

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

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IN THE MATTER OF THE PETITION FOR	)	<u>NOTICE OF</u>
THE ANNEXATION OF CERTAIN LAND TO	)	<u>HEARING CANCELLATION</u>
THE CITY OF LITTLE FALLS PURSUANT	)	<u>AND</u>
TO MINNESOTA STATUTES 414	)	<u>ORDER TO DISMISS</u>

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WHEREAS, a petition requesting the annexation of certain property from the Town of Belle Prairie to the City of Little Falls 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 on December 6, 2001; and

WHEREAS, an objection by the Town of Belle Prairie was received on February 8, 2002, which triggered the statutory requirement for an administrative hearing; and

WHEREAS, on March 1, 2002, the Director of Minnesota Planning, determined that initial local discussion would not advance the file in light of the parties' request for an expedited hearing, and directed the matter to mediation; and

WHEREAS, the parties elected to choose their own mediator and on March 22, 2002, the parties notified this office that Andrew Hultgren had been selected as mediator; and

WHEREAS, pursuant to statutory requirements a hearing was convened on the petition on March 26, 2002, after due and appropriate legal notice, and was continued to an indefinite date to allow the parties time to complete the mediation process; and

WHEREAS, the parties scheduled mediation in May of 2002, and reached a tentative agreement on contested issues and requested the mediator to draft an Orderly Annexation Agreement for their review; and

WHEREAS, on July 29, 2002, the Executive Director of Municipal Boundary Adjustments (hereinafter "MBA") at Minnesota Planning received an Orderly Annexation Agreement between the City of Little Falls and the Town of Belle Prairie representing settlement of their underlying dispute; and

WHEREAS, the Orderly Annexation Agreement designates certain land for orderly annexation and requests the immediate annexation of said land; and

WHEREAS, the City of Little Falls requests that the petition for annexation pursuant to Minnesota Statutes 414.033, Subd. 5 be withdrawn; that the continued hearing be canceled pursuant to the terms of the Orderly Annexation Agreement executed as between the parties; and that the file MBA Docket A-6617 Little Falls be closed; and

WHEREAS, on August 22, 2002, the Director of Minnesota Planning granted the request to withdraw the petition; canceled the continued hearing; and closed A-6617 Little Falls.

IT IS HEREBY ORDERED: That the petition for annexation of certain property to the City of Little Falls described as:

**ROBERT S. AND LINDA E. LEMIEUR PROPERTIES**

(Parcel No. 02.0562.000); That part of the North Half of the Southwest Quarter (N1/2 SW1/4) of Section 26, Township 41 North, Range 32 West described as follows: commencing at a point on the agreed South line of said North Half of the Southwest Quarter (N1/2 SW1/4) which is 1300 feet East of the Southeast corner of Lot 1, Swanson Addition; thence North a distance of 425.0 feet; thence East a distance of 99.1 feet; thence North 01 degree 24 minutes West a distance of 611.28 feet to the place of beginning; thence South 89 degrees 58 minutes West a distance of 284.39 feet; thence North 00 degrees 02 minutes West a distance of 100.0 feet; thence North 89 degrees 58 minutes East a distance of 282.0 feet; thence South 01 degrees 24 minutes East a distance of 100.02 feet to the point of beginning; and that part of the North Half of the Southwest Quarter (N1/2 SW1/4) of Section 26, Township 41 North, Range 32 West described as follows: commencing at the point on the agreed South Line of said North Half of the Southwest Quarter (N1/2 SW1/4) which is 1300 feet east of the southeast corner of Lot 1, Swanson Addition; thence North a distance of 425.0 feet; thence East a distance of 99.1 feet; thence North 1 degrees 24 minutes West a distance of 711.3 feet to the place of beginning; thence South 89 degrees 58 minutes West a distance of 282.0 feet; thence North 00 degrees 02 minutes West 175 feet to the southerly line of the Township Road; thence North 89 degrees 48 minutes East a distance of 277.95 feet along said Township Road; thence South 1 degree 24 minutes East a distance of 175.75 feet to the place of beginning; (commonly known as 14827 Pine Avenue);

(Parcel No. 02.0560.000); That part of the North Half of the Southwest Quarter (N1/2 of SW1/4) of Section 26, Township 41, Range 32, described as follows: commencing at the cast iron monument marking the west quarter corner of said Section 26; thence South 89 degrees 22 minutes 38 seconds East, assumed bearings, along the north line of said North Half of the Southwest Quarter (N1/2 of SW1/4) a distance of 2695.79 feet to the half-inch iron pipe monument capped RLS 3091 marking the center of said Section 26; thence North 89 degrees 22 minutes 38 seconds West along the north line of said North Half of the Southwest Quarter (N1/2 of SW1/4) a distance of 439.08 feet to a half-inch iron pipe monument capped RLS 10832 at the westerly right of way line of Trunk Highway 371, the point of beginning; thence South 14 degrees 10 minutes 00 seconds West along said westerly right of way line a distance of 278.15 feet to a two-inch iron pipe monument; thence continuing South 14 degrees 10 minutes 00 seconds West along said westerly right of way line a distance of 100.00 feet to a one-inch iron pipe monument; thence North 75 degrees 50 minutes 00 seconds West a distance of 398.96 feet to a one-half inch iron pipe monument capped RLS 13336; thence North 0 degrees 58 minutes 18 seconds West a distance of 138.30 feet to a one and one-half inch iron pipe monument; thence North 0 degrees 53 minutes 20 seconds West a distance of 113.20 to a one-half inch iron pipe monument on the southerly line of a Township Road; thence South 89 degrees 51 minutes 26 seconds East along said southerly line of a Township Road; a distance of 184.73 feet to a one and one-half inch iron monument; thence North 1 degree 01 minutes 07 seconds West a distance of 21.31 feet to a one-half inch iron pipe monument capped RLS 10832 on the north line of said North Half of the Southwest Quarter (N1/2 of SW1/4); thence South 89 degrees 22 minutes 38 seconds East along the north line of said North Half of the Southwest Quarter (N1/2 of SW1/4) a distance of 299.17 feet to the point of beginning. All in accordance with the survey by Thomas P. Thiessen, RLS 16097, dated March 1, 1985, (commonly known as 14869 Pine Avenue);

(PARCEL NO. 02.0555.000); Parcel described as follows: the Northerly 100.0 feet (said 100.0 feet being measured along the westerly right-of-way line of Highway 371, the northerly and southerly lines of said parcel begin parallel and at a right angle to the westerly right-of-way line of said Highway 371), being part of the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4), Section 26, Township 41, Range 32 described as follows: commencing at the center of said Section; thence westerly along the Quarter Line a distance of 432.9 feet to the westerly right-of-way line of Highway 371; thence South 14 degrees 10 minutes West along said right-of-way line a distance of 289.14 feet to the point of beginning; thence South 14 degrees 10 minutes West along said right-of-way line a distance of 869.0 feet; thence North parallel with the North and South Quarter line a distance of 900.35 feet; thence South 75 degrees 50 minutes East a distance of 234.80 feet to the point of beginning described as: commencing at the center of said Section; thence West along said Quarter Line a distance of 432.9 feet to the westerly right-of-way line of Highway 371 to the point of beginning; thence South 14 degrees 10 minutes West a distance of 289.14 feet along the right-of-way line; thence North 75 degrees 50 minutes West a distance of 234.80 feet; thence North along the line parallel with the North/South line of said Section to the Quarter Line; thence East along the Quarter Line to the point of beginning, (commonly known as 14911 Pine Avenue);

All LeMieur properties totaling approximately 4.78 acres in size.

**EUGENE F. AND KATHLEEN K. BAUMANN PROPERTY**

(PARCEL NO. 02.0991.000); Lots 6 and 7, Block 1, Third Addition to Oak Park, (commonly known as 16814 Circle Drive); being approximately 1.27 acres in size.

**GREGORY J. AND WENDY J. ZYLKA PROPERTY**

(PARCEL NO. 02.0963.000); Lot 2, Block 1, Second Addition to Oak Park, (commonly known as 16821 Circle Drive), and all of Circle Drive abutting and adjacent to said lot, all being approximately 1.28 acres in size.

**ISD 482 PROPERTY, BELLE PRAIRIE SOCCER FIELD**

(Parcel No. 02.0561.003); That part of the North Half of the Southwest Quarter of Section 26, Township 41, Range 32, Morrison County, Minnesota, described as follows: Beginning at the southeast corner of Lot 4, Swanson Addition on file and of record in the office of the County Recorder is said Morrison County, said southeast corner of Lot 4 being also the northwest corner of a tract of land described in Book 149 Deeds, Page 49; thence South 89 degrees 31 minutes 09 seconds East 200.00 feet along the north line of said tract of land described in Book 149 Deeds, Page 49 to the northeast corner thereof; thence South 0 degrees 28 minutes 51 seconds West 125.70 feet along the east line of said tract of land described in Book 149 Deeds, Page 49 to the southeast corner thereof; thence North 89 degrees 31 minutes 09 seconds West 68.63 feet along the south line of said tract of land described in Book 149 Deed, Page 49 to the northeast corner of Smith Avenue in said Swanson Addition; thence South 0 degrees 38 minutes 41 seconds East 13.83 feet along the east line of said Smith Avenue to its intersection with the north line of the 66.00 foot wide easement described in Book 154, Page 11; thence South 89 degrees 34 minutes 02 seconds East 1033.84 feet along the north line of said 66.00 foot wide easement; thence North 00 degrees 27 minutes 42 seconds East 1044.63 feet to the south line of Pine Avenue as defined by said Swanson Addition; thence North 89 degrees 14 minutes 10 seconds West 939.83 feet to the northeast corner of a tract of land described in Document No. 312760; thence South 0 degrees 14 minutes 50 seconds West 150.00 feet along the east line of said tract of land described in Document No. 312760 to the southeast corner thereof; thence North 89 degrees 45 minutes 10 seconds West 225.61 feet along the south line of said tract of land described in Document No. 312760 to the southwest corner thereof, said southwest corner being on the east line of Lot 11 in said Swanson Addition; thence South 0 degrees 28 minutes 51 seconds West 751.22 feet along said east line of said Swanson Addition to the point of beginning. Less that tract of land described in Document No. 289658. Subject to Pine Avenue on the north. All in accordance with a survey by Thomas P. Thiessen, RLS No. 16097, dated January 7, 1992, and revised June 7, 1995. (Commonly known as the Belle Prairie Soccer Fields); being approximately 26.44 acres is size.

**PINE AVENUE**

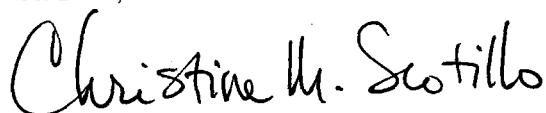
That part of the South Half of the Northwest Quarter and that part of the North Half of the Southwest Quarter, all in Section 26, Township 41, Range 32, Morrison County, Minnesota, described as follows: Commencing at the west quarter corner of said Section 26; thence North 89 degrees 37 minutes 35 seconds East, assumed bearing, 38.94 feet along the north line of said north half of the Southwest Quarter to its intersection with the northerly extension of the west line of Lot 12, Swanson Addition on file and of record in the Office of the County Recorder in said Morrison County, the point of beginning; thence South 00 degrees 44 minutes 54 seconds East 33.55 feet along said northerly extension to the northwest corner of said Lot 12, Swanson Addition; thence North 89 degrees 31 minutes 06 seconds East 225.39 feet along the

north line of said Lot 12, Swanson Addition to the northeast corner thereof; thence North 00 degrees 47 minutes 44 seconds West 1.67 feet along the east line of said Swanson Addition; thence North 89 degrees 17 minutes 21 seconds East 1987.38 feet to the westerly right-of-way line of Count Road No. 76; thence North 13 degrees 11 minutes 51 seconds East 67.99 feet along said westerly right-of-way line and its extension northerly to its intersection with the easterly extension of the north line of Pine Avenue as platted in the Second Addition to Oak Park on file and of record in the Office of said Morrison County Recorder; thence South 89 degrees 17 minutes 21 seconds West 253.12 feet along said easterly extension of the north line of Pine Avenue to its intersection with the east line of Pine Avenue as platted in the Third Addition to Oak Park on file and of record in said Office of the Morrison County Recorder; thence North 13 degrees 10 minutes 26 seconds East 30.90 feet along said east line of Pine Avenue to the northeast corner of said Pine Avenue as platted in said Third Addition to Oak Park; thence South 89 degrees 17 minutes 21 seconds West 773.43 feet along the north line of Pine Avenue as platted in said Third Addition to Oak Park to the northwest corner thereof; thence South 00 degrees 42 minutes 39 seconds East 30.00 feet along the west line of said Pine Avenue as platted in the Third Addition to Oak Park to the northeast corner of Pine Avenue as platted in said Second Addition to Oak Park; thence South 89 degrees 17 minutes 21 seconds West 466.00 feet along the north line of said Pine Avenue as platted in the Second Addition to Oak Park to the northwest corner thereof; thence continuing South 89 degrees 17 minutes 21 seconds West 744.25 feet to the easterly right-of-way line of County Road No. 260; thence South 01 degrees 07 minutes 34 seconds East 33.22 feet along said easterly right-of-way line of County Road No. 260 to the point of beginning. All in accordance with a survey by Kevin Festler, RLS 22702, dated September 6, 2001, said Second Addition to Oak Park, said Third Addition to Oak Park, and said Swanson Addition, being approximately 4.26 acres in size; (commonly known as Pine Avenue).

is withdrawn, the continued hearing in this matter is canceled, and Docket A-6617 Little Falls is closed without prejudice.

Dated this 22<sup>nd</sup> day of August, 2002.

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



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments