

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1549-1
Madison Lake/Jamestown 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 Madison Lake and Jamestown 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 May 14, 2013, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City on April 15, 2013 and the Township on April 19, 2013, and duly filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit on May 9, 2013.
2. The joint resolution requests the designation and immediate annexation of certain property to the City of Madison Lake described in Exhibits A-1 to A-11.
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.

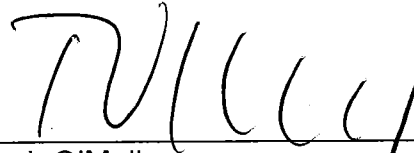
CONCLUSIONS OF LAW

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 Madison Lake, the same as if it had originally been made a part thereof.
2. Pursuant to Minnesota Statutes § 414.036, Jamestown Township will be reimbursed by the City of Madison Lake in accordance with the terms of the Joint Resolution signed by the City on April 15, 2013 and the Township on April 19, 2013.

Dated: May 14, 2013



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

Madison Lake and Jamestown Township Orderly Annexation Agreement, April 2013

All of Common Interest Community Number 19 including:

Units 400, 402, 404, 406, 408, 410, 412, 414, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 567, 568, 569, 570, 571, 572, 573, 574, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632 Limited Common Element, Common Element, Common Interest Community Number 19, Doran Estates

Lots 1-9, Block One, Duck Lake Estates and the right-of-ways contained in the plat

Lots 1-14, Block One, Shoreland Estates and the right-of-ways contained in the plat

Legal Description for Parcel ID R37.05.27.126.028:

That part of Government Lot 3 described as: Commencing at the North Quarter Corner of Section 27; (the east line of the Northeast Quarter of Section 27 to have an assumed bearing of South 02 degrees 58 minutes 09 second West); thence South 03 degrees 02 minutes 36 seconds West, along the west line of Government Lot 2, a distance of 338.61 feet; thence South 72 degrees 56 minutes 10 seconds West, 189.64 feet to a point on the east line of Lot 1, Auditor's Plat No. 69, on file and of record with the Blue Earth County Recorder; thence South 03 degrees 14 minutes 42 seconds West, along said east line, 27.76 feet to a found iron pipe monument designating the southeast corner of said Auditor's Plat No. 69; thence South 71 degrees 44 minutes 42 seconds West, along the south line of Auditor's Plat No. 69 a distance of 22.21 feet; thence South 14 degrees 53 minutes 58 seconds East; 11.23 feet to an iron pipe monument set, said point being the point of beginning; thence South 71 degrees 13 minutes 30 seconds West, 105.82 feet; thence South 15° East 72 feet more or less to the northerly waters edge of Duck Lake;

Legal descriptions obtained from Blue Earth County Recorder's Office.

Legal Description for Parcel ID R37.05.27.126.029:

The Northeast Quarter of the Southwest Quarter of Section 21-109-25

The Southeast Quarter of the Southwest Quarter of Section 22-109-25

The North 16.7 acres of Government Lot 4, and Government Lot 3 except plats and except that part of Government Lot 3 lying Southerly of the North 1305 feet thereof and except that part of Government Lot 3 described as: Commencing at the North Quarter Corner of Section 27, Township 109, Range 25 (the east line of the Northeast Quarter of Section 27 to have an assumed bearing of South 02 degrees 58 minutes 09 seconds West); thence South 03 degrees 02 minutes 36 seconds West, along the west line of Government Lot 2, a distance of 338.61 feet; thence South 72 degrees 56 minutes 10 seconds West, 189.64 feet to a point on the east line of Lot 1, Auditor's Plat No. 69, on file and of record with the Blue Earth County Recorder; thence South 03 degrees 14 minutes 42 seconds West along said east line, 27.76 feet to a found iron pipe monument designating the southeast corner of said Auditor's Plat No. 69; thence South 71 degrees 44 minutes 42 seconds West, along the south line of Auditor's Plat No. 69 a distance of 22.21 feet; thence South 14 degrees 53 minutes 58 seconds East; 11.23 feet to an iron pipe monument set, said point being the point of beginning; thence South 71 degrees 13 minutes 30 seconds West, 105.82 feet; thence South 15 degrees East 72 feet more or less to the northerly water's edge of Duck Lake; thence northeasterly along said northerly water's edge 105 feet more or less to the point of intersection with a line which bears South 14 degrees 53 minutes 58 seconds East from the point of beginning; thence North 14 degrees 53 minutes 58 seconds West, 72 feet to the point of beginning.

Except the legal description on the following page.

Except

A tract of land lying and being in Blue Earth County, Minnesota more particularly described as follows:

Lot 1, Auditor's Plat No. 69, on file and of record with the Blue Earth County Recorder and that part of Government Lot 3 in Section 27, Township 109 North, Range 25 West, Blue Earth County, Minnesota, all more particularly described as:

Beginning at the southwesterly corner of said Lot 1; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing), along the west line of said Lot 1 and its northerly extension, 260.80 feet; thence North 90 degrees 00 minutes 00 seconds East, 100.00 feet to the point of intersection with the northerly extension of the east line of said Lot 1; thence South 00 degrees 00 minutes 00 seconds West, along said extension and along the east line of said Lot 1 a distance of 221.41 feet to the southeasterly corner of said Lot 1; thence South 68 degrees 30 minutes 00 seconds West, along the southerly line of said Lot 1 a distance of 107.48 feet to the point of beginning.

Said parcel contains 0.55 acres, subject to any and all easements of record; ALSO together with a 33.00 foot wide easement for access purposes lying over and across Government Lots 3 & 4 in Section 27 and across the South Half of the Southwest Quarter of Section 22, all in Township 109 North, Range 25 West, Blue Earth County, Minnesota, the center line of which is described as:

Commencing at the southwesterly corner of said Lot 1, Auditor's Plat No. 69; thence North 00 degrees 00 minutes 00 seconds East, (assumed bearing), along the west line of said Lot 1 and its northerly extension, 260.80 feet; thence North 90 degrees 00 minutes 00 seconds East, 43.75 feet to the point of intersection with the center line of the existing driveway; said point being the point of beginning; thence North 21 degrees 43 minutes 58 seconds West, along said driveway center line, 49.79 feet; thence North 41 degrees 43 minutes 28 seconds West, along said driveway center line, 69.90 feet; thence North 60 degrees 36 minutes 28 seconds West, along said driveway center line, 85.20 feet; thence North 73 degrees 04 minutes 04 seconds West, along said driveway center line, 84.45 feet; thence North 81 degrees 23 minutes 53 seconds West, along said driveway center line, 123.78 feet; thence North 89 degrees 08 minutes 45 seconds West, along said driveway center line, 199.12 feet; thence South 89 degrees 43 minutes 56 seconds West, along said driveway center line, 494.44 feet; thence North 82 degrees 18 minutes 54 seconds West, along said driveway center line, 126.88 feet to the point of intersection with the center line of Nuthatch Road and there terminating.

Legal descriptions obtained from Blue Earth County Recorder's Office.

Legal Description for Parcel ID R37.05.27.126.030:

A tract of land lying and being in Blue Earth County, Minnesota more particularly described as follows:

Lot 1, Auditor's Plat No. 69, on file and of record with the Blue Earth County Recorder and that part of Government Lot 3 in Section 27, Township 109 North, Range 25 West, Blue Earth County, Minnesota, all more particularly described as:

Beginning at the southwesterly corner of said Lot 1; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing), along the west line of said Lot 1 and its northerly extension, 260.80 feet; thence North 90 degrees 00 minutes 00 seconds East, 100.00 feet to the point of intersection with the northerly extension of the east line of said Lot 1; thence South 00 degrees 00 minutes 00 seconds West, along said extension and along the east line of said Lot 1 a distance of 221.41 feet to the southeasterly corner of said Lot 1; thence South 68 degrees 30 minutes 00 seconds West, along the southerly line of said Lot 1 a distance of 107.48 feet to the point of beginning.

Legal descriptions obtained from Blue Earth County Recorder's Office. This legal description also describes Parcel ID R37.05.27.126.002.

Legal Description for Parcel ID R37.05.27.126.002:

A tract of land lying and being in Blue Earth County, Minnesota more particularly described as follows:

Lot 1, Auditor's Plat No. 69, on file and of record with the Blue Earth County Recorder and that part of Government Lot 3 in Section 27, Township 109 North, Range 25 West, Blue Earth County, Minnesota, all more particularly described as:

Beginning at the southwesterly corner of said Lot 1; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing), along the west line of said Lot 1 and its northerly extension, 260.80 feet; thence North 90 degrees 00 minutes 00 seconds East, 100.00 feet to the point of intersection with the northerly extension of the east line of said Lot 1; thence South 00 degrees 00 minutes 00 seconds West, along said extension and along the east line of said Lot 1 a distance of 221.41 feet to the southeasterly corner of said Lot 1; thence South 68 degrees 30 minutes 00 seconds West, along the southerly line of said Lot 1 a distance of 107.48 feet to the point of beginning.

Legal descriptions obtained from Blue Earth County Recorder's Office. This legal description also describes Parcel ID R37.05.27.126.030.

Legal Description for Parcel ID R37.05.27.152.001:

Field: All that part of Government Lots 4 and 5, Section 27, Township 109 North, Range 25 West, lying Easterly of the centerline of Township Road (Nuthatch Road) and lying Northerly, Westerly, and Southerly of Krason Drive according to the plat of Duck Lake Estates on file and of record with the Blue Earth County Recorder, Blue Earth County, Minnesota.

Legal descriptions obtained from Blue Earth County Recorder's Office.

Legal Description for Parcel ID R37.05.27.153.010:

All that part of the North 24 acres of Government Lot 5 lying Easterly of the Township Road and Southerly of Duck Lake Estates, in Section 27, Township 109 North, Range 25 West, consisting of approximately 3.5 acres.

Legal descriptions obtained from Blue Earth County Recorder's Office.

Legal Description for Parcel ID R37.05.27.101.001:

Field with Storage Building: All that part of the Southerly Sixteen (16) acres of Government Lot Four (4), Section 27, Township 109 North, Range 25 West, lying Easterly of centerline of Township Road (nuthatch Road) and Northerly of Duck Lake Estates, according to plat on file and of record with the Blue Earth County Recorder, Blue Earth County, Minnesota;

Legal descriptions obtained from Blue Earth County Recorder's Office.

Legal Description for Parcel ID R37.05.27.376.001:

PARCEL 27-109-25 187-Y

/Block 1

A parcel of land in Lot 1 of Shorewood East, a subdivision of the Southwest Quarter of Section 27, Township 109 North, Range 25 West described as follows: Beginning at the northeast corner of the said Lot 1 of Shorewood East, thence westerly (assumed bearing South 89 degrees 45 minutes 00 seconds West) along the north line of said Lot 1 140.00 feet, thence South 41 degrees 17 minutes 40 seconds East - 212.14 feet, and thence North 00 degrees 00 minutes 00 seconds East - 160.00 feet to the point of beginning the point of ending.

The area described (0.26 acres), less the existing right of way (0.18 acres), amounts to 0.08 acres more or less.

Legal descriptions obtained from Blue Earth County Recorder's Office.

Legal Description for Parcel ID R37.05.27.326.002:

The South 16 acres of Government Lot 5 and the North 24 acres of Government Lot 6 and the South 14.10 acres of Government Lot 6, all in Section 27, Township 109, Range 25, Blue Earth County, Minnesota.

Legal descriptions obtained from Blue Earth County Recorder's Office.