

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION) A M E N D E D
 AGREEMENT BETWEEN THE CITY OF MONTEVIDEO)
 AND THE TOWN OF SPARTA PURSUANT TO) ORDER
 MINNESOTA STATUTES 414)

WHEREAS, a joint resolution for orderly annexation was adopted by the City of Montevideo and the Town of Sparta; and

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

WHEREAS, M.S. 414.0325 states that in certain circumstances the Director of Strategic and Long Range Planning may review and comment, but shall within 30 days order the annexation pursuant to said subdivisions; and

WHEREAS, Reorganization Order No. 192, effective March 8, 2005, has transferred the duties of the Director to the Chief Administrative Law Judge.

WHEREAS, on July 13, 2005, 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 Montevideo, Minnesota, the same as if it had originally been made a part thereof:

Tract 1: That part of the Northeast Quarter (NE¼) of Section Thirteen (13), Township One hundred seventeen (117), Range Forty-one (41), described as follows, to-wit: Beginning at a point 397.25 feet West and 424 feet South at right angles

from the Northeast corner of said Section 13 which is the true point of beginning; thence continuing South 112 feet; thence West at right angles 30 feet; thence North at right angles 112 feet; thence East at right angles 30 feet to the point of beginning; (Parcel No. 13-213-1140) *1.04 acres*

AND

Tract 2: That part of the Northeast quarter (NE $\frac{1}{4}$) of Section Thirteen (13), Township One hundred seventeen (117), Range Forty-one (41) described as follows: Beginning at a point 397.25 feet west and 33 feet South of the Northeast corner of said Section 13 which is the true point of beginning; thence west 30 feet parallel with the north line of said Section 13; thence south at right angles 391 feet to an iron stake; thence east at right angles parallel to the north line of said section 30 feet; thence north 391 feet to the place of beginning; (Parcel No. 13-213-1135) *1.50 acres*

AND

Tract 3: That part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Thirteen (13), Township One Hundred Seventeen (117) North, Range Forty-one (41) West, lying within the following described lines:

From the northeast corner of said Section 13, N 90° 00' W along the north line of said Section 13, 427.75 feet, thence S 00° 00' W, 183.0 feet to the point of beginning:

From said point of beginning S 90° 00' W, 154.75 feet, thence S 00° 00' E, 468.00 feet, thence S 90° 00' E, 154.75 feet, thence N 00° 00' W 468.00 feet more or less to the point of beginning; said tract containing 1.663 acres, more or less. (Parcel No. 13-213-1115)

AND

Tract 4: That part of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirteen (13), Township One Hundred Seventeen (117) North, Range Forty-one (41) West, and the Northwest Quarter (NW $\frac{1}{4}$) of Section Eighteen (18), Township One Hundred Seventeen (117) North, Range Forty (40) West, described as follows: beginning at a point that is 397.25 feet West and 536 feet South, at right angles *1.80 acres*

from the northeast corner of said Section 13; thence continue South 115 feet; thence West at right angles, a distance of 175 feet to a road running North and South providing access to County State Aid Highway No. 15; thence South at right angles a distance of 60 feet; thence East, at right angles on a line that is 175 feet South of, and parallel to, the North line of said Northeast Quarter of Section 13, a distance of 943.2 feet, more or less, to the Westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence Northwesterly along said Westerly right-of-way line to the point of intersection with a line that is 536 feet South of, and parallel to, the North line of said Northeast Quarter of Section 13; thence West, on a line that is 536 feet South of and parallel to the North line of said Northeast Quarter of Section 13, a distance of 616 feet to the point of beginning. Less a parcel described as follows: beginning at a point that is 397.25 feet West and 536 feet South, at right angles, from the Northeast corner of said Section 13, and then East 553.4 feet, at right angles, to the point of beginning; thence continue East 62.6 feet to the westerly right-of-way line of the said Railroad; thence Southeasterly along said right-of-way a distance of 24 feet; thence Southwesterly at right angles a distance of 44 feet, thence Northwesterly at right angles a distance of 64 feet to the point of beginning; (Parcel No. 13-213-1145)

AND

Tract 5: That part of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirteen (13), Township One Hundred Seventeen (117), Range Forty-one (41), and the Northwest Quarter (NW $\frac{1}{4}$) of Section Eighteen (18), Township One Hundred Seventeen (117), Range Forty (40) described as follows, to-wit: Beginning at a point 397.25 feet west and 33 feet south of the northeast corner of Section Thirteen (13), which is the true point of beginning; thence west 30 feet parallel with the north line of said Section Thirteen (13); thence south at right angles 391 feet to an Iron stake; thence east at right angles parallel to the north line of said section

481 feet to an iron stake; thence north 48 degrees 19 minutes west 225 feet; thence west parallel to the north line of said section 285 feet; thence north 241 feet to the place of beginning.

AND

That part of the Southeast Quarter of the Southeast Quarter of Section 12, Township 117 North, Range 41 West of the Fifth Principal Meridian, Sparta Township (West Part) Chippewa County, Minnesota, described as follows:

Commencing at the southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 12; thence on an assumed bearing of East, along the South line of said Section 12, a distance of 620.00 feet; thence on a bearing of North 31 degrees 00 minutes 00 seconds West a distance of 590.83 feet to the point of beginning of the land to be described; thence continuing on a bearing of North 31 degrees 00 minutes 00 seconds West a distance of 189.17 feet; thence on a bearing of North 59 degrees 00 minutes 00 seconds East a distance of 70.00 feet; thence on a bearing of North 31 degrees 00 minutes 00 seconds West a distance of 200.00 feet; thence on bearing of North 59 degrees 00 minutes 00 seconds East a distance of 276.67 feet to the southwesterly line of the original 100 foot wide railroad right of way; thence southeasterly 397.49 feet along a non-tangential curve concave to the northeast, having a radius of 2,914.93 feet and a central angel of 7 degrees 48 minutes 47 seconds and a chord bearing of South 24 degrees 55 minutes 37 seconds East; thence on a bearing of South 60 degrees 05 minutes 15 seconds West a distance of 304.70 feet to the point of beginning. (Parcel No. 12-212-4465) *2.62 acres*

AND

Tract 6: A tract in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Thirteen (13), Township One Hundred Seventeen (117) North, Range Forty-one (41) West, described as follows: beginning 397.25 feet West and 424 feet South of the Northeast corner; thence West 29.99 feet;

East

thence South 227 feet; thence ~~West~~ 30.5 feet, thence North 227 feet to the point of beginning.

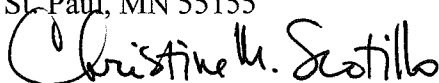
Tract 1:

Being that part of the Northeast Quarter (NE¼) of Section Thirteen (13), Township One Hundred Seventeen (117), Range Forty-One (41) and of the Northwest Quarter (NW¼) of Section Eighteen (18), Township One Hundred Seventeen (117), Range Forty (40) described as follows: Beginning at a point that is 397.25 feet west and 424 feet south, at right angles, from the northeast corner of said Section 13; thence continue south 112 feet; thence east, at right angles, 616 feet to the westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence northwesterly along said right-of-way line 110.4 feet; thence southwesterly at right angles 41.5 feet; thence northwesterly on a line that bears North 48 degrees 19 minutes West, a distance of 82.5 feet; thence west 451 feet to point of beginning, containing 1.04 acres in Section 13, Township 117, Range 41 and 0.35 acres in Section 18, Township 117, Range 40, excepting therefrom that triangular parcel of land to Range 40 West, which has been previously conveyed to the Northern States Power Company by Warranty Deed dated December 23, 1957, and more particularly described as follows: Beginning at a point that is Three Hundred Ninety-Seven and Twenty-Five Hundredths (397.25) feet west and Four Hundred Twenty-Four (424.0) feet south, at right angles from the northeast corner of Section Thirteen (13), Township One Hundred Seventeen (117) North, Range Forty-One (41) West and then east Four Hundred Fifty-One (451.0) feet, at right angles to the point of beginning; thence south a distance of Fifty-Eight (58.0) feet (which line is parallel to and One and Five Tenths (1.5) feet east of an existing fence of the Farmers Union Oil Co. Of Montevideo); thence east 87 degrees 21' north a distance of Sixty-one and One-Tenth (61.1) feet; thence northwesterly Eighty-Two and Five Tenths (82.5) feet to the point of beginning.

IT IS FURTHER ORDERED: That the tax rate of the City of Montevideo on the property herein ordered annexed shall be increased in substantially equal proportions over a period of six years to equality with the tax rate of the property already within the city.

Amended order dated this 6th day of September, 2005.

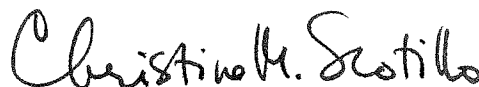
For the Chief Administrative Law Judge
658 Cedar Street - Room 300
St. Paul, MN 55155



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

Dated this 13th day of July, 2005.

For the Chief Administrative Law Judge
658 Cedar Street - Room 300
St. Paul, Minnesota 55155



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-436-7, the Chief Administrative Law Judge finds and makes the following comment:

Planning in the area designated for orderly annexation must be provided for by one of three provisions set forth in Minnesota Statutes Section 414.0325, Subd. 5. The joint resolution does not make reference to which of the three statutory provisions the parties have agreed on to govern planning in the designated area.

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.

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