

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-276-119
Sartell/LeSauk 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 Sartell 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 Sartell and LeSauk Township pursuant to Minnesota Statutes § 414.0325 and filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit.
2. A resolution adopted and submitted by the City of Sartell, requests annexation of part of the designated area described as follows:

Tract A

That part of Lots 5, 7, 10, 11, and 12 of Auditor's Subdivision No. 2, in the East Half of Section 34, Township 125 North, Range 28 West, Stearns County, Minnesota, described as follows:
Commencing at the Southwest Corner of the Southwest Quarter of the Southeast Quarter of said Section 34; thence North 88 degrees 24 minutes 06 seconds East, assumed bearing along the south line thereof, 4.29 feet; thence North 00 degrees 27 minutes 10 seconds East, 959.91 feet to the centerline of County Road 120; thence northeasterly along said centerline and a non-tangential curve, concave to the northwest, 158.59 feet, having a radius of 2491.00 feet, central angle of 03 degrees 38 minutes 52 seconds, chord bearing of North 52 degrees 28 minutes 52 seconds east and a chord distance of 158.57 feet to the point of beginning of the tract to be hereinafter described; thence South 00 degrees 27 minutes 10 seconds West, 572.35 feet; thence south 59 degrees 00

minutes 13 seconds East, 258.66 feet; thence North 88 degrees 24 minutes 06 seconds East, 471.89 feet; thence North 30 degrees 18 minutes 03 seconds West, 48.28 feet; thence North 10 degrees 15 minutes 15 seconds West, 142.91 feet; thence North 01 degrees 33 minutes 13 seconds East, 104.93 feet; thence North 03 degrees 27 minutes 00 seconds West, 149.29 feet; thence North 20 degrees 55 minutes 56 seconds East, 125.68 feet; thence North 24 degrees 10 minutes 58 seconds East, 102.24 feet; thence North 51 degrees 42 minutes 57 seconds East, 239.73 feet; thence North 59 degrees 51 minutes 23 seconds East, 116.97 feet; thence North 68 degrees 22 minutes 49 seconds East, 200.19 feet; thence North 71 degrees 35 minutes 11 seconds East, 181.31 feet; thence North 74 degrees 25 minutes 44 seconds East, 152.37 feet; thence North 74 degrees 34 minutes 30 seconds East, 125.24 feet; thence North 85 degrees 19 minutes 14 seconds East, 128.21; thence South 88 degrees 00 minutes 05 seconds East, 169.39 feet; thence North 05 degrees 46 minutes 26 seconds West, 316.95 feet to the north line of said Lot 5; thence South 89 degrees 17 minutes 30 seconds West, along the north line of said Lots 5 and 12, 1184.67 feet to the centerline of County Road 120; thence South 46 degrees 22 minutes 15 seconds West, along said centerline, 795.45 feet; thence southwesterly along said centerline and a tangential curve, concave to the northwest, having a radius of 2491.00 feet, central angle of 04 degrees 17 minutes 11 seconds, 186.35 feet to the point of beginning.

Tract B

That part of Lots 5, 7, 9, 10 and 11 of Auditor's Subdivision No. 2, in the East Half of Section 34, Township 125 North, Range 28 West, Stearns County, Minnesota, described as follows:

Commencing at the Southwest Corner of the Southwest Quarter of the Southeast Quarter of said Section 34; thence North 88 degrees 24 minutes 06 seconds East, assumed bearing along the south line thereof, 4.29 feet to the point of beginning of the tract to be hereinafter described; thence North 00 degrees 27 minutes 10 seconds East, 959.91 feet to the centerline of County Road 120; thence northeasterly along said centerline and a non-tangential curve, concave to the northwest, 158.59 feet, having a radius of 2491.00 feet, central angle of 03 degrees 38 minutes 52 seconds, chord bearing of North 52 degrees 28 minutes 52 seconds east and a chord distance of 158.57 feet; thence South 00 degrees 27 minutes 10 seconds West, 572.35 feet; thence south 59 degrees 00 minutes 13 seconds East, 258.66 feet; thence North 88 degrees 24 minutes 06 seconds East, 471.89 feet; thence North 30 degrees 18 minutes 03 seconds West, 48.28 feet; thence North 10 degrees 15 minutes 15 seconds West, 142.91 feet; thence North 01 degrees 33 minutes 13 seconds East, 104.93 feet; thence North 03 degrees 27 minutes 00 seconds West, 149.29 feet; thence North 20 degrees 55 minutes 56 seconds East, 125.68 feet; thence North 24 degrees 10 minutes 58

seconds East, 102.24 feet; thence North 51 degrees 42 minutes 57 seconds East, 239.73 feet; thence North 59 degrees 51 minutes 23 seconds East, 116.97 feet; thence North 68 degrees 22 minutes 49 seconds East, 200.19 feet; thence North 71 degrees 35 minutes 11 seconds East, 181.31 feet; thence North 74 degrees 25 minutes 44 seconds East, 152.37 feet; thence North 74 degrees 34 minutes 30 seconds East, 125.24 feet; thence North 85 degrees 19 minutes 14 seconds East, 128.21; thence South 88 degrees 00 minutes 05 seconds East, 169.39 feet; thence North 05 degrees 46 minutes 26 seconds West, 316.95 feet to the north line of said Lot 5; thence North 89 degrees 17 minutes 30 seconds East along said north line, 260.00 feet to a Judicial Land Monument and the westerly line of Tract A, Registered Land Survey Number 5, as is on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence South 06 degrees 09 minutes 49 seconds West, along said westerly line, 437.12 feet to the northwesterly line of Block 1, Mill River Estates 2nd Addition, as is on file and of record in the Office of the County Recorder, Stearns County, Minnesota and the thread of the Sauk River; thence westerly along the northerly line of Block 1 and Outlot A said Mill River Estates 2nd Addition and the thread of the Sauk River, 1100.05 feet more or less to the most westerly corner of said Outlot A; thence South 89 degrees 31 minutes 56 seconds East, along the south line of said Outlot A, 1296.06 feet to the northeasterly extension of the northwesterly line of Block 1, Mill Creek, as is on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence South 32 degrees 26 minutes 09 seconds West, along said northwesterly line and the northeasterly extension, 413.92 feet to an angle point in the west line of said Block 1; thence North 01 degrees 54 minutes 50 seconds West, along the northerly extension of the west line of said Block 1, 15.27 feet; thence South 88 degrees 23 minutes 47 seconds West, 196.61 feet to the northerly extension of the east line of Outlot A, Charter Oaks, as is on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence South 01 degrees 36 minutes 13 seconds East, along said northerly extension, 120.04 feet to the northeast corner of said Outlot A; thence South 88 degrees 18 minutes 00 seconds West, along the North Line of Outlot A and Block 1, said Charter Oaks, 449.80 feet to the northeast corner of said Block 1; thence South 38 degrees 28 minutes 48 seconds West along the northwesterly line of said Block 1, 183.12 feet to the southwesterly line of said Block 1 and the thread of the Sauk River; thence southeasterly and southerly along said Block 1 and the thread of the Sauk River, 453.95 feet more or less to the south line of said Southwest Quarter of the Southeast Quarter; thence South 88 degrees 24 minutes 06 seconds West, along said south line, 1719.88 feet to the point of beginning.

Life Estate Reservation

A 50.00 foot strip of land across part of Lots 5, 7, 10, and 11 of Auditor's

Subdivision No. 2, in the East Half of Section 34, Township 125 North, Range 28 West, Stearns County, Minnesota, which lies adjacent to and 50.00 feet right of the following described line:

Commencing at the Southwest Corner of the Southwest Quarter of the Southeast Quarter of said Section 34; thence North 88 degrees 24 minutes 06 seconds East, assumed bearing along the south line thereof, 4.29 feet; thence North 00 degrees 27 minutes 10 seconds East, 959.91 feet to the centerline of County Road 120; thence northeasterly along said centerline and a non-tangential curve, concave to the northwest, 158.59 feet, having a radius of 2491.00 feet, central angle of 03 degrees 38 minutes 52 seconds, chord bearing of North 52 degrees 28 minutes 52 seconds east and a chord distance of 158.57 feet; thence South 00 degrees 27 minutes 10 seconds West, 572.35 feet; thence south 59 degrees 00 minutes 13 seconds East, 258.66 feet; thence North 88 degrees 24 minutes 06 seconds East, 471.89 feet to the point of beginning of the line to be hereinafter described; thence North 30 degrees 18 minutes 03 seconds West, 48.28 feet; thence North 10 degrees 15 minutes 15 seconds West, 142.91 feet; thence North 01 degrees 33 minutes 13 seconds East, 104.93 feet; thence North 03 degrees 27 minutes 00 seconds West, 149.29 feet; thence North 20 degrees 55 minutes 56 seconds East, 125.68 feet; thence North 24 degrees 10 minutes 58 seconds East, 102.24 feet; thence North 51 degrees 42 minutes 57 seconds East, 239.73 feet; thence North 59 degrees 51 minutes 23 seconds East, 116.97 feet; thence North 68 degrees 22 minutes 49 seconds East, 200.19 feet; thence North 71 degrees 35 minutes 11 seconds East, 181.31 feet; thence North 74 degrees 25 minutes 44 seconds East, 152.37 feet; thence North 74 degrees 34 minutes 30 seconds East, 125.24 feet; thence North 85 degrees 19 minutes 14 seconds East, 128.21; thence South 88 degrees 00 minutes 05 seconds East, 169.39 feet and said line there terminating. Said 50.00 foot strip shall extended southerly to a line that bears North 88 degrees 24 minutes 06 seconds East from the point of beginning of said line and extended easterly to a line that bears South 05 degrees 46 minutes 26 seconds East from the point of termination of said line.

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 Sartell.
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 Le Sauk 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.

Dated: May 13, 2014



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