

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)	
AGREEMENT BETWEEN THE CITY OF SARTELL)	<u>FINDINGS OF FACT</u>
AND LE SAUK 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 Sartell 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 Sartell and LeSauk 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 Sartell, requests annexation of part of the designated area described as follows:

That part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) and of the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) of Section 33, Township 125, Range 28, Stearns County, Minnesota, lying northerly of AIE PLAT and westerly of DRF SARTELL, according to the recorded plats thereof as are on file in the office of the County Recorder in and for Stearns County, Minnesota, described as follows:

Beginning at the northwest corner of said AIE PLAT; thence easterly along the northerly line thereof on an assumed bearing of North 89 degrees 34 minutes 32 seconds East for 376.67 feet to the northeast corner of said AIE PLAT, said point

also being a point of intersection with the westerly boundary of said DRF SARTELL, and also being a point on a 480.00 foot radius curve not tangent to the last described line, center of circle of said curve bears South 85 degrees 38 minutes 39 seconds East from said point; thence northerly along said 480.00 foot radius curve for 238.18 feet, central angle 28 degrees 25 minutes 50 seconds; thence North 32 degrees 47 minutes 11 seconds East, tangent to last described curve and along said westerly boundary of DRF SARTELL for 267.03 feet; thence northerly 115.25 feet along said westerly boundary of DRF SARTELL being a tangential curve concave to the northwest, radius 400.00 feet, central angle 16 degrees 30 minutes 29 seconds; thence South 89 degrees 34 minutes 32 seconds West, not tangent to last described curve, for 648.12 feet; thence South 00 degrees 25 minutes 28 seconds East for 590.45 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.

5. 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.

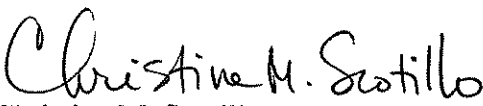
ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Sartell, the same as if it had originally been made a part thereof.

2. That in accordance with the terms of City Resolution No. 117-1992/Town Resolution No. 92-1 signed by the City of Sartell on October 26, 1992 and the Town of Le Sauk on October 13, 1992, as amended by Town of LeSauk Resolution No. 95-3 and City of Sartell Resolution 72-1955, the parties have negotiated financial arrangements that stand in lieu of any other reimbursements to the Town of Le Sauk pursuant to Minn. Stat. 414.036, as amended.

Dated this 18th day of December, 2008.

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


Christine M. Scotillo
Executive Director