

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation  
of Certain Real Property to the City of  
Big Lake from Big Lake Township  
(MBAU Docket OA-260-9)

**ORDER APPROVING  
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the City of Big Lake (City) on February 3, 1992, and Big Lake Township (Township) on February 12, 1992, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation. An amendment to the Joint Resolution to Designate (Joint Resolution Amendment) was adopted by the City and Township on December 13, 2017.

On October 10, 2018, the City and Township adopted Joint Resolution 2018-03 requesting annexation of certain real property. On or about December 10, 2018, the Office of Administrative Hearings was advised that the legal description in Joint Resolution 2018-03 was in error. On December 12, 2018, the City and Township adopted Joint Resolution 2018-04 (Joint Resolution to Annex) repealing Joint Resolution 2018-03 and requesting annexation of certain real property (Property) legally described as follows:

That part of the Southeast Quarter of the Southwest Quarter of Section 20, Township 33, Range 27, Sherburne County, Minnesota, described as follows: Commencing at the intersection of the Southerly right-of-way line of U.S. Highway Nos. 10 & 52 with the East line of said Southeast Quarter of the Southwest Quarter; thence west along said right-of-way line for 200.00 feet to the actual point of beginning of the land to be hereby described; thence continue west along said right-of-way line for 248.25; thence south parallel with said East line of the Southeast Quarter of the Southwest Quarter for 366.00 feet; thence east parallel with said right-of-way line for 248.25 feet; thence north parallel with East line for 366.00 feet to said point of beginning.

EXCEPTING THEREFROM Parcel 251D of Minnesota Department of Transportation Right of Way Plat No. 71-20.

AND EXCEPTING THEREFROM That part of the Southeast Quarter of the Southwest Quarter of Section 20, Township 33, Range 27, Sherburne County, Minnesota described as follows: Commencing at a point on the west line of said Southeast Quarter of the Southwest Quarter distant 66.00 feet south from the south right of way line of U.S. Highway No. 10 as measured along said west line; thence south along said west line, a distance of 300.00 feet to the point of beginning of the land to be described; thence east deflecting 90 degrees left, a distance of 333.00 feet; thence north parallel with said west line of the Southeast Quarter of the Southwest Quarter to the south line of the North 366.00 feet; thence

east along said south line to the west line of the East 400.00 feet as measured along said south right of way line of U.S. Highway No. 10; thence south parallel with the east line of said Southeast Quarter of the Southwest Quarter to a point distant 366.00 feet south from said south right of way line of U.S. Highway No. 10 as measured along a line parallel with said east line of the Southeast Quarter of the Southwest Quarter; thence east parallel with said south right of way line to said east line of the Southeast Quarter of the Southwest Quarter; thence south along said east line to the northerly right of way line of the Burlington Northern Railroad; thence westerly along said northerly right of way line to said west line of said Southeast Quarter of the Southwest Quarter; thence north along said west line to the point of beginning;

AND EXCEPTING THEREFROM That part of the Southeast Quarter of the Southwest Quarter (SE1/4 of SW1/4) of Section Twenty (20), Township Thirty three (33), Range Twenty seven (27), in Sherburne County, Minnesota, described as follows: Beginning at a point on the west line of said SE1/4 of SW1/4, which point is 66 feet south of the point where the south right of way line of U.S. Highway #10 crosses the west line of said SE1/4 of SW1/4; thence south on the west line of said SE1/4 of SW1/4 a distance of 300 feet; thence east parallel with the north line of said SE1/4 of SW1/4 a distance of 333 feet; thence north parallel with the west line of said SE1/4 of SW1/4 a distance of 300 feet; thence west parallel to the north line of said SE1/4 of SW1/4, 333 feet to the point of beginning.

Based upon a review of the Joint Resolution to Designate, the Joint Resolution Amendment, and the Joint Resolution to Annex, the Chief Administrative Law Judge makes the following:

### ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2018), the Joint Resolution to Annex is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Joint Resolution to Designate, the Joint Resolution Amendment, the Joint Resolution to Annex, and this Order, the Property is **ANNEXED** to the City.
3. Pursuant to the agreement of the parties and as allowed by Minn. Stat. § 414.036 (2018), the City and Township will share the taxes as stated in the 1992 Joint Resolution to Designate, as amended in the 2017 Joint Resolution Amendment.

Dated: December 20, 2018



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TAMMY L. PUST  
Chief Administrative Law Judge

## **NOTICE**

This Order is the final administrative order in this case under Minn. Stat. §§ 414.0325, .07, .09, .12 (2018). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Sherburne County District Court by filing an Application for Review with the Court Administrator within 30 days of this Order. An appeal does not stay the effect of this Order.

Any party may submit a written request for an amendment of this Order within seven days from the date of the mailing of the Order pursuant to Minn. R. 6000.3100 (2017). However, no request for amendment shall extend the time of appeal from this Order.