

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

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

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

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 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.

WHEREAS, on October 18, 2006, 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 Sauk Rapids, Minnesota, the same

as if it had originally been made a part thereof:

That portion of the West Half of the West Half (W 1/2 W 1/2) of the Northwest of the Northeast Quarter (NW 1/4 NE 1/4) of Section Twenty-five (25), Township Thirty-six (36) North of Range Thirty-one (31) West of the fourth Principal Meridian lying South and East of Benton County Road No. 45, containing approximately 5.00 acres more or less, Benton County, MN.

AND

That part of the West half of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (W 1/2 of NE 1/4 of NE 1/4 of NW 1/4) of Section Twenty-five (25), Township Thirty-six (36) North, Range Thirty-one (31) West, Benton County, Minnesota, which lies Easterly of the Easterly right of way line of U.S. Highway 10 and Northerly of a line 328.00 feet south of, measured at a right angle to and parallel with the North line of said West Half of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (W 1/2 of NE 1/4 of NE 1/4 of NW 1/4), Containing 2.30 acres, more or less. Subject to an easement to be used with others for the purpose of ingress and egress over and across that part of the North 328.00 feet of said West half of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (W 1/2 of NE 1/4 of NE 1/4 of NW 1/4).

Subject to easements of record and together with an easement to be used with others for the purpose of ingress and egress over and across that part of the north 328.00 feet of said West Half of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (W 1/2 NE 1/4 NE 1/4 NW 1/2), said easement described as follows: Beginning at a point on the Easterly right of way line of U.S. Highway Number 10 which is 328.00 feet South of, measured at a right angle to and parallel with the North line of said West half of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (W 1/2 NE 1/4 NE 1/4 NW 1/4), (for purposes of this description the Easterly right of way line of U.S. Highway Number 10 is assumed to bear South 00 degrees 38 minutes 46 seconds West); thence South 88 degrees 51 minutes 14 seconds East, parallel with the North line of said West half 70.00 feet, thence North 32 degrees 53 minutes 10 seconds West, 90.51 feet, thence North 00 degrees 38 minutes 46 seconds East parallel with the Easterly right of way line thereof 220.00 feet more or less to the Southerly right of way line of County Road Number 45; thence North 88 degrees 51 minutes 14 seconds West along the Southerly right of way line of County Road Number 45 distant 20.00 feet more or less to the Easterly right of way of U.S. Highway Number 10; thence South 00 degrees 38 minutes 46 seconds West along said Easterly right of way 295.01 feet more or less to the point of beginning. The above described easement also being for the construction and maintenance of a communication tower; less and except highway right of way. Subject to easements, restrictions and reservations of record, together with all hereditaments and appurtenances belonging thereto.

AND

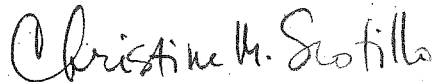
Real Property in Benton County, Minnesota, described as follows: East Half of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (E 1/2 of NE 1/4 of NE 1/4 of NW 1/4) in Section Twenty-five (25), Township Thirty-six (36) North, Range Thirty-one (31) West, Fourth Principal Meridian, Benton County, Minnesota. Containing 5.00 acres, more or less.

IT IS FURTHER ORDERED: That in accordance with the terms of the Joint Resolution

signed in 1987 by the City of Sauk Rapids and the Town of Sauk Rapids, and the Joint Resolution dated September 11, 2006, further clarifying the parties' agreement as to property tax reimbursement, the parties have otherwise agreed that no reimbursement of taxes be paid to the township by the city pursuant to Minn. Stat. 414.036, as amended.

Dated this 18th day of October, 2006.

For the Chief Administrative Law Judge
658 Cedar Street – Room 300
St. Paul, Minnesota 55155

A handwritten signature in cursive script that reads "Christine M. Scotillo".

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments