

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)	<u>AMENDED</u>
AGREEMENT BETWEEN THE CITY OF SAUK RAPIDS))	<u>FINDINGS OF FACT</u>
AND SAUK RAPIDS TOWNSHIP PURSUANT TO)	<u>CONCLUSIONS OF LAW</u>
MINNESOTA STATUTES 414)	<u>AND ORDER</u>

The city resolution for orderly annexation submitted by the City of Sauk Rapids was reviewed for conformity with applicable law. The undersigned Assistant Chief Administrative Law Judge, acting under a delegation from 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 Sauk Rapids and Sauk Rapids Township pursuant to Minnesota Statutes § 414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments.
2. A resolution adopted and submitted by the City of Sauk Rapids, requests annexation of part of the designated area described as follows:

~~That part of the East Half of the Northwest Quarter of Section 24, Township 36 North, Range 31 West, Benton County, Minnesota, described as follows:
Commencing at the Southeast corner of the NW ¼ of said Section 24, thence South 89 degrees 43 minutes 50 seconds West on an assumed bearing along the South line of said NW ¼ 33.00 feet, thence North 00 degrees 03 minutes 47 seconds East, parallel with the East line of said NW ¼ 695.00 feet to the point of beginning of the tract to be described, thence continue North 00 degrees 03 minutes 47 seconds East along said parallel line 627.79 feet to the centerline of Benton County Road #3, thence South 79 degrees 47 minutes 56 seconds West along said centerline 725.23 feet, thence South 10 degrees 12 minutes 04 seconds East along the Easterly right-of-way line of Trunk Highway No. 10 a distance of~~

33.00 feet; thence South 43 degrees 44 minutes 27 seconds West along said right-of-way line 76.74 feet, thence South 16 degrees 12 minutes 50 seconds West along said right-of-way line 202.24 feet, thence South 07 degrees 40 minutes 59 seconds West along said right-of-way line 66.00 feet, thence Southwesterly 13.74 feet along said right-of-way line and along a tangential curve concave to the East, having a radius of 1312.40 feet and a central angle of 00 degrees 35 minutes 59 seconds, thence North 89 degrees 43 minutes 50 seconds East 846.54 feet to the point of beginning.

That part of the East Half of the Northwest Quarter of Section 24, Township 36 North, Range 31 West, Benton County, Minnesota, described as follows: Commencing at the Southeast corner of the NW 1/4 of said Section 24; thence South 89 degrees 43 minutes 50 seconds West on an assumed bearing along the South line of said NW 1/4 33.00 feet; thence North 00 degrees 03 minutes 47 seconds East, parallel with the East line of said NW 1/4 695.00 feet to the point of beginning of the tract to be described; thence continue North 00 degrees 03 minutes 47 seconds East along said parallel line 627.79 feet to the centerline of Benton County Road #3; thence South 79 degrees 47 minutes 56 seconds West along said centerline 725.23 feet; thence South 10 degrees 12 minutes 04 seconds East along the Easterly right-of-way line of Trunk Highway No. 10 a distance of 33.00 feet; thence South 43 degrees 44 minutes 27 seconds West along said right-of-way line 76.74 feet; thence South 07 degrees 40 minutes 59 seconds West along said right-of-way line 143.47 feet; thence South 16 degrees 12 minutes 50 seconds West along said right-of-way line 202.24 feet; thence South 07 degrees 40 minutes 59 seconds West along said right-of-way line 66.00 feet; thence Southwesterly 13.74 feet along said right-of-way line and along a tangential curve concave to the East, having a radius of 1312.40 feet and a central angle of 00 degrees 35 minutes 59 seconds; thence North 89 degrees 43 minutes 50 seconds East 846.54 feet to the point of beginning.

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

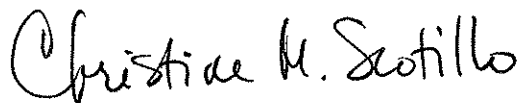
1. The Office of Administrative Hearings has duly acquired and now has jurisdiction of the within proceeding.
2. An order should be issued by the Assistant Chief Administrative Law Judge annexing the area described herein.

ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Sauk Rapids, 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 Sauk Rapids by the City of Sauk Rapids in accordance with the terms of the Joint Resolution signed in 1987 by the City of Sauk Rapids and Sauk Rapids Township, and the Joint Resolution dated September 11, 2006, further clarifying the parties' agreement as to property tax reimbursement.

Dated this 20th day of August, 2009.

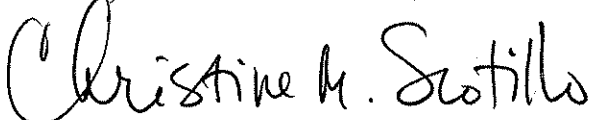
For the Assistant Chief Administrative Law Judge
P. O. Box 64620
St. Paul, Minnesota 55164-0620



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

Amended this 25th day of August, 2009.

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



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments