**Wenner / Steil's
Parcel**

MAP 2 of 2

EXHIBIT

REC'D BY
M M B
MAY 24 2002

EXHIBIT 2

REC'D BY
MMB

MAY 24 2002

LEGAL DESCRIPTION

Part of the North Half of the Northwest Quarter, Section 28 Township 123 North, Range 30 West, Stearns County, Minnesota described as follows:

That part of said North Half of the Northwest Quarter lying easterly of the following described line: Commencing at the Northwest corner of Lot 6, Block 2, WENNER'S LAKE SHORE LOTS, according to the recorded plat thereof; thence North 73 degrees 00 minutes 00 seconds West on assumed bearing along the Northwesterly extension of the Northeasterly line of said Lot 6 a distance of 200.0 feet; thence North 18 degrees 00 minutes 00 seconds West 209.0 feet; thence North 62 degrees 00 minutes 00 seconds West 233.43 feet; thence North 28 degrees 00 minutes 00 seconds East 100.44 feet; thence South 81 degrees 00 minutes 00 seconds West 300.0 feet to a point hereinafter referred to as "Point A"; thence North 15 degrees 00 minutes 00 seconds West to the North line of said Section 28, the point of beginning of the line to be described; thence South 15 degrees 00 minutes 00 seconds East to aforementioned "Point A"; thence continue South 15 degrees 20 minutes 00 seconds East 100.0 feet; thence South 00 degrees 01 minute 00 seconds East to the South line of said North Half of the Northwest Quarter and said described line there terminating and lying westerly of the following described line: Commencing at the Northwest corner of said Lot 6, Block 2, WENNER'S LAKE SHORE LOTS, according to the recorded plat thereof; thence North 73 degrees 00 minutes 00 seconds West on assumed bearing along the Northwesterly extension of the Northeasterly line of said Lot 6 a distance of 200.0 feet; thence North 18 degrees 00 minutes 00 seconds West 209.0 feet; thence North 62 degrees 00 minutes 00 seconds West 167.43 feet to a point hereinafter referred to as "Point B"; thence North 28 degrees 00 minutes 00 seconds East to the north line of said Section 28, the point of beginning of the line to be described; thence South 28 degrees 00 minutes 00 seconds West to aforementioned "Point B"; thence North 62 degrees 00 minutes 00 seconds West 66.00 feet; thence South 28 degrees 00 minutes 00 seconds West to the South line of said North Half of the Northwest Quarter and said described line there terminating.

Together with

That part of the Southeast Quarter and that part of the East Half of the Southwest Quarter, Section 21, Township 123 North, Range 30 West, Stearns County, Minnesota lying Southerly of State Trunk Highway 23 and lying easterly and southerly of the following described line:

Commencing at the intersection of the West line of the East Half of the Southwest Quarter of said Section 21 with the southerly right-of-way line of State Trunk Highway 23; thence South 78 degrees 40 minutes, 22 seconds East, on an assumed bearing, along said right-of-way line 1,818.25 feet; thence easterly 742.63 feet along said right-of-way line being a tangential curve, concave to the north, having a radius of 2,939.93 feet and a central angle of 14 degrees, 28 minutes, 23 seconds to a point hereinafter referred to as "Point C"; thence North 07 degrees 33 minutes, 35 seconds East to the centerline of said State Trunk Highway 23, the point of beginning of the line to be described; thence South 07 degrees 33 minutes, 35 seconds West to said "Point C"; thence continue South 07 degrees 33 minutes, 35 seconds West 372.19 feet; thence South 14 degrees 00 minutes 07 seconds West 141.43 feet; thence North 82 degrees 02 minutes 19 seconds West 261.76 feet; thence South 58 degrees 36 minutes 25 seconds West 1,108.25 feet; thence South 76 degrees 09 minutes 03 seconds West 180.84 feet; thence North 18 degrees 46 minutes 17 seconds West 295.34 feet; thence North 84 degrees 27 minutes 07 seconds West 511.60 feet; thence South 39 degrees 43 minutes 09 seconds West 228.35 feet; thence South 50 degrees 52 minutes 24 seconds West to the West line of said East Half of the Southwest Quarter; and said line there terminating.

Together with

That part of the West Half of the Southwest Quarter, Section 22, Township 123 North, Range 30 West, Stearns County, Minnesota lying Southerly of the of State Trunk Highway 23 and lying northerly and westerly of Stearns County Road 49.

Together with

Outlot B, CAITLYN'S ADDITION PLAT 2, according to the recorded plat thereof.

PROPOSED EXCEPTION TO EXISTING LEGAL DESCRIPTION

That part of the Southeast Quarter of Section 21 and the Southwest Quarter of the Southwest Quarter of Section 22, both in Township 123 North, Range 30 West, Stearns County, Minnesota described as follows:

Beginning at the southeast corner of said Southeast Quarter; thence North 86 degrees 12 minutes 03 seconds West, assumed bearing, along the south line of said Southeast Quarter, a distance of 1473.05 feet; thence North 79 degrees 43 minutes 24 seconds East, a distance of 135.69 feet to the intersection with a line being 33.00 feet north of and parallel with said south line; thence South 86 degrees 12 minutes 03 seconds East, along said parallel line and its easterly extension, a distance of 1632.23 feet to the south line of said Southwest Quarter of the Southwest Quarter; thence South 87 degrees 19 minutes 29 seconds West, along said south line of the Southwest Quarter of the Southwest Quarter, a distance of 292.66 feet to the point of beginning.

City of Cold Spring, MN

Cold Spring West

Wenner/Steil Annexation



300 0 300 Feet

Bonestroo
Williamson
Kozminski
Engineers & Architects
Sawatch, MN



Cold Spring Features

- Annexation Boundary
- City Boundary
- Right of Way
- Water

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REC'D BY
MMB

SEP 27 2002

Wenner / Steil Annexation Area

Registered
Land Survey
Number 2