

RESOLUTION OF HAVEN TOWN BOARD
CONCERNING A PETITION TO ANNEX LAND IN WAYSIDE
AND WAYSIDE SECOND ADDITION TO THE CITY OF ST. CLOUD

WHEREAS, the residents of Wayside Addition and Wayside Second Addition (hereinafter referred to collectively as "Wayside Addition") have recently been experiencing severe water shortages, which has created a condition that could adversely affect the health, safety, and welfare of the residents of Wayside Addition; and

WHEREAS, a majority of the residents of Wayside Addition have petitioned the City of St. Cloud for annexation to the City in order to receive municipal water service, which was filed with the Town Clerk on July 22, 1988; and

WHEREAS, the City of St. Cloud has expressed the willingness and ability to extend an emergency and permanent supply of water to the residents of Wayside Addition; and

WHEREAS, the City of St. Cloud has filed with the Town and the Minnesota Municipal Board a certified copy of an ordinance proposing to annex Wayside Addition land pursuant to Minnesota Statutes Section 414.033, subd. 4; and

WHEREAS, the Town has the option of filing written objections to the proposed annexation within ninety (90) days after the service of the petition by the Town, or to waive objection to the proposed annexation, which would eliminate the need for the Municipal Board to hold hearings on the proposed annexation and to quickly allow an annexation upon the requisite hearing and passage of the annexation ordinance by the City and approval by the Municipal Board; and

WHEREAS, the Haven Town Board of Supervisors and its representatives have conducted extensive discussions with City of St. Cloud officials, the residents of Wayside Addition and their representatives, and the representatives of the Whitney Land Company, and Whitney Water Company in attempting to seek a solution to the emergency water shortage in Wayside Addition; and

WHEREAS, the emergency water shortage, coupled with the inability of the Whitney Land Company and Whitney Water Company to locate and provide an adequate water supply to the residents of Wayside Addition, does not permit time to take any steps to seek an alternative supply of water for the residents of Wayside Addition other than their hooking up to the City of St. Cloud municipal water system; and

WHEREAS, this Town Board concludes that waiving objection to annexation would be in the best interests of the majority of the residents of Wayside Addition.

NOW, THEREFORE, be it resolved by the Board of Supervisors of the Town of Haven, State of Minnesota, as follows:

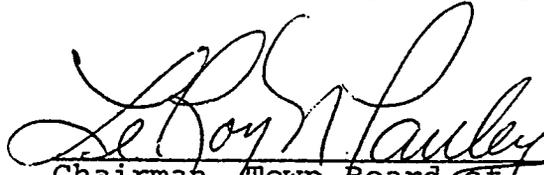
1. The Haven Town Board hereby waives objection to the petition for annexation filed with the Town, the City of St. Cloud, and the Minnesota Municipal Board, captioned as Municipal Board Docket No. A-4510, and the Town hereby waives the ninety (90) day statutory period before a City ordinance can be adopted.

2. This resolution shall not be deemed approval of the prospective annexation action by the City of St. Cloud, but

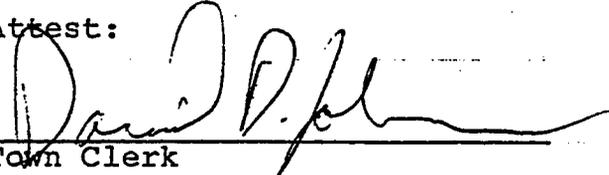
only a waiver of objection to such annexation action due to the emergency circumstances set forth above.

3. The Town Clerk is hereby authorized and directed to file certified copies of this resolution with the Minnesota Municipal Board, the City of St. Cloud, the attorneys for the Wayside Addition residents, and the attorneys for the Whitney Land Company and the Whitney Water Company.

Adopted by the Haven Town Board the 19th day of August, 1988.



Chairman, Town Board of Supervisors

Attest:


Town Clerk