

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1569-1
Madison Lake/Jamestown Township
Pursuant to Minnesota Statutes 414

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The city resolution for orderly annexation submitted by the City of Madison Lake 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. A joint resolution for orderly annexation was adopted by the City of Madison Lake and Jamestown Township pursuant to Minnesota Statutes § 414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit.

2. A resolution adopted and submitted by the City of Madison Lake, requests annexation of part of the designated area described as follows:

Point Wild:

Lots 8, 9, 10 and Outlot B Point Wild

Dauk Farmsite:

Lot 1, Block 1, Dauk Subdivision
Said parcel contains 2.34 acres of land.

Dauk Triangle:

That part of Government Lot 8, Section 27-109-25 (lying within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27) easterly of County Road 187 and westerly of the following described line:

Commencing at the South Quarter corner of Section Twenty Seven (27), Township One Hundred Nine (109), Range Twenty Five (25); thence

running northerly along the center section line of said Section Twenty Seven (27) for a distance of two hundred ten (210) feet; thence deflect 40 degrees 55 minutes at the left and running northwesterly for a distance of three hundred thirty seven (337.0) feet; thence, deflect 39 degrees 20 minutes to the right and running northerly for a distance of one hundred sixty four and five hundredths (164.05) feet; thence, deflect 16 degrees 20 minutes to the sixty four and five hundredths (164.05) feet; thence, deflect 16 degrees 20 minutes to the right and running northerly for a distance of one hundred seventy one and six tenths (171.6) feet; thence deflect 22 degrees 10 minutes to the right and running northeasterly for a distance of one hundred forty eight and forty five hundredths (148.45) feet; thence, deflect 30 degrees 50 minutes to the left and running northerly for a distance of one hundred eighty three and eighty five hundredths (183.85) feet; thence, deflect 1 degree 40 minutes to the left and running northerly for a distance of approximately two hundred twenty nine and forty five hundredths (229.45) feet to a point on the north line of Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Twenty Seven (27).

Duck Lake County Park:

PARCEL NO.1

A tract of land located in the Southeast Quarter (SE 1/4) of Section Twenty Seven (27), and the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty Four (34), Township One Hundred Nine (109), Range Twenty Five (25) described as follows:

Commencing at a point on the South section line of Section Twenty Seven (27), Township One Hundred Nine (109), Range Twenty Five (25), and Twenty and three tenths (20.3) feet East of the Southwest corner of the Southeast Quarter (SE 1/4) of said Section Twenty Seven (27); thence running Northerly and parallel to the center section line of said Section Twenty Seven (27) for a distance of one hundred ninety seven and six tenths (197.6) feet. Thence deflect 45° to the right and running Northeasterly to a point on the South shore line of Duck Lake for a distance of (225.0) two hundred twenty five feet; thence deflect 38°30' to the right and running easterly along said shore line for a distance of 500.0 feet; thence deflect 12°0' to the left and running Northeasterly to a point on the East sixteenth line of Section Twenty Seven (27), Township One Hundred Nine (109), Range Twenty Five (25) for a distance of seven hundred sixty six (766.0) feet; thence deflect 114°15' to the right and running Southerly along the said East sixteenth line for a distance of four hundred twelve and eight tenths (412.8) feet; thence deflect 84°36' to the right and running Westerly for a distance of seven hundred eighty five (785.0) feet; thence deflect 28°38' to the left and running Southwesterly for a distance of six hundred twenty nine and eight tenths feet (629.8'); thence deflect 117°41' to the right and running Northerly for a distance of thirty

two (32.0) feet to place of beginning.

Containing 7.7 acres more or less.

PARCEL NO.2

A tract of land located in the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty Seven (27), Township One Hundred Nine (109), Range Twenty Five (25) West described as follows:

Commencing at a point on the South Section Line of Section Twenty Seven (27), Township One Hundred Nine (109), Range Twenty Five (25) West; thence, running Southerly along the center section line of Section Thirty Four (34), Township One Hundred Nine (109), Range Twenty Five (25) West, for forty three and nine tenths (43.9) feet; thence, deflect 117° 41' to the left and running Northeasterly for a distance of six hundred fifty three and seven tenths (653.7) feet; thence, deflect 28° 36' to the right and running Easterly for four hundred forty three and five tenths (443.5) feet to a point which is the beginning of this parcel; thence, continuing Easterly on same tangent for three hundred forty one and five tenths (341.5) feet; thence deflect 95° 24' to the right and running Southerly for a distance of one hundred fourteen (114) feet; thence, deflect 84° 36' to the right and running Westerly for a distance of three hundred eighty four and five tenths (384.5) feet; thence, deflect 115° 09' to the right and running Northerly for a distance of one hundred twenty six (126) feet to place of beginning, containing 1.0 acre, more or less.

PARCEL NO.3

A tract of land located in the Southwest Quarter (SE $\frac{1}{4}$) of Section Twenty Seven (27), and the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty Seven (27), Township One Hundred Nine (109), Range Twenty Five (25) West, described as follows:

Commencing at the South Quarter Corner of Section Twenty Seven (27), Township One Hundred Nine (109), Range Twenty Five (25) West; thence running Northerly along the center section line of said Section Twenty Seven (27) for a distance of two hundred ten (210) feet, which is the beginning of this parcel; thence, deflect 40° 55' to the left and running Northwesterly for a distance of three hundred thirty seven (337.0) feet; thence, deflect 39° 20' to the right and running Northerly for a distance of one hundred sixty four and five hundredths (164.05) feet; thence, deflect 16° 20' to the right and running Northerly for a distance of one hundred seventy one and six tenths (171.6) feet; thence, deflect 22° 10' to the right and running Northeasterly for a distance of one hundred forty eight and forty five hundredths (148.45) feet; thence, deflect 30° 50' to the left and running Northerly for a distance of one hundred eighty three and eighty

five hundredths (183.85) feet; thence, deflect 1° 40' to the left and running Northerly for a distance of approximately two hundred twenty nine and forty five hundredths (229.45) feet to a point on the North line of the Southeast Quarter (SE¼) of the Southwest Quarter (SE¼) of Section Twenty Seven (27), Township One Hundred Nine (109), Range Twenty Five (25) West; thence, deflect 84° 38' to the right and running Easterly along the north line for a distance of two hundred fifty five (255.0) feet to a point on the West shore line of Duck Lake; thence, deflect 98° 30' to the right and running Southerly along said shore line for a distance of ninety two (92) feet; thence, deflect 40° 50' to the right and running Southwesterly for a distance of one hundred fifteen (115) feet; thence, deflect 19° 50' to the left and running Southerly for a distance of one hundred three (103) feet; thence, deflect 24° 00' to the left and running Southerly for a distance of two hundred eighteen (218) feet; thence, deflect 8° 10' to the right and running Southerly for a distance of three hundred five (305) feet; thence, deflect 52° 30' to the left and running Southeasterly for a distance of one hundred eighty (180) feet; thence, deflect 23° 29' to the left and running Southeasterly for a distance of one hundred twenty six and sixty one hundredths (126.61) feet to a point on the South shore line of Duck Lake; thence, deflect 107° 16' to the right and running Southwesterly for a distance of two hundred twenty five (225.0) feet; thence, deflect 76° 25' to the right and running Northwesterly for a distance of twenty three and seventy nine hundredths (23.79) feet to place of beginning, containing 5.0 acres more or less.

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).

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings 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 Joint Resolution No. 2014-1 signed by the City of Madison Lake on April 7, 2014, and Jamestown Township on April 8, 2014; and City Resolution No. 2014-39.

Dated: June 10, 2014



TIMOTHY J. O'MALLEY
Deputy Chief Administrative Law Judge
Municipal Boundary Adjustment Unit