

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF LINDSTROM) FINDINGS OF FACT
AND CHISAGO LAKE TOWNSHIP PURSUANT TO) CONCLUSIONS OF LAW
MINNESOTA STATUTES 414) AND ORDER

The joint resolution for orderly annexation submitted by the City of Lindstrom and Chisago Lake Township was reviewed for conformity with applicable law. The undersigned Assistant Chief Administrative Law Judge, acting under a delegation from the Chief Administrative Law Judge, hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On October 22, 2009, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on August 20, 2009, and by the Township on September 15, 2009, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on September 24, 2009.

2. The joint resolution requests the designation and immediate annexation of certain property to the City of Lindstrom described as follows:

WESTMAN PROPERTY – 27938 LAKELAWN DRIVE

PID #02.01418.00 – Lot 2, Block 1, Lakelawn Terrace, according to the recorded plat thereof, Chisago County, Minnesota.

LEVERTON/JASICK PROPERTY – 28015 LAKELAWN DRIVE

PID #02.01395.00 – Lot 3, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

PID #02.01396.00 – Lot 4, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

PID #02.01397.00 – Lot 5, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

PID #02.01398.00 – Lot 6, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

CUNNINGHAM PROPERTY – 27985 LAKELAWN DRIVE

PID #02.01401.00 – Los 9 and 10 , Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

WESTLUND PROPERTY – 27953 LAKELAWN DRIVE

PID #02.01404.00 – Lot 13, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

PID #02.01405.00 – Lot 14, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

BETHKE PROPERTY – 27905 LAKELAWN DRIVE

PID #02.01408.00 – Lot 18, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

FELIX PROPERTY – 27895 LAKELAWN DRIVE

PID #02.01409.00 – Lot 19, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota, and Lot 20, Block 1, Lakelawn Beach except the southerly 10 feet thereof.

MAROTZKE PROPERTY – 27875 LAKELAWN DRIVE

PID #02.01410.00 – The southerly 10 feet of Lot 20, Block 1, Lakelawn Beach, and Lots 21 to 23 inclusive, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

ANDERSON PROPERTY – 27819 LAKELAWN DRIVE

PID #02.01414.00 – Lot 28, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

ZAUN/HART PROPERTY – 27815 LAKELAWN DRIVE

PID #02.01416.00 – Lot 30, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

PID #02.00123.10 – That part of Government Lot Three (3), Section Sixteen (16), Township Thirty-three (33) North, Range Twenty (20) West, Chisago County, Minnesota, described as follows: Beginning at the most southerly corner of Lot Thirty (30) of the recorded plat of Lakelawn Beach; thence South 31 degrees 20 minutes East, plat bearing along the southeasterly extension of the southwesterly line of Lot 30, a distance of 20 feet; thence North 58 degrees 40 minutes East, a distance of 150 feet, more or less, to the shoreline of Kroon Lake; thence northwesterly, along said shoreline 20 feet, more or less, to the southeasterly line of Lot 30; thence south 58 degrees 40 minutes West, along said southeasterly line, a distance of 150 feet, more or less, to the point of beginning.

DI GIOIA/ROBERTS PROPERTY – 27834 LAKELAWN DRIVE

PID #02.00123.00 – That part of Government Lot Three (3), Section Sixteen (16), Township Thirty-three (33) North, Range Twenty (20) West, Chisago County, Minnesota, lying southerly of the recorded plat of LAKELAWN TERRACE and the following described line: Commencing at the most southerly corner of Lakelawn Drive as dedicated on said plat of LAKELAWN TERRACE; thence North 58 degrees 04 minutes 23 seconds East, plat bearing along the southeasterly line of Lakelawn Drive, 66.00 feet to the point of beginning of the line to be described; thence North 64 degrees 08 minutes 43 seconds East, 47.26 feet; thence North 58 degrees 04 minutes 23 seconds East, 103 feet, more or less, to the shoreline of Kroon Lake and there terminating.

AND

That part of said Lot Three (3), Block One (1), Lakelawn Terrace, lying southeasterly of the following described line: Beginning at the northeasterly corner of said Lot Three (3); thence South 50 degrees 12 minutes 21 seconds West, 231.36 feet, more or less, to a point on the southwesterly line of said Lot Three (3), and said line there terminating.

3. Minnesota Statutes §414.0325, subd. 1(h) states that in certain circumstances the

Chief Administrative Law Judge may review and comment, but shall within 30 days order the annexation pursuant to the terms of a joint resolution for orderly annexation.

4. The joint resolution contains all the information required by Minnesota Statutes §414.0325, subd. 1(h), including a provision that the Chief Administrative Law Judge may review and comment but shall order the annexation within 30 days in accordance with the terms of the joint resolution.

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has duly acquired and now has jurisdiction of the within proceeding.

2. An order should be issued by the Chief Administrative Law Judge annexing the area described herein.

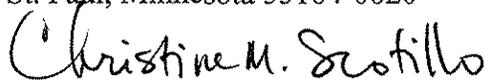
ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Lindstrom, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, Chisago Lake Township will be reimbursed by the City of Lindstrom in accordance with the terms of Joint Resolution No. 09-08-20-01/09-09-15-02 signed by the City on August 20, 2009 and the Township on September 15, 2009.

Dated this 22nd day of October, 2009.

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



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments