

STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of Certain
Real Property to the City of St. Cloud from
St. Joseph Township
(MBAU Docket A-8543)

**ORDER APPROVING
ANNEXATION ORDINANCE**

This matter comes before Administrative Law Judge Ann C. O'Reilly based upon the request by the City of St. Cloud (City) for approval of its annexation by ordinance of certain real property from St. Joseph Township (Township) pursuant to Minn. Stat. § 414.033, subd. 2(3) (2024). The City initiated this action with the Court of Administrative Hearings on December 17, 2025. The record closed on January 27, 2026, the date of filing of all required or requested documents.

Anderson Parcel

On or about August 11, 2025, Scott Anderson and Rollis Anderson executed and submitted a Petition for Annexation to the City (Anderson Petition), requesting that the City annex certain real property from the Township, legally described as follows:

That part of the North Half of the Northeast Quarter (N1/2 NE1/4) of Section Thirteen (13), Township One Hundred Twenty-four (124), Range Twenty-nine (29), Stearns County, Minnesota, which lies Northerly of the following described line:

Beginning at the intersection of the West line of said North Half of the Northeast Quarter (N1/2 NE1/4) with a line drawn parallel with and 150 feet Northeasterly of, measured at right angles to, Line 1 described hereafter; thence Southeasterly to a point distant 150 feet Northeasterly (measured at right angles) from a point on said Line 1, distant 1,200 feet Southeasterly of its point of termination; thence run Southeasterly to a point distant 100 feet Northeasterly (measured at right angles) from the point of beginning of Line 2 described hereafter; thence Southeasterly along a line drawn parallel with and 100 feet Northeasterly of said Line 2 to the East line of said North Half of the Northeast Quarter (N1/2 NE1/4) and there terminating.

Line 1: Beginning at a point on the East line of said Section Thirteen (13), distant 1,087 feet North of the East Quarter corner thereof; thence run Northwesterly at an angle of 66 degrees and 33 minutes with said East Section line for 3,074 feet and there terminating.

Line 2: From a point on the above described line (Line 1), distant 1,272.1 feet Southeasterly of its point of termination, run Northeasterly at right angles with said above described line for 75 feet; thence deflect to the right at an angle of 90 degrees for 100 feet to the point of beginning of the line to be described; thence deflect to the left on a 00 degrees 30 minutes curve (delta angle 02 degrees 03 minutes) for 410 feet; thence on tangent to said curve for 620.6 feet; thence deflect to the right on a 00 degrees 29 minutes 47 seconds curve (delta angle 2 degrees 03 minutes) for 413 feet; thence on tangent to said curve for 300 feet and there terminating;

together with all hereditaments and appurtenances belonging thereto.

Property Identification (PID) Number: 31.20810.0000

(hereafter referred to as the Anderson Parcel).

At the time the Anderson Petition was filed, the owners of record for the Anderson Parcel are the Scott D. Anderson Revocable Trust and the Rollis H. Anderson Family Limited Partnership, LLLP.¹

The Anderson Petition was executed by Scott D. Anderson and Rollis H. Anderson. Scott D. Anderson is the Trustee of the Scott D. Anderson Revocable Trust. Rollis H. Anderson is the principal of the Rollis H. Anderson Family Limited Partnership.

Bechtold Parcel

Between March 18 and April 4, 2025, Gary Bechtold, Marcella Bechtold, and Leonard Bechtold executed, and later submitted, a Petition for Annexation to the City (Bechtold Petition), requesting that the City annex certain real property from the Township, legally described as follows:

That part of the South Half of the Southeast Quarter (S1/2 SE1/4) of said Section 12, Township 124 North, Range 29 West, Stearns County, Minnesota lying southerly of the northerly right of way boundary of Stearns County Highway Number 134, as depicted on STEARNS COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 4, according to the recorded plat thereof, Stearns County, Minnesota.

PID No: 31.20803.0000

(hereafter referred to as the Bechtold Parcel).

¹ See property tax record search for PID No. 31.20810.0000 (Jan. 20, 2026), on file and of record with the Court of Administrative Hearings. On or about December 31, 2026, the Anderson Parcel was transferred to Stearns County. (See Warranty Deed and Trustee's Deed, both dated Dec. 31, 2026, on file and of record with the Court of Administrative Hearings.)

At the time that the Bechtold Petition was executed, the owners of record for the Bechtold Parcel were Leonard and Marcella Bechtold and the Bechtold Family Limited Partnership.²

The Bechtold Petition was executed by Gary Bechtold, the general partner of the Bechtold Family Limited Partnership, and Marcella and Leonard Bechtold.

The Anderson Parcel and the Bechtold Parcel shall be referred to herein as the Subject Properties.

On November 12, 2025, the City served written notice³ to the Township and all landowners within and contiguous to the Subject Properties to be annexed. Thirty days later, on December 15, 2025, the City held a public hearing, as required by Minn. Stat. § 414.033, subd. 2b (2024), on the proposed annexation.⁴ After the hearing, the City adopted Ordinance No. 2982 (Ordinance) annexing the Subject Properties from the Township, pursuant to Minn. Stat. § 414.033, subd. 2(3).⁵

The Ordinance confirms that: (1) the Subject Properties are unincorporated and abut the City; (2) the Subject Properties consist of 120 acres or less; (3) the Subject Properties are not presently served by public wastewater facilities and public wastewater facilities are not otherwise available to the Subject Properties; (4) the City received petitions for annexation from all owners of the Subject Properties; and (5) the Subject Properties are not in a floodplain.⁶ The City has further confirmed that the Subject Property is not contiguous to any property either simultaneously proposed to be, or previously annexed, under Minn. Stat. § 414.033 within the preceding 12 months.⁷ In addition, Minn. Stat. § 414.033, subd. 14 (2024) is not applicable because there will be no change in the electric utility service provider resulting from the annexation.⁸ The purpose of the annexation is to facilitate the extension of city services for construction of public facilities on the Subject Properties.⁹

² On or about December 17, 2026, the Bechtold Parcel was transferred to Stearns County. (See Limited Warranty Deed dated Dec. 17, 2026, on file and of record with the Court of Administrative Hearings.)

³ It does not appear that the Notice were served by certified mail.

⁴ St. Cloud Ordinance No. 2982.

⁵ *Id.*

⁶ *Id.*

⁷ The Subject Properties were previously included in an Orderly Annexation Agreement between St. Joseph Township and the City of St. Joseph dated November 19, 2018. [This Orderly Agreement was originally executed in 2006 and amended in 2010 and 2015, with the 2018 agreement being the new version of the agreement, amended in 2014 to remove a property.] See Joint Resolution for Designation of an Area of Orderly Annexation and for Designation of an Area for Immediate Annexation Pursuant to Minn. Stat. § 141.0325, on file and on record with the Court of Administrative Hearings. Pursuant to *In re the Matter of the Annexation of Certain Real Property to City of Proctor from Midway Township*, 925 N.W.2d 216 (Minn. 2019), an orderly annexation agreement under Minn. Stat. § 414.0325 does not preclude otherwise lawful annexations by ordinance under Minn. Stat. § 414.033 by non-parties to the agreement. The owners of the Subject Properties were not parties to the Orderly Annexation Agreement between St. Joseph Township and the City of St. Joseph.

⁸ St. Cloud Ordinance No. 2982.

⁹ *Id.*

On December 31, 2025, Justin Roberts, a Research Analysis Specialist with the Minnesota Department of Transportation approved the legal descriptions of the Subject Properties as accurate.¹⁰

Based upon a review of the Petitions for Annexation, the Ordinance, the legal descriptions of the Subject Properties, the documentation of the required notice and hearing, the representations from the City, and all files of record, the Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.033 (2024), the Ordinance is deemed adequate and properly supports this Order.
2. The City has complied with all notice and hearing requirements of Minn. Stat. § 414.033, subd. 2b (2024).
3. The legal descriptions of the Subject Property have been reviewed and approved by the Minnesota Department of Transportation as accurate.
4. Pursuant to the terms of the Ordinance and this Order, the Subject Properties are **ANNEXED** to the City.
5. Pursuant to the agreement of the parties and as allowed by Minn. Stat. §§ 414.033, subd. 12 and .036 (2024), property taxes and special assessments shall be paid as set forth in the Ordinance.
6. The City must file a copy of the Annexation Ordinance with the Township, the Stearns County Auditor, and the Secretary of State as required by Minn. Stat. § 414.033, subd. 7 (2024).

Dated: February 3, 2026



ANN C. O'REILLY
Administrative Law Judge

¹⁰ Email from Justin Roberts to Court of Administrative Hearings (Dec. 31, 2025), on file and of record with the Court of Administrative Hearings.

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.033, .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.