

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN  
THE CITY OF STEPHEN AND SINNOTT TOWNSHIP  
PURSUANT TO MINNESOTA STATUTES § 414.0325**

**WHEREAS**, on March 14, 2013 a Notice of Intent to include property in an orderly annexation area was published pursuant to the requirements of Minnesota Statutes § 414.0325 Subd. 1b; and

**WHEREAS**, the City of Stephen and Sinnott Township jointly agree to designate and request the immediate annexation of the following described land located within Sinnott Township to the City of Stephen, County of Marshall Minnesota;

City of Stephen - Annexation Legal

All that part of the Southeast Quarter of Section 32, Township 158 North, Range 48 West of the Fifth Principal Meridian, Marshall County Minnesota described as follows:

Commencing at the southwest corner of the said Southeast Quarter; thence North 89 degrees 52 minutes 57 seconds East, assumed bearing, along the south line of said Southeast Quarter, a distance of 806.13 feet to the intersection of said south line and the easterly railroad right of way line the same being the point of beginning; thence North 11 degrees 42 minutes 30 seconds West, along said easterly right of way line, a distance of 1242.88 feet to the southwest corner of a tract described in Doc. No. 170649 of record in said Recorder's Office; thence North 78 degrees 17 minutes 30 seconds East, at a right angle to said easterly right of way line, along the southerly line of last described said tract, a distance of 100.00 feet; thence North 11 degrees 42 minutes 30 seconds West, along the easterly line of last described said tract, a distance of 250.00 feet to the northeast corner of said last described tract; thence North 78 degrees 17 minutes 30 seconds East, along the southerly line of a tract described in Doc. No. 291387 of record in said Recorder's Office, a distance of 157.22 feet, more or less to the westerly right of way line of U.S. Highway No. 75; thence South 32 degrees 49 minutes 05 seconds East, along said westerly right of way line, a distance of 1661.33 feet; thence South 28 degrees 30 minutes 00 seconds West, along said westerly right of way line, a distance of 95.63 feet; thence South 38 degrees 53 minutes 27 seconds East, along said westerly right of way line, a distance of 41.38 feet more or less, to the said south line of the Southeast Quarter; thence South 89 degrees 52 minutes 57 seconds West, along said south line, a distance of 829.47 feet, more or less to the point of beginning.

Containing 19.73 acres, more or less and is subject to easements, restrictions, or reservations of record, if any.

and

**WHEREAS**, the City of Stephen and Sinnott Township are in agreement as to the orderly annexation of the unincorporated land described; and

**WHEREAS**, Minnesota Statutes § 414.0325 provides a procedure whereby the City of Stephen and Sinnott Township may agree on a process of orderly annexation of a designated area; and

**WHEREAS**, the City of Stephen and Sinnott Township have agreed to all the terms and conditions for the annexation of the above-described lands; and the signatories hereto agree that no alteration of the designated area is appropriate and no consideration by the Chief

Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

**NOW, THEREFORE, BE IT RESOLVED**, jointly by the City Council of the City of Stephen and the Township Board of Sinnott Township as follows:

1. **(Property.)** That the following described land is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate the area for orderly annexation; and agree that the land be immediately annexed:

City of Stephen - Annexation Legal

All that part of the Southeast Quarter of Section 32, Township 158 North, Range 48 West of the Fifth Principal Meridian, Marshall County Minnesota described as follows:

Commencing at the southwest corner of the said Southeast Quarter; thence North 89 degrees 52 minutes 57 seconds East, assumed bearing, along the south line of said Southeast Quarter, a distance of 806.13 feet to the intersection of said south line and the easterly railroad right of way line the same being the point of beginning; thence North 11 degrees 42 minutes 30 seconds West, along said easterly right of way line, a distance of 1242.88 feet to the southwest corner of a tract described in Doc. No. 170649 of record in said Recorder's Office; thence North 78 degrees 17 minutes 30 seconds East, at a right angle to said easterly right of way line, along the southerly line of last described said tract, a distance of 100.00 feet; thence North 11 degrees 42 minutes 30 seconds West, along the easterly line of last described said tract, a distance of 250.00 feet to the northeast corner of said last described tract; thence North 78 degrees 17 minutes 30 seconds East, along the southerly line of a tract described in Doc. No. 291387 of record in said Recorder's Office, a distance of 157.22 feet, more or less to the westerly right of way line of U.S. Highway No. 75; thence South 32 degrees 49 minutes 05 seconds East, along said westerly right of way line, a distance of 1661.33 feet; thence South 28 degrees 30 minutes 00 seconds West, along said westerly right of way line, a distance of 95.63 feet; thence South 38 degrees 53 minutes 27 seconds East, along said westerly right of way line, a distance of 41.38 feet more or less, to the said south line of the Southeast Quarter; thence South 89 degrees 52 minutes 57 seconds West, along said south line, a distance of 829.47 feet, more or less to the point of beginning.

Containing 19.73 acres, more or less and is subject to easements, restrictions, or reservations of record, if any.

2. **(Acreage/Population/Usage.)** That the orderly annexation area consists of approximately 19.73 acres, the population in the area is ZERO (0), and the land use type is farmland and commercial .

3. **(Jurisdiction.)** That Sinnott Township and the City of Stephen, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. **(Municipal Reimbursement).** Minnesota Statutes § 414.036.

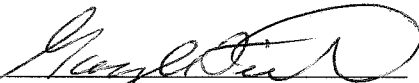
a. That Sinnott Township and the City of Stephen agree that the City will not reimburse the Township for lost property taxes or assessments.

5. **(Review and Comment).** The City of Stephen and Sinnott Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

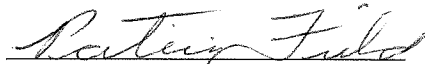
6. **(Other Terms of Resolution).**

Adopted by affirmative vote of all the members of the Sinnott Township Board of Supervisors this 25th day of March, 2013.

SINNOTT TOWNSHIP


By:   
Chairperson Gayle Field  
Board of Supervisor

ATTEST:

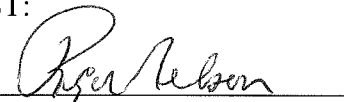
By:   
Patricia Field Township Clerk

Adopted by affirmative vote of the City Council of Stephen this 25th day of March, 2013.

CITY OF Stephen

By:   
Vice Mayor, David Clark

ATTEST:

By:   
Roger Nelson, City Administrator

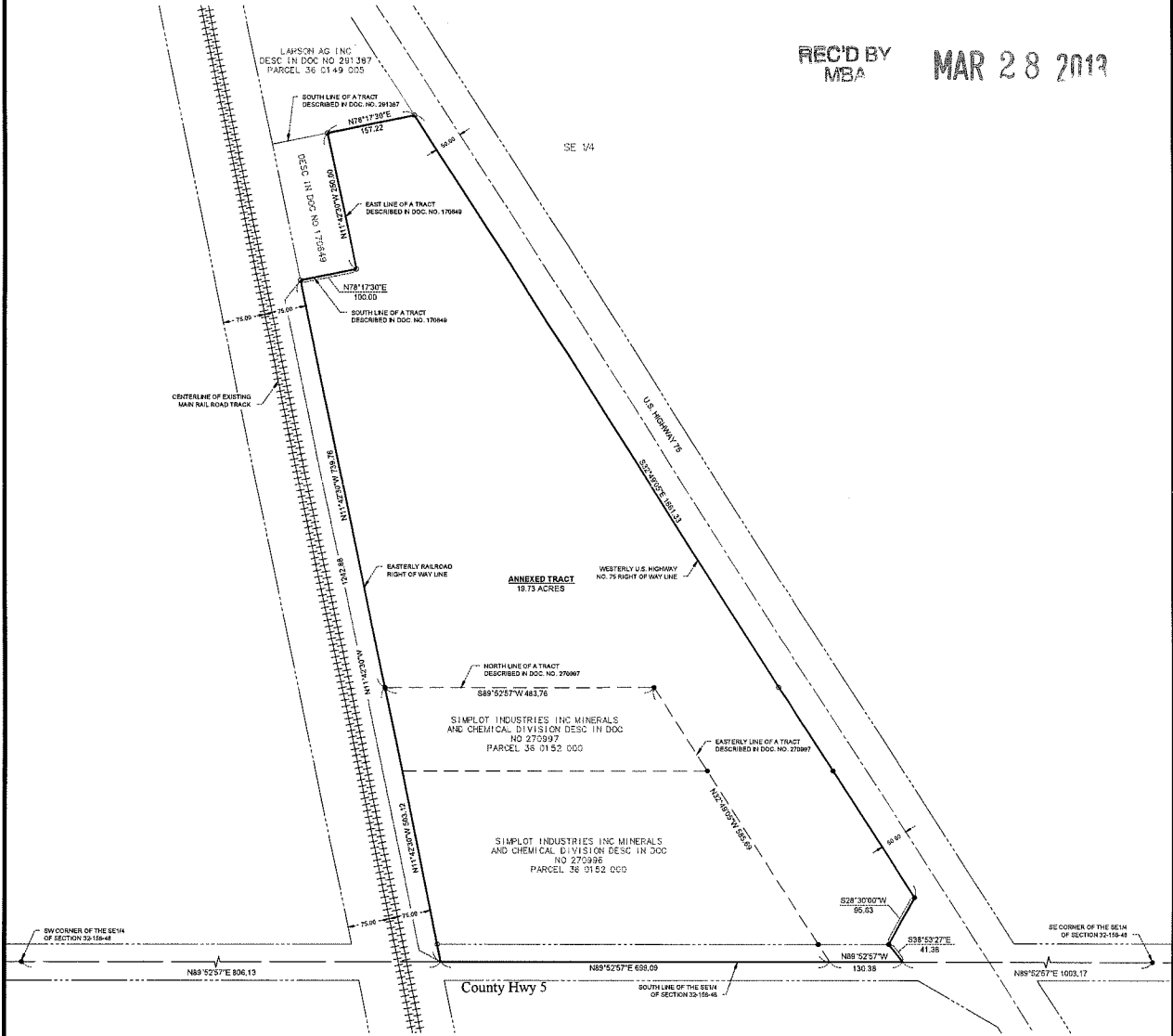
Approved this 25<sup>th</sup> day of March, 2013

See attached map of area to be annexed.

# CERTIFICATE OF SURVEY

PART OF THE SE 1/4 OF SEC. 32, T. 158 N., R. 48 W. OF THE 5TH PRINCIPAL MERIDIAN,  
MARSHALL COUNTY, MINNESOTA

REC'D BY  
MBA  
MAR 28 2013



**PROPOSED LEGAL DESCRIPTION (Bruce Hammes Land):**

All that part of the Southeast Quarter of Section 32, Township 158 North, Range 48 West of the Fifth Principal Meridian, Marshall County Minnesota described as follows:

Commencing at the southwest corner of the said Southeast Quarter; thence North 89 degrees 52 minutes 57 seconds East, assumed bearing, along the south line of said Southeast Quarter, a distance of 806.13 feet to the intersection of said south line and the easterly railroad right of way line; thence North 11 degrees 42 minutes 30 seconds West, along said easterly right of way line, a distance of 503.12 feet to the point of beginning, the same being the northwest corner of a tract described in Doc. No. 270997 of record in the office of the County Recorder; thence continuing North 11 degrees 42 minutes 30 seconds West, along said easterly right of way line, a distance of 739.76 feet to the southwest corner of a tract described in Doc. No. 170649 of record in said Recorder's Office; thence North 78 degrees 17 minutes 30 seconds East, at a right angle to said easterly right of way line, along the southerly line of last described said tract, a distance of 100.00 feet; thence North 11 degrees 42 minutes 30 seconds West, along the easterly line of said last described tract, a distance of 250.00 feet to the northeast corner of last described said tract; thence North 78 degrees 17 minutes 30 seconds East, along the southerly line of a tract described in Doc. No. 281387 of record in said Recorder's Office, a distance of 157.22 feet, more or less to the westerly right of way line of U.S. Highway No. 75; thence South 32 degrees 49 minutes 05 seconds East, along said westerly right of way line, a distance of 1861.33 feet; thence South 28 degrees 38 minutes 00 seconds West, along said westerly right of way line, a distance of 95.63 feet; thence South 38 degrees 53 minutes 27 seconds East, along said westerly right of way line, a distance of 41.38 feet more or less, to the said south line of the Southeast Quarter; thence South 89 degrees 52 minutes 57 seconds West, along said south line, a distance of 130.38 feet to the southeast corner of a tract described in Doc. No. 270996 of record in said Recorder's Office; thence North 32 degrees 49 minutes 05 seconds West, along the easterly line of said tracts described in Doc. No. 270996 and 270997, a distance of 585.89 feet to the northeast corner of said tract described in Doc. No. 270997; thence South 89 degrees 52 minutes 57 seconds West, along the north line of said last described tract, a distance of 463.76 feet, more or less to the point of beginning.

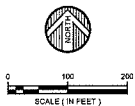
Containing 13.03 acres, more or less and is subject to easements, restrictions, or reservations of record, if any.

**PROPOSED LEGAL DESCRIPTION (Land to be Annexed):**

All that part of the Southeast Quarter of Section 32, Township 158 North, Range 48 West of the Fifth Principal Meridian, Marshall County Minnesota described as follows:

Commencing at the southwest corner of the said Southeast Quarter; thence North 89 degrees 52 minutes 57 seconds East, assumed bearing, along the south line of said Southeast Quarter, a distance of 806.13 feet to the intersection of said south line and the easterly railroad right of way line the same being the point of beginning; thence North 11 degrees 42 minutes 30 seconds West, along said easterly right of way line, a distance of 1247.88 feet to the southwest corner of a tract described in Doc. No. 170649 of record in said Recorder's Office; thence North 78 degrees 17 minutes 30 seconds East, at a right angle to said easterly right of way line, along the southerly line of last described said tract, a distance of 100.00 feet; thence North 11 degrees 42 minutes 30 seconds West, along the easterly line of last described said tract, a distance of 250.00 feet to the northeast corner of said last described tract; thence North 78 degrees 17 minutes 30 seconds East, along the southerly line of said last described tract, a distance of 157.22 feet, more or less to the westerly right of way line of U.S. Highway No. 75; thence South 32 degrees 49 minutes 05 seconds East, along said westerly right of way line, a distance of 1661.33 feet; thence South 28 degrees 38 minutes 00 seconds West, along said westerly right of way line, a distance of 95.63 feet; thence South 38 degrees 53 minutes 27 seconds East, along said westerly right of way line, a distance of 41.38 feet more or less, to the said south line of the Southeast Quarter; thence South 89 degrees 52 minutes 57 seconds West, along said south line, a distance of 829.47 feet, more or less to the point of beginning.

Containing 19.73 acres, more or less and is subject to easements, restrictions, or reservations of record, if any.



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON NAD 83 MARSHALL COUNTY COORDINATE SYSTEM, 1983 ADJUSTMENT  
 ● = DISTANCES FOUND FROM MONUMENT  
 ○ = DISTANCES MEASURED BY 18 INCH LONG IRON REBAR MONUMENT SET AND MARKED PLS # 4585

DATE: FEBRUARY 28, 2013	DATE: 3-6-2013	AMENDMENTS: Changed proposed lot line and storage	BY: 018
SCALE: AS SHOWN			
DRAWN BY: G.R.B.			
CHECKED BY: G.R.B.			
FILE NUMBER: 693C1213.000			
		PREPARED FOR: CITY OF STEPHEN	BY: 018
		I HEREBY CERTIFY THAT THIS SURVEY PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.	
		GARRETT R. BOROWICZ	STATE OF MINNESOTA
		PLATE 3-1-2013	LIC. NO. 45365
		ENGINEERS ARCHITECTS LAND SURVEYORS ENVIRONMENTAL SERVICES	