

An Equal Opportunity Employer



Phone: (612) 296-2428

STATE OF MINNESOTA
MUNICIPAL BOARD

165 Metro Square Building
121 East Seventh Place
St. Paul, Minnesota 55101-2142

June 4, 1990

Verena Weber
Cold Spring City Clerk
27 Red River, South
Cold Spring, Minnesota 56320

Docket Number: A-4735

Ordinance Number: 1990-184

City of Cold Spring

Dear Ms. Weber:

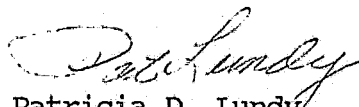
The Minnesota Municipal Board has now processed and approved the above ordinance in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

According to law, this annexation ordinance must be filed with the Township Clerk, County Auditor, Secretary of State, and the Municipal Board. (Since the ordinance has already been filed with the Municipal Board, no additional copies are required.) We recommend that you also file the ordinance with the County Recorder.

The annexation is final upon the date the ordinance is approved by the Board, which is the date of this letter.

Sincerely,

MUNICIPAL BOARD

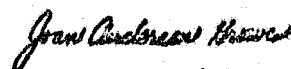

Patricia D. Lundy
Assistant Director

PDL:sh

cc: Stearns County Auditor
Wakefield Township Clerk
Richard P. Cox, City Attorney
✓ Secretary of State

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JUN - 8 1990


Secretary of State

40354

Cold Spring

CITY OF COLD SPRING
MINNESOTA

ORDINANCE NO. 1990-184

AN ORDINANCE ANNEXING APPROXIMATELY 18 ACRES
OF LAND OWNED BY THE CITY IN SECTION 14
OF WAKEFIELD TOWNSHIP

WHEREAS, the City owns approximately 18.1 acres of land in Section 14 of Wakefield Township, which is currently being utilized by the City as the site of a municipal wastewater treatment plant; and

WHEREAS, such land abuts upon the corporate limits of the City of Cold Spring within the meaning of Minnesota Statutes Section 414.011, subd. 6; and

WHEREAS, pursuant to Minnesota Statutes Section 414.033, a municipal council may by ordinance declare land annexed to the municipality if the land is owned by the municipality.

NOW, THEREFORE, the City Council of the City of Cold Spring ordains as follows:

SECTION 1. The City of Cold Spring, pursuant to Minnesota Statutes Section 414.033, subd. 2, hereby annexes the following described land, together with adjacent public road right-of-way easements, as follows:

All that part of the Southwest Quarter (SW $\frac{1}{4}$) of Section Fourteen (14), Township One Hundred Twenty-three (123) North, Range Thirty (30) West, lying South of the Sauk River, North of the Northwesterly right of way line of Burlington Northern Railway and Easterly of a line described as follows: Beginning at a point on the Northwesterly right of way line of the Burlington Northern Railway with a line 793.27 feet west of, measured at a right angle to and parallel with the east line of said Southwest Quarter and assuming said east line bears NORTH; thence North 02 degrees 47 minutes West 1025 feet, more or less, to the shoreline of the Sauk River and there terminating. EXCEPT the west 20.00 feet of the above described tract as recorded in Document Number 0621222 and recorded June 19, 1987, in the Office of the County Recorder, Stearns County, Minnesota. Said tract contains 18.1 acres more or less. TOGETHER with a 20 foot tract being a part of the Southeast Quarter of Southwest Quarter, Section Fourteen (14), Township One Hundred Twenty-three (123) North, Range Thirty (30) West, Stearns County, Minnesota, described as follows: From the intersection of the northwesterly right-of-way line of the Burlington Northern Railroad with a line of 793.27 feet west of, measured at a right angle to and parallel with

the east line of said Southeast Quarter of the Southwest Quarter and assuming said east line bears NORTH; thence North 02 degrees 47 minutes 00 seconds West 224.33 feet; thence South 87 degrees 13 minutes 00 seconds West 60.11 feet; thence South 02 degrees 47 minutes 00 seconds East 245.58 feet to said northwesterly right-of-way line being the point of beginning; thence North 02 degrees 47 minutes 00 seconds West 245.58 feet; thence South 87 degrees 13 minutes 00 seconds West 20.00 feet; thence South 02 degrees 47 minutes 00 seconds East to said northwesterly right-of-way line; thence northeasterly on said right-of-way to the point of beginning. Said tract contains 0.1 acres more or less.

SECTION 2. The City Council of the City of Cold Spring hereby finds and determines that the above-described land in Section 14, Wakefield Township, is owned by the City of Cold Spring, abuts upon the present territorial limits of the City of Cold Spring, is conditioned as to be properly subject to municipal government, and such land is deemed to be urban or suburban in character or about to become so, and the annexation of said land will be in the best interests of the City of Cold Spring and the above-described land.

SECTION 3. The land described in Section 1 above and outlined in the map attached hereto and incorporated herein as "Exhibit A," is hereby annexed, added to, and made part of the City of Cold Spring, Minnesota, as effectually as if it had been originally a part thereof.

SECTION 4. This ordinance shall take effect and be enforced from and after its passage, publication, and approval by the Minnesota Municipal Board.

Enacted by the City Council for the City of Cold Spring, Minnesota, this 16th day of April, 1990.

CITY OF COLD SPRING

ATTEST:

By

Earl R. Dargatzis
Mayor

Verna M. Wilson
City Clerk-Treasurer

Published in the Cold Spring Record on the 16th day of April, 1990.

Verna M. Wilson
City Clerk-Treasurer

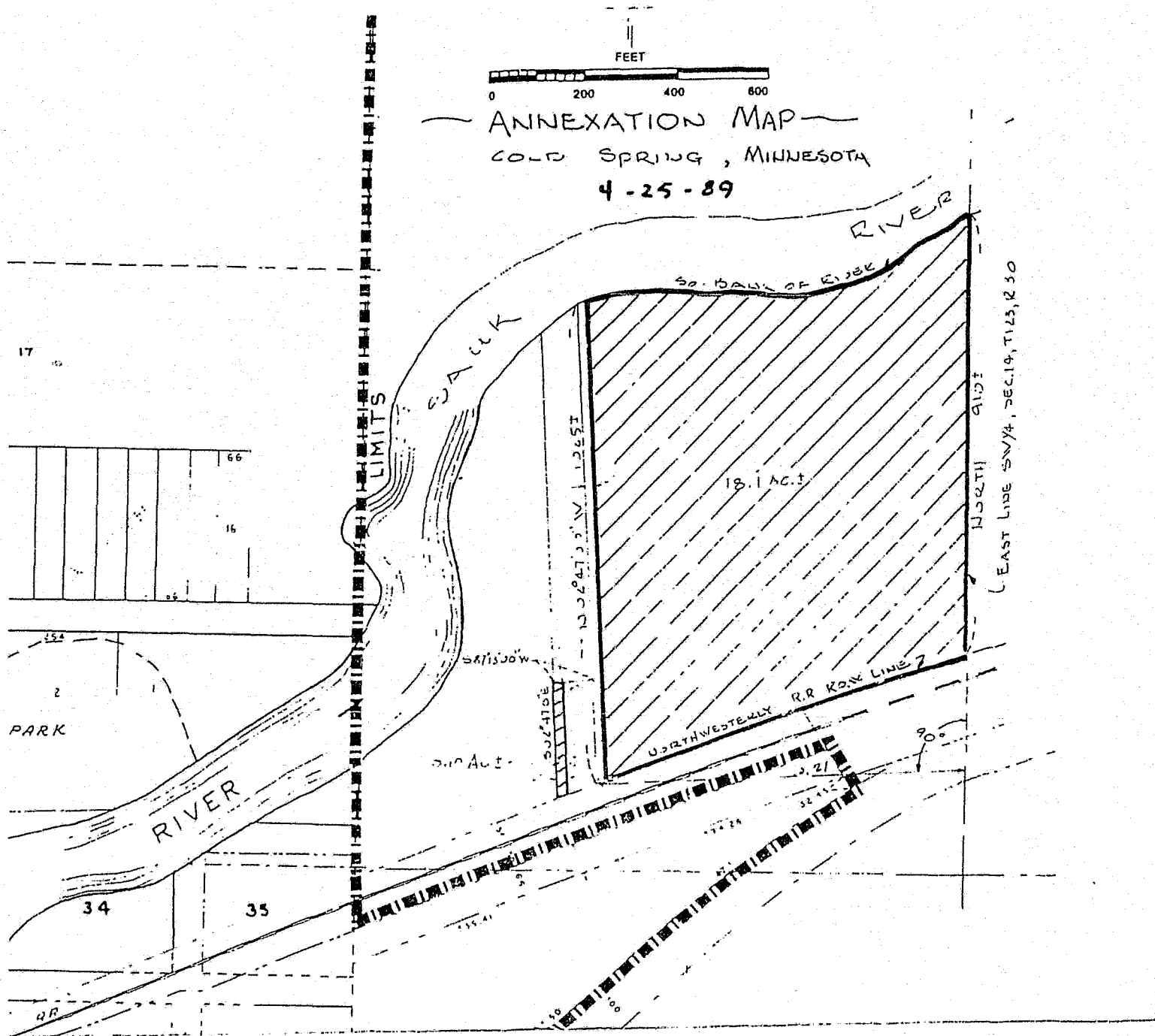


EXHIBIT "A"

STATE OF MINNESOTA)
) ss. AFFIDAVIT
COUNTY OF STEARNS)

I, the undersigned, being the duly qualified Clerk of the City of Cold Spring, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing copy of Ordinance No. 1990-184 with the original Ordinance enacted by the City Council of the City of Cold Spring, Minnesota, on the date thereon indicated, which is on file and of record in my office, and the same is a full, true and complete copy thereof and that notice of the intention to adopt thereof and a public hearing thereon were duly given in accordance with law.

Witness my hand as City Clerk of the City of Cold Spring, Minnesota, this 10th day of April, 1990.

Verena M. Weber
City Clerk/Treasurer

(Seal)

*Hall, Byers, Hanson,
Steil & Weinberger, P.A.*

Security Financial Center • 1010 West St. Germain
Suite 600 • St. Cloud, MN 56301
(612) 252-4414 • FAX (612) 252-4482

Attorneys at Law

Roger J. Nierengarten
Lee W. Hanson
Paul W. Steil
April 30, 1990

Stanley J. Weinberger, Jr.
Edward J. Laubach, Jr.
Robert J. Feigh*
Bradley J. Sleeper
Frank Kundrat
Phillip L. Kunkel
Steven B. Kutscheid
Lynne M. Ridgway
John G. Lubitz
Thomas P. Melloy
Richard P. Cox
Peter J. Fuchsteiner
Jill A. Pinkert
Doraine A. Mund
Of Counsel,
George Byers

*Civil Trial Specialist
Certified by
the Minnesota
State Bar Association

MINNESOTA MUNICIPAL BOARD
SUITE 165
METRO SQUARE
SEVENTH AND ROBERT STREET
ST PAUL MN 55101

SECRETARY OF STATE
STATE OF MINNESOTA
180 STATE OFFICE BUILDING
435 PARK STREET
ST PAUL MN 55155

STEARNS COUNTY AUDITOR
COURTHOUSE
ST CLOUD MN 56303

MR LEANDER HANSEN
TOWN CLERK
TOWN OF WAKEFIELD
13667 GLACIER ROAD
COLD SPRING MN 56320

RE: City of Cold Spring, Annexation Ordinance
Our File No. 7208.2

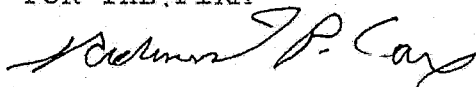
Ladies and Gentlemen:

Attached and served upon you by U.S. Mail please find a certified copy of City of Cold Spring Ordinance No. 1990-184 annexing property owned by the City of Cold Spring into said City.

Please contact the undersigned if you have any questions or comments concerning this matter.

Sincerely,

FOR THE FIRM



Richard P. Cox

RPC/sev

Enclosure

cc: Verena Weber, City Clerk-Treasurer

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JUN - 8 1990

Joan Anderson Hansen
Secretary of State
140354