

STATE OF MINNESOTA  
COURT OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation of  
Certain Real Property by the City of Sartell  
from LeSauk Township  
(MBAU Docket OA-276-154)

**ORDER ON REVIEW OF  
ORDERLY ANNEXATION**

In October 1992, the City of Sartell (City) and the Township of LeSauk (Township) entered into an orderly annexation agreement reflected in a Joint Resolution for Orderly Annexation Between the Town of LeSauk and the City of Sartell, Township Resolution No. 92-1 and City Resolution No. 117-1992 (referred to herein as the Joint Resolution).<sup>1</sup> The Joint Resolution designated certain real property for orderly annexation (Annexation Area).<sup>2</sup>

The Joint Resolution was amended three times. The first amendment is reflected in the [First] Amended and Restated Resolution for Orderly Annexation Between the Town of LeSauk and the City of Sartell, Township Resolution No. 95-3 and City Resolution No. 72-1995, adopted in October 1995 (First Amendment).<sup>3</sup> The second amendment is reflected in [Second] Amendment to Joint Resolution for Orderly Annexation Between the Town of LeSauk and the City of Sartell, Township Resolution No. 03-2001 and City Resolution No. 122-02, fully adopted May 22, 2001.<sup>4</sup> The First Amendment and Second Amendment modified the real property within the Annexation Area.<sup>5</sup>

On April 20, 2020, the City and Township revised their zoning ordinances applicable to the real properties within the Annexation Area.<sup>6</sup> This required a third amendment to the Joint Resolution. As a result, on August 9, 2021, the City and Township adopted a [Third] Amended and Restated Joint Resolution for Orderly Annexation between the Town of LeSauk and the City of Sartell, Township Resolution No. 2021-17 and City Resolution No. 2021-44 (referred to herein as the Restated Joint

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<sup>1</sup> Joint Resolution for Orderly Annexation Between the Town of LeSauk and the City of Sartell, Township Resolution No. 92-1 and City Resolution No. 117-1992 (fully adopted Oct. 26, 1992).

<sup>2</sup> *Id.*

<sup>3</sup> Amended and Restated Resolution for Orderly Annexation Between the Town of LeSauk and the City of Sartell, Township Resolution No. 95-3 and City Resolution No. 72-1995 (fully adopted Oct. 24, 1995).

<sup>4</sup> Amendment to Joint Resolution for Orderly Annexation Between the Town of LeSauk and the City of Sartell, Township Resolution No. 03-2001 and City Resolution No. 122-02 (fully adopted May 22, 2001).

<sup>5</sup> Amended and Restated Joint Resolution for Orderly Annexation between the Town of LeSauk and the City of Sartell (Township Resolution No. 2021-17 and City Resolution No. 2021-44) (fully adopted Aug. 9, 2021).

<sup>6</sup> *Id.*

Resolution).<sup>7</sup> The Restated Joint Resolution did not change the real property within the Annexation Area.<sup>8 9</sup>

The Restated Joint Resolution sets forth the process for requesting annexation and is dependent upon what percentage of a property's landowners petition for annexation.<sup>10</sup>

On August 18, 2025, Shawn Kroll submitted a Petition for Annexation (Petition) to the City, asking that the City annex property located within the Annexation Area.<sup>11</sup> The Petition referenced parcel identification number (PID) 17.09234.0000 for annexation.<sup>12</sup> Only Shawn Kroll signed the Petition.<sup>13</sup> The property identified in the Petition is owned by both Shawn and Stacy Kroll.<sup>14</sup> The Petition left blank the section identifying the percentage of property owners signing the annexation petition.<sup>15</sup>

The City served the Township with a copy of the Petition on August 18, 2025, via electronic mail.<sup>16</sup>

On September 22, 2025, the City approved and adopted a Resolution Accepting Petition and Approving Annexation under OA-276 Sartell/LeSauk Township for Parcel No. 17.09234.0000, Resolution No. 2025-56 (Resolution Approving Annexation).<sup>17</sup> The Resolution Approving Annexation set forth an incomplete legal description of the property to be annexed.<sup>18</sup>

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<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> On April 24 and 25, 2023, the City and Township respectively adopted a resolution removing one property from the Annexation Area, which is inapplicable here. See Resolution Amending City of Sartell and LeSauk Township Orderly Annexation Agreement to Remove Property Located in the SW1/4, SW1/4, Section 31, Township 125 North, Range 28 West, Stearns County, Minnesota (April 24 and 25, 2023) (City Resolution 2023-23 and Township Resolution 2023-05).

<sup>10</sup> See Amended and Restated Joint Resolution for Orderly Annexation between the Town of LeSauk and the City of Sartell (Township Resolution No. 2021-17 and City Resolution No. 2021-44) (fully adopted Aug. 9, 2021).

<sup>11</sup> Petition for Annexation (Aug. 18, 2025).

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> See Stearns County property record for PID 17.09234.0000 (accessed Oct. 2, 2025), on file and of record with the Court of Administrative Hearings.

<sup>15</sup> Petition for Annexation (Aug. 18, 2025).

<sup>16</sup> See email correspondence between Administrative Law Judge and Kari Haakonson (Nov. 12, 2025), on file and of record with the Court of Administrative Hearings. The City is advised that best practices require that the City file documentary evidence of service of notice on the Township to satisfy its notice requirement under the Restated Joint Resolution. Here, however, the City could only provide Ms. Haakonson's verbal statement that she forwarded the Petition to the Township on the date it was received by the City (August 18, 2025). Because the City served the Township with notice again on October 10, 2025, and because the Township has not filed comment or opposition, the Judge will accept that the City has met its notice requirement under the Restated Joint Resolution.

<sup>17</sup> Resolution Accepting Petition and Approving Annexation under OA-276 Sartell/LeSauk Township for Parcel No. 17.09234.0000, Resolution No. 2025-56 (Sept. 22, 2025).

<sup>18</sup> *Id.* at Ex. A.

On September 29, 2025, the City filed the Petition and Resolution Approving Annexation for review under Minn. Stat. § 414.0325 (2024).<sup>19</sup> That same day, the documents were submitted to the Minnesota Department of Transportation (MnDOT) for approval of the legal description for the property to be annexed.<sup>20</sup> MnDOT disapproved the legal description as being incomplete.<sup>21</sup>

The City was advised of the error in the legal description and MnDOT's disapproval.<sup>22</sup> Thereafter, the City worked with its surveyor and MnDOT to correct the legal description.<sup>23</sup>

On October 9, 2025, Stacy Kroll filed a statement with the Court consenting to the Petition.<sup>24</sup> The City provided a second notice of the Petition to the Township via electronic mail on October 10, 2025.<sup>25</sup> The Township did not oppose the proposed annexation or provide comment.

On October 28, 2025, the City approved and adopted an Amended Resolution Accepting Petition and Approving Annexation under OA-276 Sartell/LeSauk Township for Parcel No. 17.09234.0000, Resolution No. 2025-68 (Amended Resolution), which corrected the legal description of the property to be annexed as follows:<sup>26</sup>

Commencing at the intersection of the East line of Section 34, Township 125 North, Range 28 West with the center line of Stearns County State Aid Road 1; thence Northwesterly, along said center line 191.27 feet; thence Northwesterly, Westerly and Southwesterly 339.64 feet, along said center line and along a tangential curve concave to the South, having a radius of 560.00 feet and a central angle of 34 degrees 45 minutes 00 seconds; thence Southwesterly, along said center line and tangent to said curve 165.71 feet; thence Southwesterly, Westerly and Northwesterly 252.97 feet, along said center line and along a tangential curve concave to the Northeast, having a radius of 295.00 feet and a central angle of 49 degrees 08 minutes 00 seconds; thence Northwesterly, along said center line and tangent to the last described curve 23.12 feet to the point of beginning of the land to be described; thence continuing Northwesterly

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<sup>19</sup> Initiating Documents (Sept. 29, 2025) (Petition for Annexation and Resolution No. 2025-56).

<sup>20</sup> Email from Jamie Smith, Court of Administrative Hearings, to Justin Roberts, MnDOT (Sept. 29, 2025), on file and of record with the Court of Administrative Hearings.

<sup>21</sup> Email correspondence from Justin Roberts (MnDOT) to Jamie Smith (MBAU Administrator) (Sept. 29, Sept. 30, and Oct. 2, 2025), on file and of record with the Court of Administrative Hearings.

<sup>22</sup> Email correspondence from Administrative Law Judge Ann O'Reilly to Kari Haakonson (City) and Justin Roberts (MnDOT) (Oct. 2, 2025), on file and of record with the Court of Administrative Hearings.

<sup>23</sup> See email correspondence between Justin Roberts (MnDOT), the Judge, MBAU Administrator, and Kari Haakonson (City) (Oct. 23 and 24, 2025), on file and of record with the Court of Administrative Hearings.

<sup>24</sup> Stacy Kroll Consent (Oct. 6, 2025).

<sup>25</sup> Email from Kari Haakonson to LeSauk Township and Dan Heim (Oct. 10, 2025), on file and of record with the Court of Administrative Hearings.

<sup>26</sup> Amended Resolution Accepting Petition and Approving Annexation under OA-276 Sartell/LeSauk Township for Parcel No. 17.09234.0000, Resolution No. 2025-68 (Oct. 28, 2025).

along said center line 12.01 feet; thence Northeasterly, deflecting to the right 87 degrees 36 minutes 00 seconds 174.97 feet; thence Northeasterly, deflecting to the left 14 degrees 05 minutes 52 seconds 52.32 feet; thence Northwesterly, deflecting to the left 24 degrees 31 minutes 08 seconds 68.62 feet; thence Northeasterly, deflecting to the right 25 degrees 11 minutes 30 seconds 32.26 feet; thence Northeasterly, deflecting to the right 13 degrees 25 minutes 30 seconds 302 feet, more or less, along a line hereinafter referred to as Line "I", to the shoreline of the Mississippi River; thence Southeasterly, along said shore line to its intersection with a line drawn from the point of beginning and parallel with the aforementioned Line 'I'; thence Southwesterly, along said parallel line 610 feet, more or less to the point of the beginning. Subject to the right-of-way of said Stearns County State Aid Road 1 and easements of record.

Except land already within the city.

PID: 17.09234.0000

The record closed on November 12, 2025, upon the City's re-filing of the Amended Resolution to correct a typographical error<sup>27</sup> and evidence of service of the notice to the Township.<sup>28</sup>

Based upon a review of the submissions, the Administrative Law Judge makes the following:

## ORDER

1. Pursuant to Minn. Stat. § 414.0325, the Amended Resolution Accepting Petition and Approving Annexation Under OA-276 Sartell/LeSauk Township Parcel #17.09054.0000 (City Resolution 2025-68) has been reviewed and is approved.

2. Pursuant to the terms of the Joint Resolution, as amended, the Amended Resolution Accepting Petition, and this Order, the Subject Property is **ANNEXED** to the City.

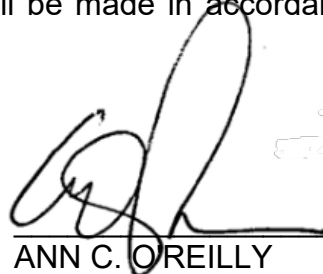
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<sup>27</sup> The Amended Resolution that was filed on October 28, 2025, contained a minor error in the legal description (Exhibit A). As a result, the City corrected the error and refiled the Amended Resolution on November 5, 2025. The correction changed the word "commending" to "commencing" in the legal description.

<sup>28</sup> See email correspondence between Administrative Law Judge and Kari Haakonson regarding notice to the Township (Nov. 12, 2025), on file and of record with the Court of Administrative Hearings.

3. Pursuant to the agreement of the parties, and as allowed by Minn. Stat. § 414.036 (2024), reimbursements shall be made in accordance with the terms of the Restated Joint Resolution.

Dated: November 13, 2025

  
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ANN C. O'REILLY  
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 (2025). However, no request for amendment shall extend the time of appeal from this Order.