

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Sartell from LeSauk Township
(MBAU Docket OA-276-150)

**ORDER APPROVING
ANNEXATION**

Town of LeSauk Resolution No. 2021-17/City of Sartell Resolution No. 2021-44, Amended and Restated Joint Resolution for Orderly Annexation (Joint Resolution to Designate), adopted by the City of Sartell (City) on August 9, 2021, and the LeSauk Town Board (Township) on July 27, 2021, designates certain real property for orderly annexation pursuant to Minn. Stat. § 414.0325 (2024).

On January 14, 2025, the Office of Administrative Hearings received Resolution No. 2025-04, adopted by the City on January 13, 2025, requesting annexation of certain real property (Property). The City subsequently took further action to correct an error in the legal description for the Property. On April 21, 2025, the Office of Administrative Hearings received Resolution No. 2025-04 (City Resolution to Annex) containing a revised legal description. The record in this matter closed on April 21, 2025.


The Property is legally described in the attached Exhibit A.

Based upon a review of the Joint Resolution to Designate and the City Resolution to Annex, and as explained further in the accompanying Memorandum, the Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.0325, the City 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 City Resolution to Annex, and this Order, the Property is **ANNEXED** to the City.
3. Pursuant to Minn. Stat. § 414.036 (2024), the City will reimburse the Township as stated in the Joint Resolution to Designate.

Dated: May 7, 2025


JESSICA A. PALMER-DENIG
Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.0325, .07, .09, .12 (2024). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Stearns 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 (2023). However, no request for amendment shall extend the time of appeal from this Order.

MEMORANDUM

Minnesota's legislature has adopted certain principles regarding the adjustment of municipal boundaries. One of the legislature's statutory goals is that municipal government should be extended to areas that are developed, or that are in the process of development, for intensive residential, commercial, industrial, institutional, or governmental purposes.¹ The legislature has also found that joint resolutions for orderly annexation and other cooperative efforts between local governmental units should be encouraged.² Under Minn. Stat. § 414.0325, the legislature authorizes cities and townships to agree that an unincorporated area is in need of orderly annexation and to set the terms for immediate or future annexation of designated property. Such an agreement is a binding contract between governmental entities.³

The law provides for very limited review of an orderly annexation agreement so long as the agreement contains certain terms. Under Minn. Stat. § 414.0325, subd. 1(g), if a joint resolution designates an area as in need of orderly annexation and provides that no alteration of its stated boundaries is appropriate, the judge may review and comment, but the judge may not alter the boundaries agreed to by the parties. Further, under Minn. Stat. § 414.0325, subd. 1(h), "[i]f a joint resolution designates an area as in need of orderly annexation, provides for the conditions for its annexation, and states that no consideration" by the judge is necessary, the judge "may review and comment, *but shall, within 30 days, order the annexation in accordance with the terms of the resolution.*"⁴ The Minnesota Court of Appeals has held that approval of an agreement containing these terms is mandatory.⁵

A member of the public, LaVerne Dehler (Dehler), submitted letters to this tribunal opposing approval of the City's annexation of the Property. She asserts that the City has engaged in obstruction of justice by ignoring the concerns of individual property owners

¹ Minn. Stat. § 414.01, subd. 1b(1) (2024).

² *Id.*, subd. 1a(5) (2024).

³ Minn. Stat. § 414.0325, subd. 6.

⁴ Emphasis added.

⁵ *Trails Truck and Travel Plaza, LLC v. Albert Lea Township*, 995 N.W.2d 185, 191 (Minn. Ct. App. 2023).

who sought to have their land removed from the annexation area. She asks that this tribunal deny the request for annexation.

The Joint Resolution to Designate provides the terms for annexation of designated property to the City. Paragraph 7 establishes that the City may annex property, described in relevant part, as:

- a. Completely Surrounded and Utilities. The parcel, or parcels under common ownership, are completely surrounded by land within municipal limits and City sanitary sewer or water is located within 100 feet of the parcel.
- b. Pinecone Road and Utilities. Any portion of the parcel lies within 850 feet of Pinecone Road between 6th Street South and 15th Street North.

The Joint Resolution to Designate further provides that the City was not permitted to annex properties described in paragraph 7a. or 7b. “earlier than three years from the date this Joint Resolution is approved by the Office of Administrative Hearings, unless the property owner consents to and requests the initiation of annexation.”⁶ Finally, when a parcel described in paragraph 7a. or 7b. becomes eligible for annexation, the City may initiate the annexation process by: (1) providing written notice to the Township and all owners of record of the property proposed for annexation; (2) establishing a 30-day period for affected owners to submit written comments to the City; and (3) holding a public hearing during which the City considers the written comments and information from those who attend the hearing.⁷ The Joint Resolution to Designate states that: “After the hearing, the City may elect to proceed with the annexation or all or some of the parcels.”⁸

The City Resolution to Annex details the City’s compliance with Paragraph 7 of the Joint Resolution to Designate, in that the parcels to be annexed are located within the areas described in paragraph 7a. and 7b., more than three years have passed since the Joint Resolution to Designate was approved by the Office of Administrative Hearings, the City provided notice to all required parties, and the City held a public hearing over one month later. According to Dehler, after the close of the hearing, a City staff person explained that: “it was not recommended to remove singular properties from the annexation as that will raise the question of choosing properties over another.”⁹ The record does not reveal any flaw in the City’s compliance with the procedural requirements provided in the Joint Resolution to Designate or under Minn. Stat. § 414.0325.

⁶ Joint Resolution to Designate, Paragraph 7.

⁷ *Id.*

⁸ *Id.*

⁹ Letter from LaVerne Dehler to the Office of Administrative Hearings (Jan. 21, 2025) (on file with the Minn. Office Admin. Hearings).

Additionally, the Joint Resolution to Designate contains the provisions necessary to trigger this tribunal's limited review process, as provided in Minn. Stat. § 414.0325, subd. 1(g)-(h). As explained above, under these circumstances, the Administrative Law Judge must approve the requested annexation.

J. P. D.

EXHIBIT A
(Description of Properties to Be Annexed)

PID No. 17.09221.0002 (Category 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.

PID No. 17.09249.0000 (Category A)

Also conveying the following land described by metes and bounds: Commencing at a point 50 Rods and 3 feet East of Southwest corner of Lot 13, Auditors Subdivision which is located in center of public highway; thence running in a Northeasterly direction in the center of the public highway 24 Rods; thence running due South to the South line of said lot 13; thence West on the South line of said Lot 13 for 24 Rods to the place of beginning, being about 1.2 acres as described in Lot 13 of Auditor's Subdivision No. 2 of the East half and East Half of Northwest Quarter, Section 34, Township 125, Range 28, according to recorded plat and survey of said subdivision. Also the following land described by metes and bounds: Commencing at a point 51 Rods and 3 feet East of Southwest Corner of said Lot 13 of Auditors Subdivision No. 2, said point being in center of public highway; thence running Northeasterly along center of said Highway for 52 Rods; thence Southeasterly for 36 Rods to a point on South line of Lot 4 Auditors Subdivision No. 2 which is 23 Rods and 3 feet East from Southwest corner of said Lot 4; thence West 52 Rods along South line of Lot 4 and Lot 13 to point of beginning, being 5.85 Acres, more or less out of Lots 4 and 13 of said Auditor's Subdivision No. less and less the following parcel conveyed to George C. & Marion Westra, as follows:

Less parcel containing 2.00 acres and being a fractional part of Lots 4 & 13 of Auditors Subdivision No. 2 in Township 125, Section 34, Range 28.

The 2 acre exception parcel stated above was platted as WESTRA ESTATES.

Less and except:

All of WESTRA ESTATES, according to the recorded plat thereof, Stearns County, Minnesota.

Except land already within the city as of January 13, 2025

The Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section Twenty-nine (29), Township One Hundred Twenty-five (125) North, Range Twenty-eight (28) West; And the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Twenty-eight (28), Township One Hundred Twenty-five (125) North, Range Twenty-eight (28) West; And the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Thirty-two (32), Township One Hundred Twenty-five (125) North, Range Twenty-eight (28) West; And the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section Thirty-three (33), Township One Hundred Twenty-five (125) North, Range Twenty-eight (28) West, of the 5th Principal Meridian, Stearns County, Minnesota, Less and Except that part of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section Twenty-nine (29); And that part of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Twenty-eight (28), Township One Hundred Twenty-five (125) North, Range Twenty-eight (28) West of the 5th Principal Meridian, Stearns County, Minnesota, described as follows: Commencing at the East Quarter corner of said Section Twenty-nine (29); thence South 00 degrees 40 minutes 35 seconds East, on an assumed bearing, along the East line of said Southeast Quarter (SE 1/4), a distance of 1,329.42 feet, to the Northeast corner of said Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4), also being the point of beginning of the land to be described; thence North 89 degrees 20 minutes 33 seconds West, along the North line of said Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4), a distance of 282.00 feet; thence South 00 degrees 43 minutes 10 seconds East, a distance of 830.00 feet; thence South 89 degrees 50 minutes 25 seconds East, a distance of 613.00 feet; thence North 00 degrees 40 minutes 35 seconds West, a distance of 826.73 feet, more or less, to the North line of said Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4); thence North 89 degrees 42 minutes 01 seconds West, along North line of said Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4), a distance of 331.68 feet, to the point of beginning,

all the above located in Stearns County, Minnesota.

LESS AND EXCEPT:

The Easterly One-half of the Southwest Quarter of the Southwest Quarter (E'ly 1/2 of SW 1/4 of SW 1/4) of Section Twenty-eight (28), Township One-hundred Twenty-five (125), Range Twenty-eight (28), and the Easterly One-half of the Northwest Quarter of the Northwest Quarter (E'ly 1/2 of NW 1/4 of NW 1/4) of Section Thirty-three (33), Township One-hundred Twenty-five (125), Range Twenty-eight (28), Stearns County, Minnesota.

Less and except:

Lot 1, Block 1, Ferche Southwest Plat 3, Stearns County, Minnesota

And less and except:

Outlot A, Ferche Southwest Plat 4, Stearns County, Minnesota

And less and except:

Lot 1, Block 1, Ferche Southwest Plat 4, Stearns County, Minnesota

And less and except:

Lot 2, Block 1, Ferche Southwest Plat 1, Stearns County, Minnesota

And less and except:

Lot 1, Block 1, Ferche Southwest Plat 1, Stearns County, Minnesota

And less and except:

Lot 1, Block 1, Heritage Place Three, Stearns County, Minnesota

And less and except:

Lot 1, Block 5, Heritage Place, Stearns County, Minnesota

And less and except:

Land already within the jurisdiction of a city as of January 13, 2025

PID No. 17.09078.0000 (Category A)

That part of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section Twenty-nine (29), and that part of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Twenty-eight (28), Township One Hundred Twenty-five (125) North, Range Twenty-eight (28) West, Stearns County, Minnesota, described as follows: Commencing at the East Quarter corner of said Section Twenty-nine (29), thence South 00 degrees 40 minutes 35 seconds East, on an assumed bearing, along the East line of said Southeast Quarter (SE 1/4), a distance of 1,329.42 feet, to the Northeast corner of said Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4), also being the point of beginning of the land to be described, thence North 89 degrees 20 minutes 33 seconds West, along the North line of said Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4), a distance of 282.00 feet, thence South 00 degrees 43 minutes 10 seconds East, a distance of 830.00 feet; thence South 89 degrees 50 minutes 25 seconds East, a distance of 613.00 feet; thence North 00 degrees 40 minutes 35 seconds West, a distance of 826.73 feet, more or less, to the North line of said Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4); thence North 89 degrees 42 minutes 01 seconds West, along North line of said Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4), a distance of 331.68 feet, to the point of beginning, Stearns County, Minnesota.

PID No. 17.09097.0000 (Category A)

Government Lot 2 and that part of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4), lying northeasterly of the centerline of Heritage Drive (County Road 119) as shown on plat of PIERSKALLA ADDITION and lying northwesterly of the northwesterly line of the plat of SOUTH GRANDVIEW, all in Section 29, Township 125 North, Range 28 West, Stearns County, Minnesota.

Except land already within the city as of January 13, 2025

PID No. 17.09061.0000 (Category A)

Lot 14 and that part of Lot 13 lying Westerly of a line drawn parallel with and distance 66 feet (measured at right angles) Westerly of the Easterly line of Lot 13, Block 1, in MEYER PARK PLAT 3, according to the plat thereof on file and of record in the office of the County Recorder of Stearns County, Minnesota.

Together With

That part of the Northeast Quarter of the Southeast Quarter, in Section 20, Township 125, Range 28, according to the government survey thereof, described as follows: Beginning at the Northwest corner of Lot 14, Block 1, in MEYER PARK PLAT 3, according to the plat thereof on file and of record in the office of the County Recorder of Stearns County, Minnesota; thence Southerly along the West line of said Lot 14 to the Southwest Corner thereof; thence Westerly on an extension of the South line of said Lot 14 to the point of intersection with the extension in a Northerly direction of the West line of Lot 7, Block 1, in MEYER PARK PLAT 2, according to the plat thereof on file and of record in the office of the County Recorder of Stearns County, Minnesota; thence Southerly along the Northerly extension of the West line of said Lot 7 and along the West line of said Lot 7 and along the Southerly extension of the West line of said Lot 7 a distance of 526.31 feet to the South line of said Northeast Quarter of the Southeast Quarter; thence West on the South line of said Northeast Quarter of the Southeast Quarter a distance of 575.97 feet; thence Northeasterly a distance of 535.84 feet to a point distant 476.1 feet Westerly of the point of beginning as measured along the extension in a Westerly direction of the North line of Lot 14, Block 1, in said MEYER PARK PLAT 3; thence Easterly on the Westerly extension of the North line of said Lot 14 a distance of 476.1 feet to the point of beginning.

PID No. 17.09067.0000 (Category A)

That part of the Southeast Quarter of Section 20, and of the Southwest Quarter of Section 21, in Township 125 North, Range 28 West, described as follows, to-wit: Beginning at the Southwest corner of Lot 7, of Meyer Park Plat 2 as shown on the plat thereof which is on file and of record in the Office of the County Recorder, in and for Stearns County, Minnesota, said point being on thread of stream (Watab River); thence South 01° 10' West on Westerly boundary line of said Lot 7 extended to a point on South line of Lot 1, of said Meyer Park Plat 2 extended West; thence South 05° 49' West 260.01 feet; thence South 25° 08' East 55.49 feet; thence South 76° 21' 30" East 84.53 feet; thence North 78° 05' East 375.12 feet; thence North 25° 25' East to thread of stream (Watab River); thence Westerly on said thread of stream to the point of beginning.

PID No. 17.09394.0000 (Category A)

Lots 6 and 7, Block 1, MEYER PARK PLAT 2, according to the plat thereof on file and of record in the office of the County Recorder of Stearns County, Minnesota.

PID No. 17.09065.0000 (Category A)

That part of the Northeast Quarter of the Southwest Quarter (NE¼ SW¼) and that part of the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of Section 20, Township 125 North, Range 28 West, of the 5th Principal Meridian, Stearns County, described as follows: Beginning at the southeast corner of the Northwest Quarter of said Section 20; thence South 88 degrees 44 minutes 40 seconds East on an assumed bearing, along the center line of 2 1/2 Street and along the north line of said Southeast Quarter, a distance of 86.04 feet; thence South 13 degrees 58 minutes 18 seconds East, a distance of 64.42 feet; thence South 68 degrees 59 minutes 43 seconds East, a distance of 360.16 feet; thence South 12 degrees 06 minutes 43 seconds West, a distance of 192.86 feet; thence South 59 degrees 59 minutes 13 seconds West, a distance of 101.85 feet; thence North 88 degrees 04 minutes 42 seconds West, a distance of 268.47 feet; thence North 24 degrees 01 minutes 07 seconds West, a distance of 255.04 feet; thence North 02 degrees 44 minutes 21 seconds East, a distance of 192.45 feet, to the center line of said 2 1/2 Street, also being the north line of said Southwest Quarter; thence South 88 degrees 44 minutes 40 seconds East along said center line and along the north line of the said Southwest Quarter, a distance of 53.80 feet, to the point of beginning. Subject to easements of record and subject to the right-of-way of 2 1/2 Street.

PID No. 17.09017.0007 (Category A)

The South One-half of the Southeast Quarter of the Northeast Quarter (S½ SE¼ NE¼), of Section Seventeen (17), Township One Hundred Twenty-five (125), Range Twenty-eight (28), less the following described property: Beginning at the Southeast corner of the Southeast Quarter of the Northeast Quarter (SE¼ NE¼); thence West 80 rods; thence North 40 rods; thence East 30 rods; thence South 28 rods; thence East 50 rods; thence South 12 rods to the point of beginning, in Section 17, Township 125, Range 28.

And less and except:

Land already within the jurisdiction of a city as of January 13, 2025

PID No. 17.09029.0010 (Category A and B)

That part of the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) and of the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) of Section Seventeen (17), Township One Hundred Twenty-five (125) North, Range Twenty-eight (28) West described as follows: Commencing at the East quarter corner of said Section Seventeen (17); thence North 00°08'01" West on an assumed bearing along the East line of said Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) 131.98 feet to the point of beginning of the land to be described;

thence North 88°48'22" West, parallel with the East-West quarter line of said Section Seventeen (17), a distance of 555.00 feet; thence South 01°11'38" West 470.00 feet; thence South 88°48'22" East, parallel with said East-West quarter line 381.66 feet to the center line of a township road; thence North 28°44'59" East, along said center line 266.31 feet; thence Northeasterly and Northerly 225.11 feet, along said center line and along a tangential curve concave to the Northwest having a radius of 446.55 feet and a central angle of 28°53'00"; thence North 00°08'01" West tangent to said curve, along said center line and along said East line 16.98 feet to the point of beginning. Subject to the right of way of said township road and easements of record. Containing 5.31 acres, more or less,

together with all hereditaments and appurtenances belonging thereto.

Except land already within the city as of January 13, 2025

PID No. 17.09073.0005 (Category A)

That part of the Southwest Quarter of Section 21, Township 125, Range 28, Stearns County, Minnesota, described as follows: Commencing at the Southwest corner of said Southwest Quarter; thence South 89 degrees 59 minutes 14 seconds East, assumed bearing, along the south line of said Southwest Quarter, 793.00 feet; thence North 00 degrees 00 minutes 46 seconds East 494.07 feet; to the westerly extension of the north line of a certain tract of land described in Document No. 440871, on file and of record at the Office of the Stearns County Recorder and the point of beginning of the tract to be described; thence South 89 degrees 59 minutes 14 seconds East, along said westerly extension, 22.45 feet, to the northwest corner of said tract of land described in Document No. 440871; thence North 00 degrees 57 minutes 46 seconds East, along a westerly line of a certain tract of land described in Document No. 440779, on file and of record at the Office of the Stearns County Recorder, 233.00 feet, to the north line of the South 727.00 feet of said Southwest Quarter; thence North 89 degrees 59 minutes 14 seconds West, along last described north line 26.31 feet, to a line drawn North 00 degrees 00 minutes 46 seconds East, from the point of beginning; thence south 00 degrees 00 minutes 46 seconds West, 232.93 feet, to the point of beginning.

PID No. 17.09073.0003 (Category A)

That part of the SW 1/4 of Section 21, Township 125, Range 28, Stearns County, Minnesota, described as follows: Commencing at the Southeast corner of the SW 1/4 of said SW 1/4; thence North 89° 59' 14" West, assumed bearing, along the South line of said SW 1/4, a distance of 66.00 feet, to the Southeast corner of a certain tract of land described in Document No. 440781 and the point of beginning of the land to be described; thence North 00° 00' 46" East, along the East line of said certain tract of land described in Document No. 440781, a distance of 495.00 feet to the Northeast corner of said certain tract of land described in Document No. 440781 and a Southerly line of a certain tract of land described in Document No. 440779; thence South 89° 59' 14" East, along said Southerly line of said certain tract of land described in Document No. 440779, a distance of 16.51 feet, to a Southeast corner of said certain tract of land described in said Document No. 440779; thence North 00° 57' 46" East, along a Easterly line of said certain tract of land described in Document No 440779, a distance of 307.30 feet, to a corner of said certain tract of land described in Document No. 440779; thence South 89° 59' 14" East, along a Southerly line of said certain tract of land described in Document No. 440779, a distance of 66.00 feet, to a

corner of said certain tract of land described in Document No. 440779 and the Westerly line of RENGEL WATAB RIVER, according to the plat and survey thereof on file and of record in the office of the County Recorder in and for recorded plat thereof, Stearns County, Minnesota; thence South 00° 57' 46" West, along said Westerly line of said RENGEL WATAB RIVER and its Southerly extension, a distance of 801.68 feet to the said South line of said SW 1/4; thence North 89° 59' 14" West along said South line of said SW 1/4, a distance of 74.31 to the point of beginning.

PID No. 17.09237.0000 (Category A)

All that portion of Lot 20, Auditor's Subdivision No. 2, Section 34, Township 125 Range 28, lying northwesterly of the former right of way of State Trunk Highway 15, the northwesterly line of said former right of way of State Trunk Highway 15 being the same as the northwesterly line of LeSauk Drive;

EXCEPTING THEREFROM the following parcel:

That part of Lot 20, Auditor's Subdivision No. 2, Stearns County, Minnesota, according to the plat thereof described as follows: Beginning at the intersection of the North line of said Lot 20, with the northwesterly right of way line of LeSauk Drive (frontage road) thence South 89 degrees 45 minutes 32 seconds west on an assumed bearing along the north line of said Lot 20 , a distance of 167.05 feet; thence southeasterly a distance of 75.64 feet along a non-tangential curve concave to the northeast, having a radius of 133.00 feet and a central angle of 32 degrees 35 minutes 04 seconds, the chord of said curve bears south 41 degrees 46 minutes 18 seconds east; thence south 58 degrees 03 minutes 50 seconds east, tangent to said curve, a distance of 68.14 feet, more or less to the intersection with said northwesterly right of way line; thence northeasterly a distance of 109.94 feet along said northwesterly right of way line and along a non-tangential curve concave to the southeast having a radius of 1482.39 feet and a central angle of 04 degrees 14 minutes 57 seconds the chord of the last described curve bears north 32 degrees 47 minutes 07 seconds east, to the point of beginning.

PID No. 17.09450.0005 (Category B)

Lot 2, Block 1, NOVAK ACRES, according to the recorded plat thereof, Stearns County, Minnesota.

PID No. 17.09450.0000 (Category B)

Lot 1, Block 1, Novak Acres, Stearns County, Minnesota.

PID No. 17.09089.0000 (Category B)

All that part of the Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4) of Section Twenty-nine (29), Township One Hundred Twenty-five (125) North of Range Twenty-eight (28) West, described as follows: Commencing at the northeast corner of the Northwest Quarter of the Northeast Quarter of Section 29, Township 125, Range 28; thence West 346.5 feet; thence South 511.5 feet; thence West 132.0 feet to the point of beginning; thence continuing West 200.0 feet; thence South 198.0 feet; thence East 200.00 feet; thence North 198.0 feet to the point of beginning; together with the right of ingress and egress on the 33 feet adjoining the above described property on the South to the County Road on the East.

PID No. 17.09082.0000 (Category B)

That part of the Northwest Quarter of the Northeast Quarter of Section 29, Township 125, Range 28, described as follows: Beginning at the Northeast corner of Northwest Quarter of Northeast Quarter of Section 29, Township 125, Range 28; thence West 346.5 feet; thence South 511.5 feet to the point of beginning; thence West 132 feet; thence South 165 feet; thence East 132 feet; thence North 165 feet to the point of beginning.

PID No. 17.09084.0000 (Category B)

That part of the Northwest Quarter of the Northeast Quarter, Section 29, Township 125, Range 28, Stearns County, Minnesota, described as follows:

Commencing at the northeast corner of said Northwest Quarter of the Northeast Quarter; thence South 00 degrees 43 minutes 38 seconds East, assumed bearing, along the east line of said Northwest Quarter of the Northeast Quarter, a distance of 265.36 feet, to the easterly extension of the south line of Lot 1, Block 1, PINECONE ADDITION, according to the recorded plat thereof, Stearns County, Minnesota; thence North 88 degrees 09 minutes 22 seconds West along said easterly extension and along the south line of said Lot 1, Block 1, PINECONE ADDITION, 247.56 feet; thence South 00 degrees 03 minutes 05 seconds East, 88.83 feet, to the south line of the North 350.00 feet of said Northwest Quarter of the Northeast Quarter and the point of beginning of the tract of land to be described; thence continue South 00 degrees 03 minutes 05 seconds East, 95.52 feet, to the north line of the South 198.00 feet of the North 643.50 feet of said Northwest Quarter of the Northeast Quarter: thence South 89 degrees 05 minutes 54 seconds East, along said north line of the South 198.00 feet of the North 643.50 feet of the Northwest Quarter of the Northeast Quarter. 35.00 feet, to

the west line of the East 214.50 feet of said Northwest Quarter of the Northeast Quarter; thence South 00 degrees 43 minutes 38 seconds East, along said west line of the East 214.50 feet of the Northwest Quarter of the Northeast Quarter, 198.08 feet. to the south line of North 643.50 feet of said Northwest Quarter of the Northeast Quarter; thence North 89 degrees 05 minutes 54 seconds West. along said south line of North 643.50 feet of the Northwest Quarter of the Northeast Quarter, 132.05 feet, to the west line of the East 346.50 feet of said Northwest Quarter of the Northeast Quarter: thence North 00 degrees 43 minutes 38 seconds West, along said west line of the East 346.50 feet of the Northwest Quarter of the Northeast Quarter, 293.62 feet. to said south line of the North 350.00 feet of the Northwest Quarter of the Northeast Quarter; thence South 89 degrees 05 minutes 54 seconds East, along said south line of the North 350.00 feet of the Northwest Quarter of the Northeast Quarter, 98.18 feet, to the point of beginning.

TOGETHER WITH:

That part of the Northwest Quarter of the Northeast Quarter, Section 29, Township 125, Range 28, Stearns County, Minnesota, described as follows:

Commencing at the northeast corner of said Northwest Quarter of the Northeast Quarter: thence South 00 degrees 43 minutes 38 seconds East, assumed bearing, along the east line of said Northwest Quarter of the Northeast Quarter, a distance of 265.36 feet, to the easterly extension of the south line of Lot 1, Block 1, PINECONE ADDITION, according to the recorded plat thereof, Stearns County, Minnesota: thence North 88 degrees 09 minutes 22 seconds West, along said easterly extension and along the south line of said Lot 1, Block 1, PINECONE ADDITION, 247.56 feet to the point of beginning of the tract of land to be described: thence South 00 degrees 03 minutes 05 seconds East 88.83 feet, to the south line of the North 350.00 feet of said Northwest Quarter of the Northeast Quarter; thence North 89 degrees 05 minutes 54 seconds West, along said south line of the North 350.00 feet of the Northwest Quarter of the Northeast Quarter, 98.18 feet, to the west line of the East 346.50 feet of said Northwest Quarter of the Northeast Quarter; thence North 00 degrees 43 minutes 38 seconds West, along said west line of the East 346.50 feet of the Northwest Quarter of the Northeast Quarter, 92.65 feet, to said south line of Lot 1, Block 1, PINECONE ADDITION; thence South 86 degrees 54 minutes 43 seconds East, along last described south line, 99.26 feet. to a southerly corner of said Lot 1; thence South 88 degrees 09 minutes 22 seconds East, along said south line of Lot 1, a distance of 0.14 feet, to the point of beginning.

PID No. 17.09085.0000 (Category B)

The Easterly Thirteen (13) rods of the Southerly Twelve (12) rods of the Northerly Thirty-nine (39) rods of the Northwest Quarter of the North-East Quarter (NW 1/4 NE 1/4), of Section Numbered Twenty-nine (29), in Township Numbered One Hundred Twenty-Five (125) North, of Range Numbered Twenty-eight (28) West in Stearns County, Minnesota.

And less and except:

Land already within the jurisdiction of a city as of January 13, 2025

PID No. 17.09021.0000 (Category B)

That part of the North One-Half of the South One-Half of the Northeast Quarter (N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Seventeen (17), in Township One Hundred Twenty-five (125) North of Range Twenty-eight (28) West, commencing at a point 465 feet North of the Southeast corner of the N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 17, thence North 135 feet, thence West 246 feet, thence South 135 feet, thence East 246 feet to the place of beginning.

Except land already within the city as of January 13, 2025

PID No. 17.09022.0000 (Category B)

Commencing at a point Three Hundred Thirty Feet (330) feet North of the Southeast corner of the North One Half (N1/2) of the South One Half (S1/2) of the Northeast Quarter (NE1/4) of Section Seventeen (17), Township One Hundred Twenty-five (125) North of Range Twenty-eight (28) West, thence North One Hundred Thirty-five (135) feet, thence West Two Hundred Forty-six (246) feet, thence South One Hundred Thirty-five (135) feet, thence East Two Hundred Forty-six (246) feet, to the point of beginning, Stearns County, Minnesota.