

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1529-1
Center City/Chisago Lake Township
Pursuant to Minnesota Statutes 414

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The joint resolution for orderly annexation submitted by the City of Center City and Chisago Lake Township was reviewed for conformity with applicable law. By delegation, the Chief Administrative Law Judge hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On August 7, 2012, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City on June 5, 2012 and the Township on June 19, 2012, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit on July 17, 2012.
2. The joint resolution requests the designation and immediate annexation of certain property to the City of Center City described as follows:

Parcel 1

PID 02.00917.00

Section 34, Township 34, Range 20, in Chisago County, Minnesota described as follows: All that part of Lot 5 lying north and east of outlots to Center City except that party lying northeasterly of a line formed by extending the northerly line of Moobeck's Outlot 4 to shoreline of Pioneer Lake, except Parcel 2 of Chisago County Hwy Right of Way Plat No. 25

Chisago Lake Lutheran Church (0.17 acres)

Parcel 2

PID 02.00077.00

Outlot 2 of Moobeck's Outlots to Center City

Tax Forfeiture (0.0 1 acres)

Parcel 3

PID 02.00923.00

Beginning at a point in the west line of Section thirty-five (35) Township thirty-four (34) North, Range twenty (20) West, 4th P.M. distant fifty (50) feet northerly, measured at right angles, from the center line of the main track of the Taylors Falls Branch of the Northern Pacific Railway Company as the same was formerly constructed and operated but now removed; thence westerly parallel with said track center line a distance of two hundred fifty-five (255) feet; thence southerly at right angles to the last described line a distance of one hundred (100) feet to a point fifty (50) feet southerly, measured at right angles, from said track center line; thence easterly parallel with said track center line to the westerly line of Government Lot five (5), Section thirty-four (34), Township thirty four (34) North, Range twenty (20) West, according to the United States Government survey; thence southerly along the westerly line of said Government Lot five (5) to a point distant fifty (50) feet northerly, measured radially, from the center line of U.S. Highway No. 8 as now-established; thence easterly concentric with said highway center line a distance of one hundred five (105) feet, more or less, to the west line of the present road crossing the Grantor's property at Center City extending from said highway to Fulsom Avenue; thence northerly along the west line of said road crossing to a point fifty (50) feet northerly, measured at right angles, from said track center line; thence westerly parallel with said track center line a distance of fifteen (15) feet, more or less, to the point of beginning.

City of Center City (0.09 acres)

Parcel 4

PID 02.00918.00

All that part of Lot 5 lying North and East of Mobecks Outlots to Center City lying North of a line found by extending Northerly line of Outlot #4 to shore line of Pioneer Lake.

3. Minnesota Statutes § 414.0325, subd. 1(h) states that in certain circumstances the Chief Administrative Law Judge may review and comment, but shall within 30 days order the annexation pursuant to the terms of a joint resolution for orderly annexation.

4. The joint resolution contains all the information required by Minnesota Statutes § 414.0325, subd. 1(h), 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.


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 or authorized designee annexing the area described herein.

ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Center City, the same as if it had originally been made a part thereof.
2. Pursuant to Minnesota Statutes § 414.036, no reimbursement shall be made to the Township of Chisago Lake by the City of Center City in accordance with the terms of Joint Resolution No. 2012-06-05C/12-06-19-01 signed by the City on June 5, 2012 and Township on June 19, 2012.

Dated: August 7, 2012



Timothy J. O'Malley
Assistant Chief Administrative Law Judge
Municipal Boundary Adjustment Unit