

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Lindstrom from Chisago Lake Township
(MBAU Docket A-8117)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On February 23, 2018, the City of Lindstrom (City) adopted a Notice of Intent to Annex pursuant to Minn. Stat. § 414.033, subd. 3 (2016). On March 27, 2018, the City adopted Amended Notice of Intent to Annex to correct the legal description.

No objection by the Chisago Lake Town Board (Township) was served pursuant to Minn. Stat. § 414.033, subd. 3.

On July 19, 2018, the City adopted Ordinance Number 20180719-05 (Ordinance) annexing certain real property (Property) legally described as follows:

That part of Government Lot Six (6), Section Ten (10), Township Thirty-three (33), Range Twenty (20), Chisago County, Minnesota, described as follows:

Beginning at an iron stake 704 feet North of Southwest corner of said Lot 6; thence South 89 degrees East 1089 feet; thence North 435 feet to the Shore of Chisago Lake; thence Westerly along the lake shore to the West line of Lot 6; thence South 170 feet to the place of beginning, except that part platted as Cherokee Heights, Chisago County, Minnesota. And except that part of Government Lot 6, Section 10, Township 33, Range 20 according to the government survey thereof, on file and of record in the Office of the County Surveyor, Chisago County, Minnesota described as lying South of the South line of Cherokee Heights according to the plat on file and of record in the Office of the County Recorder, Chisago County, Minnesota and northerly and westerly of the following described line: commencing at the Southwest corner of said Government Lot 6; thence North 01 degrees 54 minutes 32 seconds West assumed bearing along the West line of said Government Lot 6 a distance of 704.00 feet to the point of beginning of the line to be described; thence North 89 degrees 05 minutes 28 seconds East a distance of 1089.00 feet; thence North 00 degrees 00 minutes 00 seconds East a distance of 435.0 feet plus or minus to the shore line of South Center Lake and there terminating.

And except that part of the following legal description which lies therein, which has

already been annexed into the city pursuant to OA-1059-1:

That part of the Southeast Quarter of the Northeast Quarter and Government Lot 1 of Section 9, and Government Lots 5, 6, and 7 of Section 10, Township 33 North, Range 20 West, Chisago County, Minnesota described as follows:

Commencing at the east quarter corner of said Section 9, said corner marked with an aluminum Chisago County survey monument; thence on an assumed bearing of North 1 degree 54 minutes 32 seconds West, along the east line of the Northeast Quarter of said Section 9, a distance of 2031.36 feet to a Chisago County cast iron monument; thence South 85 degrees 6 minutes 9 seconds East a distance of 91.34 feet to the point of beginning of the land to be described; thence North 89 degrees 5 minutes 28 seconds East a distance of 774.98 feet to the center line of Glader Boulevard; thence North 75 degrees 32 minutes 2 seconds East, along said center line, a distance of 260.15 feet; thence South 0 degrees 36 minutes 19 seconds West a distance of 168.16 feet; thence South 88 degrees 3 minutes 41 seconds East a distance of 115.00 feet; thence North 0 degrees 36 minutes 19 seconds East a distance of 201.80 feet to said center line; thence North 75 degrees 32 minutes 2 seconds East, along said center line, a distance of 17.57 feet; thence North 1 degree 58 minutes 41 seconds West to the shoreline of South Center Lake; thence easterly along said shoreline to a line bearing North 0 degrees 35 minutes 6 seconds East from "Point X, described below; thence South 0 degrees 35 minutes 6 seconds West to said "Point X"; thence North 76 degrees 4 minutes 24 seconds East, along said center line, a distance of 256.98 feet; thence North 0 degrees 35 minutes 6 seconds East a distance of 85.14 feet; thence South 83 degrees 44 minutes 54 seconds East a distance of 253.40 feet to said center line; thence North 77 degrees 23 minutes 25 seconds East, along said center line, a distance of 287.89 feet to the west line of the east 305 feet of said Government Lot 5; thence South 0 degrees 39 minutes 42 seconds East, along said west line, to the shoreline of Linn Lake; thence westerly and southerly along said Linn Lake shoreline to the south line of said Government Lot 7; thence South 89 degrees 25 minutes 14 seconds West, along the south line of said Government Lot 7, to said east quarter corner; thence South 89 degrees 50 minutes 15 seconds West, along the south line of said Southeast Quarter of the Northeast Quarter, a distance of 312.54 feet to the center line of County State Aid Highway No. 25; thence North 42 degrees 22 minutes 21 seconds West, along said highway center line, a distance of 280.07 feet; thence northerly, continuing along said highway center line, a distance of 724.77 feet on a tangential curve concave to the east, having a radius of 1145.92 feet and a central angle of 36 degrees 14 minutes 17 seconds; thence North 6 degrees 8 minutes 4 seconds West, continuing along said highway center line, a distance of 1098.02 feet; thence northerly continuing along said highway center line a distance of 37.40 feet on a tangential curve concave to the west, having a radius of 1145.92 feet and a central angle of 1 degree 52 minutes 11 seconds to said center line of Glader Boulevard; thence South 80 degrees 19 minutes 57 seconds East, along said center line of Glader Boulevard, a distance of 552.33 feet; thence North 28 degrees 8 minutes 19 seconds East to said shore line of South Center Lake; thence easterly along said shore line of South Center Lake to a line bearing North 4 degrees 1 minute 45 seconds West from said point

of beginning; thence South 4 degrees 1 minute 45 seconds East to said point of beginning.

Point X:

Commencing at the east quarter corner of said Section 9, said corner marked with an aluminum Chisago County survey monument; thence North 1 degree 54 minutes 32 seconds West, along the east line of the Northeast Quarter of said Section 9, a distance of 2031.36 feet to a Chisago County cast iron monument; thence South 85 degrees 6 minutes 9 seconds East a distance of 91.34 feet; thence North 89 degrees 5 minutes 28 seconds East a distance of 774.98 feet to the center line of Glader Boulevard; thence North 75 degrees 32 minutes 2 seconds East, along said center line a distance of 790.03 feet to said "Point X."

Based upon a review of the Ordinance, the Chief Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.033 (2016), the Ordinance is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Ordinance and this Order, the Property is **ANNEXED** to the City.
3. Pursuant to agreement of the City and Township, and as allowed by Minn. Stat. § 414.036 (2016), no reimbursement shall be made by the City to the Township.
4. The City must file a copy of the Annexation Ordinance with the Township, the appropriate county auditor(s), and the Secretary of State as required by Minn. Stat. § 414.033, subd. 7.

Dated: July 26, 2018



TAMMY L. PUST
Chief Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.033, .07, .09, .12 (2016). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Chisago County District Court by filing an Application for Review with the Court Administrator within 30 days of this Order. An appeal does not stay the effect of this Order.

Any party may submit a written request for an amendment of this Order within seven days from the date of the mailing of the Order pursuant to Minn. R. 6000.3100 (2017). However, no request for amendment shall extend the time of appeal from this Order.