

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE ORDERLY ANNEXATION )  
AGREEMENT BETWEEN THE CITY OF KASSON )  
AND THE TOWN OF MANTORVILLE PURSUANT TO )  
MINNESOTA STATUTES 414 )  
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ORDER

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

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

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 of land 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; and

WHEREAS, on May 12, 2005, the Chief Administrative Law Judge has 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 Kasson, Minnesota, the same as if it had originally been made a part thereof:

That part of the Northeast Quarter of the Northwest Quarter and of the South One-Half of the Northwest Quarter of Section 34, Township 107 North, Range 16 West, Dodge County, Minnesota described as follows: Commencing at the northwest corner of the

Northwest Quarter of said Section 34; thence S01°07'04"E, assumed bearing, along the west line of said Northwest Quarter, 508.02 feet; thence N88°52'56"E, 1107.56 feet; thence S01°07'04"E, 995.91 feet for a point of beginning; thence N79°17'00"E, 1537.49 feet to the east line of said Northwest Quarter; thence S00°31'17"E, along said east line, 489.91 feet to the north right of way line of the Dakota, Minnesota, and Eastern Railroad; thence S79°17'00"W, along said right of way line, 1532.32 feet; thence N01°07'04"W, 489.02 feet to the point of beginning. Containing 16.99 acres, more or less.

And:

Commencing at the northeast corner of the Northwest Quarter of said Section 34; thence S00°31'17"E, assumed bearing, along the east line of said Northwest Quarter, 1783.39 feet to the south right of way line of the Dakota, Minnesota, and Eastern Railroad for a point of beginning; thence S79°17'00"W, along said right of way line, 1702.01 feet; thence S00°47'07"W, 271.35 feet to the northwest corner of Blaine-Scott Subdivision No. 1; thence N89°43'09"E, along the north line of said Subdivision, 1681.34 feet to the east line of said Northwest Quarter; thence N00°31'17"W, along said east line, 579.60 feet to the point of beginning. Containing 16.38 acres, more or less.

Containing in all 33.37 acres, more or less.

and

- A 60 x 200 foot parcel, from the north boundary line of Blaine-Scott Subdivision No. 1 to the north boundary of County State Aid Highway #34, platted as 5th St. on Blaine-Scott Subdivision No. 1. Said right-of-way contains .28 acres more or less.

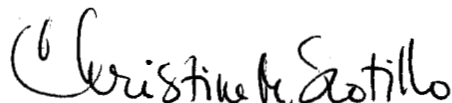
And:

- A 60 x 200 foot parcel, from the north boundary line of Blaine-Scott Subdivision No. 1, to the north boundary of County State Aid Highway #34, platted as 1st St. on Blaine-Scott Subdivision No. 1. Said right-of-way contains .28 acres more or less.

Total right-of-way contains .56 acres more or less.

Dated this 12<sup>th</sup> day of May, 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-807-10, the Chief Administrative Law Judge finds and makes the following comment:

Paragraph 4 states the agreement shall be in effect for five years. 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. Paragraph 3. 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. *CWS*