

OA-493/OA-493-1 Sauk Rapids/Sauk Rapids Township  
OA-574 Sartell/Sauk Rapids Township

BEFORE THE MUNICIPAL BOARD  
OF THE STATE OF MINNESOTA

Andrew D. Hultgren	Chair
Paul B. Double	Vice Chair
Charles W. DeVore	Vice Chair

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IN THE MATTER OF THE ORDERLY ANNEXATION	)	
AGREEMENT BETWEEN THE CITIES OF SARTELL	)	<u>ORDER AND</u>
AND SAUK RAPIDS AND THE TOWN SAUK RAPIDS	)	<u>MEMORANDUM</u>
PURSUANT TO MINNESOTA STATUTES 414	)	

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WHEREAS, a Joint Resolution was filed on July 10, 1997 for orderly annexation of certain lands from the Town of Sauk Rapids to the City of Sauk Rapids (Municipal Board Docket No. OA-493/OA-493-1); and

WHEREAS, a Mutual Settlement Agreement dated August 13, 1998 for orderly annexation was adopted by the Cities of Sartell and Sauk Rapids and the Town of Sauk Rapids; and

WHEREAS, said Mutual Settlement Agreement amends the previous Joint Resolution between the City of Sauk Rapids and the Town of Sauk Rapids (Municipal Board Docket No. OA-493) and requests that certain property be annexed to said city pursuant to Minnesota Statutes Section 414.0325, subd. 1(Municipal Board Docket No. OA-493-1); and

WHEREAS, said Mutual Settlement Agreement also contains a Joint Agreement for the designation of certain lands in the Town of Sauk Rapids for orderly annexation to the City of

Sartell (Municipal Board Docket No. OA-574); and

WHEREAS, Minnesota Statutes Section 414.0325 states that in certain circumstances the Minnesota Municipal Board may review and comment, but shall within 30 days order the annexation of land pursuant to said subdivision; and

WHEREAS, said Joint Resolution states that no consideration by the Board is necessary, the Board may review and comment, but shall within 30 days, order the annexation in accordance with the agreement; and

WHEREAS, on August 13, 1998, the Minnesota Municipal Board has reviewed and accepted the Joint Resolution for orderly annexation and amendment thereto for Municipal Board Docket No. OA-493 and OA-493-1; and

WHEREAS, on August 13, 1998, the Minnesota Municipal Board has reviewed and accepted the Joint Resolution for orderly annexation thereto for Municipal Board Docket No. OA-574.

IT IS HEREBY ORDERED: That the following described property is hereby annexed to the City of Sauk Rapids the same as if they had originally been made a part thereof:

The West Half of the Northwest Quarter (W1/2 of the NW1/4), of Section 11, Township 36 North, Range 31 West of the Fourth Principal Meridian, lying Easterly of the easterly right-of-way line of Highway No. 10. The description contains approximately 65.95 acres.

IT IS FURTHER ORDERED: That the parties have agreed that these orders shall include a provision requiring them to fulfill the terms of the Mutual Settlement Agreement. To the extent that the Board has the authority to so order, it shall be so ordered with the

understanding that the constitutional rights of any person or entity shall not be affected.

IT IS FURTHER ORDERED: That the effective date of this order is August 13, 1998.

Dated this 12<sup>th</sup> day of October , 1998.

MINNESOTA MUNICIPAL BOARD  
Suite 225 Bandana Square  
1021 Bandana Boulevard East  
St. Paul, MN 55108-5113

  
Christine M. Scotillo  
Executive Director

## MEMORANDUM

The first of the docketed files referenced above was filed with the Minnesota Municipal Board in 1997. Since then, additional proceedings by property owners, the Cities of Sartell and Sauk Rapids, and the Town of Sauk Rapids for substantially the same area were filed and are pending before the Board. Some of these files are contested matters.

As this area dispute evolved, the Municipal Board has continued hearings, consolidated proceedings, and required meetings in an effort to allow the parties opportunity to resolve their border disputes locally. At the same time, however, the Municipal Board procedures provided a necessary structure and timeline for these discussions.

On August 13, 1998, the Municipal Board received a Mutual Settlement Agreement from the Cities of Sartell and Sauk Rapids, Sauk Rapids Township and the Poganski Family Trust, resolving contested boundary issues, which is designed to dispose of the petitions currently pending before the Municipal Board.

It is apparent that the parties have labored hard to achieve this measure of consensus regarding their mutual border disputes. Such an agreement will certainly advance the public interest in stabilizing these communities to facilitate the planning and management of growth in this area.

The Municipal Board congratulates the parties on their work and reminds them that continued success and cooperation among the parties will depend upon the faithful adherence to the provisions of the Mutual Settlement Agreement to which they have agreed.

The Board commends the participants and the respective governing bodies for their hard work on this agreement.

The citizens of your area will benefit from your cooperation and foresight and the citizens of other communities will benefit from your example. Congratulations!

A handwritten signature in cursive script, likely belonging to a member of the Municipal Board, is located at the bottom right of the document.