

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF MANKATO)
AND MANKATO TOWNSHIP PURSUANT TO)
MINNESOTA STATUTES 414)

ORDER

WHEREAS, a joint resolution for orderly annexation was adopted by the City of Mankato and Mankato Township; and

WHEREAS, a resolution was received from the City of Mankato indicating their desire that certain property be annexed to the City of Mankato pursuant to M.S. 414.0325; and

WHEREAS, M.S. 414.0325 states that in certain circumstances the Chief Administrative Law Judge may review and comment, but shall within 30 days order the annexation pursuant to said subdivisions; and

WHEREAS, on May 15, 2008, the Chief Administrative Law Judge reviewed and accepted the resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the joint resolution to the City of Mankato, Minnesota, the same as if it had originally been made a part thereof:

That part of the Northeast Quarter of the Southwest Quarter of Section 10 Township 108 North Range 26 West, Blue Earth County, Minnesota described as:

Beginning at the southwest corner of the Northeast Quarter of the Southwest Quarter of said Section 10; thence North 89 degrees 16 minutes 35 seconds East, (Minnesota County

Coordinate System - Blue Earth County Zone - NAD83 - 1986), along the south line of the Northeast Quarter of the Southwest Quarter of Section 10, a distance of 1329.40 feet to the southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 10; thence North 00 degrees 10 minutes 11 seconds West, along the east line of the Northeast Quarter of the Southwest Quarter of said Section 10 a distance of 1198.90 feet to the point of intersection with the southerly right of way line of Trunk Highway No. 14 according to the Minnesota Department of Transportation Right of Way Plat No. 07-42, on file and of record with the Blue Earth County Recorder, as evidenced by Monument B10 according to said Right Of Way Plat, said point being on a circular curve which center of radius bears North 03 degrees 14 minutes 32 seconds East; thence westerly along said southerly highway right of way line, along a 7739.44 foot radius curve, central angle = 04 degrees 10 minutes 32 seconds, an arc distance of 546.02 feet to Monument B11 according to said Right Of Way Plat; thence North 82 degrees 34 minutes 56 seconds West, along said southerly highway right of way line, along the tangent of said curve, 455.38 feet to the point of intersection with the north line of the Northeast Quarter of the Southwest Quarter of said Section 10, as evidenced by Monument B12 according to said Right Of Way Plat; thence South 89 degrees 20 minutes 10 seconds West, along said north line and along said southerly highway right of way line, a distance of 314.73 feet to the northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 10; thence South 00 degrees 05 minutes 12 seconds East, along the west line of the Northeast Quarter of the Southwest Quarter of said Section 10, a distance of 1323.26 feet to the point of beginning. Containing 38.75 acres.

IT IS FURTHER ORDERED: That pursuant to Minn. Stat. 414.036, Mankato Township will be reimbursed by the City of Mankato in accordance with the terms of the Joint Resolution signed by the City of Mankato and Mankato Township on February 3, 1995.

Dated this 15th day of May, 2008.

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



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustment

MEMORANDUM

In ordering the annexation contained in Docket No. OA-357-88, the Chief Administrative Law Judge finds and makes the following comment:

Article XII states the agreement shall expire within 20 years unless an extension is requested by the parties in writing. End dates or ending mechanisms are problematic in that they appear to run afoul of the act of conferring jurisdiction to the Chief Administrative Law Judge. See Section II. Once jurisdiction is conferred, it cannot be taken away by written consent of the parties. Jurisdiction ends when all the designated area is annexed. The issue whether jurisdiction could be “given back” by the Chief Administrative Law Judge upon written request of the parties to the agreement to mutually end their agreement has not been addressed.

The parties are encouraged to consider this comment in light of any further amendments that may be otherwise necessary to this agreement for orderly annexation.

A handwritten signature in cursive script, likely belonging to the Chief Administrative Law Judge, is located at the bottom right of the page.