

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF LINDSTROM) FINDINGS OF FACT
AND CHISAGO LAKE TOWNSHIP PURSUANT TO) CONCLUSIONS OF LAW
MINNESOTA STATUTES 414) AND ORDER

On August 25, 2008, the City of Lindstrom and Chisago Lake Township submitted a joint resolution for orderly annexation to the Chief Administrative Law Judge for review and comment, and approval pursuant to Minnesota Statute §414.0325. Thereafter, on September 25, 2008, the undersigned Assistant Chief Administrative Law Judge, acting under a delegation from the Chief Administrative Law Judge, reviewed the joint resolution for conformity with applicable law.

Based upon all of the files and records herein, the Assistant Chief Administrative Law Judge makes the following:

FINDINGS OF FACT

1. A joint resolution for orderly annexation was adopted by the City of Lindstrom and Chisago Lake Township pursuant to Minnesota Statute §414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments.
2. The joint resolution requests the designation and immediate annexation of certain

property to the City of Lindstrom described as follows:

A5 - SOUTH SOUTH CENTER LAKE PROPERTY

PID #02.01070.10 (Donald M. & Mary A. Rickhoff)

Lot Seven (7) of CHEROKEE HEIGHTS, as per the plat on file and of record in the office of the Register of Deeds, Chisago County, Minnesota, and the westerly 50 feet of Lot 6 of CHEROKEE HEIGHTS, according to the plat thereof on file and of record in the Office of the County Recorder in and for Chisago County, Minnesota, more particularly described as follows: Commencing at the Southwesterly corner of said Lot 6; thence running Easterly along the Southerly line of said Lot, which is the Northerly line of South Shore Drive, a distance of 50 feet; thence running Northeasterly and parallel with the Westerly line of said Lot 6 to South Center Lake; thence running Westerly along said Shore line to the Northwestern corner of said Lot 6; thence running Southerly along the Westerly line of said Lot 6 to the point of commencement. This transfer is subject to the covenant and restriction that the parties of the second part, their heirs and assigns, are prohibited from selling the tract hereinabove described as a separate unit or any portion thereof. This restriction prohibits the sale of the above-described premises unless it is sold with Lot 7 of Cherokee Heights, owned by the parties of the second part. (Including that part of adjacent South Shore Drive lying within Chisago Lake Township, Minnesota.)

3. The joint resolution contains all the information required by Minnesota Statutes §414.0325 including a provision that the Chief Administrative Law Judge may review and comment but shall order the annexation within 30 days in accordance with the terms of the joint resolution.

4. Minnesota Statutes §414.0325 states that in certain circumstances the Chief Administrative Law Judge may review and comment, but shall within 30 days order the annexation pursuant to said subdivisions.

5. On September 25, 2008, the Assistant Chief Administrative Law Judge reviewed and accepted the joint resolution for orderly 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 Assistant Chief Administrative Law Judge annexing the area described herein.


ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Lindstrom, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, Chisago Lake Township will be reimbursed by the City of Lindstrom in accordance with the terms of the Joint Resolution No. 08-06-19-03 signed by the City on June 19, 2008 and the Township on July 15, 2008.

Dated this 25th day of September, 2008.

For the Assistant Chief Administrative Law Judge
P. O. Box 64620
St. Paul, Minnesota 55164-0620

A handwritten signature in black ink that reads "Christine M. Scotillo". The signature is written in a cursive, flowing style.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments