

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF JACKSON) AMENDED
AND DES MOINES TOWNSHIP PURSUANT TO) ORDER
MINNESOTA STATUTES 414)

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

WHEREAS, a resolution was received from the City of Jackson indicating their desire that certain property be annexed to the City of Jackson 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 July 23, 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 Jackson, Minnesota, the same as if it had originally been made a part thereof:

1. In the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Des Moines Township, tracts owned and described as follows:

Mindeer The South 620 feet of the East 800 feet of said SE $\frac{1}{4}$, *except* the South 328 feet of the West 250 feet of said tract (containing 9.49 acres, more or less):

Bosshart The South 328 feet of the West 770 feet of said SE $\frac{1}{4}$ (containing
5.8 acres, more or less):

2. In the E $\frac{1}{2}$ of Section 13, Des Moines Township, tracts owned and described as follows:

JED TSE: That part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 13 described as follows: beginning at a point on the centerline of CSAH 38 that is South 01°20'40" East, assumed bearing, 1,997.90 feet along the east line of said Section 13 and South 88°02'50" West 1,688.26 feet from the northeast corner of said Section 13, thence South 88°02'50" West along said centerline 322.70 feet; thence North 01°20'40" West 675.00 feet to the south right-of-way line of Interstate Hwy. I-90; thence North 88°02'50" East, along said right-of-way line, 322.70 feet; thence South 01°20'40" East 675.00 feet to the centerline of CSAH 38 and the point of beginning (containing 5.00 acres \pm);

AGCO Training Center & "Candy Co." Tracts: Tracts bounded as follows: on the North by the south right-of-way line of Interstate Hwy. I-90; on the East by the east line of the NE $\frac{1}{4}$ of said Section 13; on the South by the centerline of CSAH 38; and on the West by a line parallel with and South 88°02'50" West 1,171.56 feet of the east line of said NE $\frac{1}{4}$ (containing 18.154 acres \pm); and

AGCO &

PIONEER Main Plants - South of C/L CSAH 38: Commencing at a point where the centerline of CSAH 38 intersects the east line of the NE $\frac{1}{4}$ of said Section 13, running thence South along the east section line 2,191.34 feet, more or less, to the northeast corner of a tract owned by FCA and already within the corporate limits of the City; thence North 89°49'00" West 265.00 feet along the existing corporate limit line; thence South 00°02'20" West 440.00 feet along the existing corporate limit line; thence North 89°49'00" West 444.50 feet along the existing corporate limit line to a point on the existing northerly railroad right-of-way line; thence Northwesterly along said northerly railroad right-of-way line to its point of intersection with the south line of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 13; thence West along said south line N $\frac{1}{2}$ SE $\frac{1}{4}$ to the existing southerly railroad right-of-way line; thence Southeasterly along said existing southerly railroad right-of-way line to its point of intersection with the westerly line of Ashley and Moore's Second Addition to the Village (now City) of Jackson, as platted; thence South 30°29'14" West 824.92 feet, more or less, along said westerly line as platted to its point of intersection with south line of the SE $\frac{1}{4}$ of said Section 13; thence Westerly 1,322.84 feet, more or less, along said south line SE $\frac{1}{4}$ to the southwest corner of said SE $\frac{1}{4}$; thence North 00°00'08" East, assumed bearing, along the quarter line 2,336.9 feet, more or less, to the southwest corner of a JED tract already

within the corporate limits of the City; thence South 89°49'00" East 767.16 feet, more or less, along the existing corporate limit line and the south line of said JED tract to the southeast corner thereof; thence North 00°01'50" East 911.17 feet, more or less, along the existing corporate limit line to the centerline of CSAH 38; thence Easterly 1,908.57 feet, more or less, along the centerline of CSAH 38 to the point of commencement (containing 162.16 acres ±).

~~3. In the SW¼ of Section 13, Des Moines Township, the tract owned and described as follows:~~

~~Torgerson Farm: All that part of the SW¼ of said Section 13 not already within the corporate limits of the City (containing 127.00 acres ±).~~

IT IS FURTHER ORDERED: That pursuant to Joint Resolution No. 022-408, signed by the City of Jackson on April 1, 2008 and the Town of Des Moines on March 11, 2008, no reimbursement shall be made to the township pursuant to Minn. Stat. 414.036.

IT IS FURTHER ORDERED: That the tax rate of the City of Jackson on the property herein ordered annexed shall be increased in substantially equal proportions over a period of 6 years to equality with the tax rate of the property already within the city.

Dated this 23rd day of July, 2008.

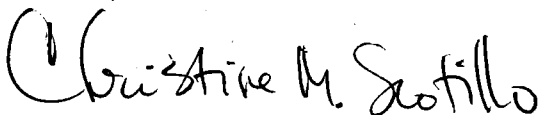
For the Chief Administrative Law Judge
P. O. Box 64620
St. Paul, Minnesota 55164-0620



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustment

Amended order dated this 30th day of July, 2008.

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



Christine M. Scotillo,
Executive Director
Municipal Boundary Adjustments

OA-1405-1 Jackson

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1405-1, the Chief Administrative Law Judge finds and makes the following comment:

Minnesota Statutes Section 414.0325 Subd. 5 requires that a joint resolution provide for planning controls for the designated area. The joint resolution does not address what provisions the parties have agreed upon 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.

CMS