

BEFORE THE OFFICE OF STRATEGIC
AND LONG RANGE PLANNING
OF THE STATE OF MINNESOTA

IN THE MATTER OF THE PETITION FOR)	<u>ORDER ALLOWING</u>
THE ANNEXATION OF CERTAIN LAND TO)	<u>WITHDRWAL OF OBJECTION</u>
THE CITY OF HACKENSACK PURSUANT)	<u>AND NOTICE OF</u>
TO MINNESOTA STATUTES 414)	<u>CANCELLATION OF HEARING</u>

WHEREAS, on March 9, 2001, a petition requesting the annexation of certain property to the City of Hackensack was filed with the Office of Strategic and Long-Range Planning (hereinafter referred to as "Minnesota Planning") pursuant to Minnesota Statutes 414.033, Subd. 5 (MBA Docket A-6447); and

WHEREAS, an objection by the Town of Birch Lake to the petition was received on June 4, 2001; and

WHEREAS, on June 15, 2001, the Director of Minnesota Planning, pursuant to Minnesota Statutes 414.01, Subd. 16, directed the City of Hackensack and the Town of Birch Lake to meet up to three times over a period of sixty days to address resolution of contested issues; and

WHEREAS, after due and appropriate legal notice, a hearing was convened on the petition on July 27, 2001 and was continued to an indefinite date to allow the parties time to complete the directed meetings; and

WHEREAS, on September 4, 2001, the Director of Minnesota Planning offered the parties several options for mediation when they reported that they were unable to resolve their differences following their local discussion period; and

WHEREAS, the parties elected to select a mediator of their own and chose Richard Breen to conduct their mediation; and

WHEREAS, the parties began their mediation in October of 2001, and reported a tentative agreement by November of 2001; and

WHEREAS, the Executive Director of Municipal Boundary Adjustments (hereinafter "MBA") at Minnesota Planning received an agreement representing settlement of the underlying dispute and requesting withdrawal of the Town of Birch Lake's objection; and

WHEREAS, on December 21, 2001, the Director of Minnesota Planning granted Town of Birch Lake's request to withdraw its objection thereby allowing the City of Hackensack to annex the property by ordinance and canceled the continued hearing ;

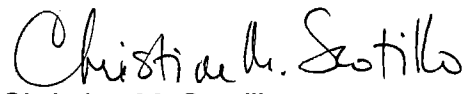
IT IS HEREBY ORDERED: That the above-entitled objection is withdrawn and the continued hearing in this matter is canceled. The City of Hackensack may now proceed to annex the following described property by ordinance:

That part of the Northwest Quarter of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter, Section 30, Township 140 North, Range 30 West of the Fifth Principal Meridian, Cass County, Minnesota described as follows: Commencing at the southeast corner of said Northwest Quarter of the Northeast Quarter, said point being the Point of Beginning of the Tract of Land to be Described; thence on a record bearing of North 00 degrees 36 minutes 06 seconds East along the east line of said Northwest Quarter of the Northeast Quarter and the westerly right-of-way line of Minnesota Trunk Highway No. 371 a distance of 33.63 feet; thence North 38 degrees 59 minutes 02 seconds West along said right-of-way line 113.80 feet; thence South 61 degrees 01 minutes 01 seconds West 350 feet; thence South 41 degrees 11 minutes 35 seconds East 226.93 feet; thence North 61 degrees 01 minutes 01 seconds East 240.69 feet to the east line of said Southwest Quarter of the Northeast Quarter; thence N 00 degrees 36 minutes 06 seconds East along said east line 90.56 feet to the Point of Beginning. Said tract of land contains 1.58 acres. Less that part lying on a record bearing of North 00 degrees 36 minutes 06 seconds East along the east line of said Northwest Quarter of the Northeast Quarter and the westerly right-of-way line of Minnesota Trunk Highway No. 371 a distance of 33.63 feet;

thence North 28 degrees 49 minutes 02 seconds west along said right-of-way line 113.80 feet; thence South 61 degrees 01 minutes 01 seconds West 272.71 feet; thence East to the point of beginning, as this is already within the corporate limits of the City of Hackensack.

Dated this 21st day of December, 2001.

For the Director of the Office of Strategic
and Long Range Planning
658 Cedar Street - Room 300
St. Paul, MN 55155



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments