

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-170-54
Sauk Rapids/Sauk Rapids 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 Sauk Rapids 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 Sauk Rapids and Sauk Rapids 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 Sauk Rapids, requests annexation of part of the designated area described as follows:

The South 600.00 feet of the Northeast Quarter of the Southeast Quarter, Section 24, Township 36 North, Range 31 West, Benton County, Minnesota, lying westerly of the East 75.00 feet thereof.

Subject to easements, restrictions and reservations of record.
17.03 acres +/-
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 Sauk Rapids, the same as if it had originally been made a part thereof.
2. Pursuant to Minnesota Statutes § 414.035, the tax rate of the City of Sauk Rapids on the property herein ordered annexed shall be increased in substantially equal proportions over a period of six years to equality with the tax rate of the property already within the city.
3. 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: April 9, 2013



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