

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE DETACHMENT AND)
ANNEXATION OF CERTAIN LAND BETWEEN)
THE CITIES OF MENDOTA HEIGHTS AND) FINDINGS OF FACT
EAGAN PURSUANT TO MINNESOTA) CONCLUSIONS OF LAW
STATUTES 414) AND ORDER

WHEREAS, on April 11, 2007, Municipal Boundary Adjustments received a joint resolution from the Cities of Mendota Heights and Eagan, requesting the concurrent detachment and annexation of certain property between the two cities pursuant to Minnesota Statutes 414.061.

WHEREAS, Reorganization Order No. 192, effective March 8, 2005, has transferred the duties of the Director to the Chief Administrative Law Judge; and

After review of the resolution, the Chief Administrative Law Judge hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. That a joint resolution was duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments requesting concurrent detachment and annexation of certain property from the Cities of Mendota Heights and Eagan.
2. The resolution contained all the information required by statute including a description of the territory proposed for concurrent detachment and annexation, which

is as follows:

That part of MNDOT RIGHT OF WAY PLATS NO.S 19-55, 19-56, and 19-57 in Section 36, Township 28, Range 23, Dakota County, Minnesota, described as commencing at the northeast corner of Section 1, Township 27, Range 23: thence on an assumed bearing of South 0 degrees 45 minutes 42 seconds East along the east line of said Section 1 a distance of 868.19 feet to the point of beginning of land to be described; thence continuing South 0 degrees 45 minutes 42 seconds East along said east line of Section 1 a distance of 94.71 feet; thence northwesterly a distance of 169.81 feet along a non-tangential curve, concave to the northeast, having a radius of 338.56 feet, a central angle of 28 degrees 44 minutes 15 seconds, and a chord bearing of North 43 degrees 57 minutes 48 seconds West; thence North 29 degrees 35 minutes 40 seconds West, tangent to said curve, a distance of 334.52 feet; thence northwesterly a distance of 550.00 feet along a tangential curve, concave to the southwest, having a radius of 761.73 feet, and a central angle of 41 degrees 22 minutes 11 seconds; thence North 19 degrees 02 minutes 09 seconds East, not tangent to last described curve, a distance of 5.00 feet; thence North 70 degrees 57 minutes 51 seconds West a distance of 361.46 feet; thence westerly a distance of 273.61 feet along a tangential curve, concave to the south, having a radius of 818.33 feet, and a central angle of 19 degrees 09 minutes 25 seconds; thence South 89 degrees 52 minutes 44 seconds West, tangent to said curve, a distance of 797.45 feet; thence North 0 degrees 08 minutes 46 seconds West a distance of 37.00 feet to the north line of said Section 1; thence South 89 degrees 52 minutes 44 seconds West along said north line of Section 1 a distance of 543.74 feet to the North Quarter corner of said Section 1; thence South 89 degrees 53 minutes 09 seconds West along said north line of Section 1 a distance of 1360.53 feet; thence South 0 degrees 06 minutes 51 seconds East a distance of 40.34 feet; thence southwesterly a distance of 622.39 feet along a non-tangential curve, concave to the southeast, having a radius of 1311.10 feet, a central angle of 27 degrees 11 minutes 56 seconds, and a chord bearing of South 72 degrees 11 minutes 37 seconds West; thence South 58 degrees 35 minutes 39 seconds West, tangent to said curve, a distance of 773.42 feet; thence South 53 degrees 55 minutes 20 seconds West a distance of 140.57 feet; thence South 58 degrees 34 minutes 50 seconds West a distance of 91.56 feet; thence South 64 degrees 00 minutes 31 seconds West a distance of 121.58 feet; thence South 58 degrees 35 minutes 39 seconds West a distance of 75.80 feet; thence southwesterly a distance of 167.91 feet along a tangential curve, concave to the northwest, having a radius of 975.00 feet, and a central angle of 9 degrees 52 minutes 02 seconds to a point on the northeasterly extension of the line drawn between monuments B15 and B16 of said MNDOT RIGHT OF WAY PLAT NO. 19-54; thence South 34 degrees 57 minutes 16 seconds West along said extension and line between monuments B15 and B16 a distance of 80.36 feet to said B15 monument; thence North 08 degrees 58 minutes 42 seconds West along the northeasterly extension of a line drawn between monuments B14 and B15 of said MNDOT RIGHT OF WAY PLAT NO. 19-54, a distance of 123.21 feet; thence northeasterly a distance of 195.22 feet along a non-tangential curve, concave to the northwest, having a radius of 900.00 feet, a central angle of 12 degrees 25 minutes 40 seconds, and a chord bearing of North 64 degrees 48 minutes 30 seconds East; thence North 58 degrees 35 minutes 39 seconds East, tangent to said curve, a distance of 588.53 feet; thence South 31 degrees 24 minutes 21 seconds East a distance of 5.00 feet; thence North 58 degrees 35 minutes 39 seconds East a distance of 613.38 feet; thence northeasterly a distance of 754.28 feet along a tangential curve, concave to the southeast, having a radius of 1381.10 feet, and a central angle of 31 degrees 17 minutes 30 seconds; thence North 89 degrees 53 minutes 09 seconds East, tangent to said curve, a distance of 1267.03 feet to a point on the north-south Quarter line of said Section 36; thence North 89 degrees 52 minutes 44 seconds East a distance of 1341.12 feet; thence easterly 297.02 feet along a tangential curve, concave to the south, having a radius of 888.33 feet, and a central angle of 19 degrees 09 minutes 25 seconds; thence South 70 degrees 57 minutes 51 seconds East, tangent to said curve, a distance of 361.46 feet; thence southeasterly a distance of 604.15 feet along a tangential curve, concave to the southwest, having a radius of 836.73 feet, and a central angle of 41 degrees 22 minutes 11 seconds; thence South 29 degrees 35 minutes 40 seconds East, tangent to said curve, a distance of 334.52 feet; thence southeasterly a distance of 81.08 feet along a tangential curve, concave to the northeast, having a radius of 263.56 feet, and a central angle of 17 degrees 37 minutes 37 seconds to the point of beginning.

3. The area proposed for concurrent detachment and annexation is situated

within the City of Mendota Heights and abuts the municipal boundary of the City of Eagan.

4. On May 17, 2007, the Chief Administrative Law Judge has reviewed the resolution and all pertinent information contained in the file for concurrent detachment and annexation.

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has duly acquired and now has jurisdiction of the within proceeding.

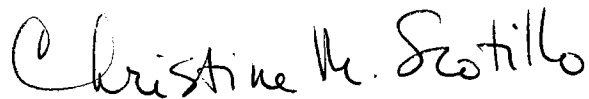
2. An order should be issued by the Chief Administrative Law Judge concurrently detaching and annexing the area described herein.

ORDER

1. IT IS HEREBY ORDERED: That the property described in Findings of Fact 2 be, and the same hereby is, detached from the City of Mendota Heights and annexed to the City of Eagan, the same as if it had originally been made a part thereof.

Dated this 17th day of May, 2007.

For the Chief Administrative Law Judge
658 Cedar Street, Room 300
St. Paul, Minnesota 55155



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments