

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE ORDERLY ANNEXATION )  
AGREEMENT BETWEEN THE CITY OF MANKATO )  
AND MANKATO TOWNSHIP PURSUANT TO ) ORDER  
MINNESOTA STATUTES 414 )  
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WHEREAS, a joint resolution for orderly annexation was adopted by the City of Mankato and Mankato Township; and

WHEREAS, a resolution was received from the City of Mankato indicating their desire that certain property be annexed to the City of Mankato 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 June 18, 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 Mankato, Minnesota, the same as if it had originally been made a part thereof:

The Southeast Quarter (SE1/4) and the South Half of the Southeast Quarter of the Northeast Quarter (S1/2 SE 1/4 NE 1/4) in Section 3, excepting the railway right-of-way, and that part of the West Half of the Southwest Quarter (W1/2 SW1/4) of Section 2 lying South of the railroad right-of-way, all in Township 108 North, Range 26 West, 5th P.M., containing 209 acres, more or less.

EXCEPT: The South 100 feet which is BLUE EARTH COUNTY HIGHWAY right-of-

way PLAT NO. 13.

**ALSO EXCEPT THE FOLLOWING TRACTS:**

All that part of the South Half of the Southeast Quarter of the Northeast Quarter and part of the Southeast Quarter, all in Section 3, Township 108 North, Range 26 West, Blue Earth County, Minnesota described as follows:

Commencing at the northeast corner of the Southeast Quarter of said Section 3; thence South 89 degrees 25 minutes 53 seconds West on the north line of the Southeast Quarter of said Section 3, a distance of 133.01 feet to the west right-of-way line of the Dakota, Minnesota and Eastern Railroad, also being the point of beginning; thence North 00 degrees 09 minutes 23 seconds East on said west right-of-way line, a distance of 660.31 feet to a point on the north line of the South Half of the Southeast Quarter of the Northeast Quarter of said Section 3; thence South 89 degrees 25 minutes 15 seconds West on said north line, a distance of 144.01 feet; thence South 00 degrees 09 minutes 23 seconds West, 1004.09 feet; thence South 60 degrees 36 minutes 07 seconds West, 207.29 feet; thence South 29 degrees 23 minutes 53 seconds East, 176.23 feet; thence South 36 degrees 11 minutes 07 seconds East, 25.42 feet; thence South 35 degrees 28 minutes 36 seconds West, 166.78 feet to the north right-of-way line of the Sakatah Singing Hills Trail; thence South 54 degrees 31 minutes 24 seconds East on said north right-of-way line, a distance of 390.57 feet to the west right-of-way line of the Dakota, Minnesota and Eastern Railroad, thence North 00 degrees 09 minutes 37 seconds East on said west right-of-way line, a distance of 983.54 feet to the point of beginning.

All that part of the Southeast Quarter, Section 3, Township 108 North, Range 26 West, Blue Earth County, Minnesota described as follows:

Commencing at the northeast corner of the Southeast Quarter of said Section 3; thence South 00 degrees 09 minutes 37 seconds West on the east line of the Southeast Quarter of said Section 3, a distance of 1202.09 feet to the south right-of-way line of the Sakatah Singing Hills Trail, also being the point of beginning; thence North 54 degrees 25 minutes 39 seconds West on said south right-of-way line, a distance of 35.51 feet; thence North 54 degrees 31 minutes 24 seconds West on said south right-of-way line, a distance of 588.95 feet; thence South 35 degrees 28 minutes 36 seconds West, 195.00 feet; thence South 54 degrees 31 minutes 24 seconds East, 300.11 feet; thence South 35 degrees 33 minutes 57 seconds East, 646.26 feet to the east line of the Southeast Quarter of said Section 3; thence North 00 degrees 09 minutes 37 seconds East on said east line, a distance of 496.21 feet to the point of beginning.

All that part of the Southeast Quarter, Section 3, Township 108 North, Range 26 West, Blue Earth County, Minnesota described as follows:

Commencing at the northeast corner of the Southeast Quarter of said Section 3; thence South 00 degrees 09 minutes 37 seconds West on the east line of the Southeast Quarter of said Section 3, a distance of 2255.98 feet to the point of beginning; thence continuing South 00 degrees 09 minutes 37 seconds West on said east line, a distance of 285.05 feet

to the north line of BLUE EARTH COUNTY HIGHWAY RIGHT OF WAY PLAT No. 13, according to the recorded plat thereof; thence South 89 degrees 51 minutes 25 seconds West on said north line, a distance of 1.06 feet; thence South 89 degrees 15 minutes 15 seconds West on said north line, a distance of 330.99 feet; thence North 00 degrees 09 minutes 37 seconds East, 285.04 feet; thence North 89 degrees 15 minutes 15 seconds East, 332.04 feet to the point of beginning.

All that part of the Southeast Quarter, Section 3, Township 108 North, Range 26 West, Blue Earth County, Minnesota described as follows:

Commencing at the northeast corner of the Southeast Quarter of said Section 3; thence South 00 degrees 09 minutes 37 seconds West on the east line of the Southeast Quarter of said Section 3, a distance of 1698.30 feet to the point of beginning; thence continuing South 00 degrees 09 minutes 37 seconds West on said east line, a distance of 557.68 feet; thence South 89 degrees 15 minutes 15 seconds West, 150.02 feet; thence North 00 degrees 09 minutes 37 seconds East, 768.60 feet; thence South 35 degrees 33 minutes 57 seconds East, 256.89 feet to the point of beginning.

All that part of the Southeast Quarter of Section 3, Township 108 North, Range 26 West, Blue Earth County, Minnesota described as follows:

Commencing at the northeast corner of the Southeast Quarter of said Section 3; thence South 00 degrees 09 minutes 37 seconds West (assumed bearing) on the east line of the Southeast Quarter of said Section 3, a distance of 2541.02 feet to the north line of BLUE EARTH COUNTY HIGHWAY RIGHT OF WAY PLAT No. 13, according to the recorded plat thereof; thence South 89 degrees 51 minutes 25 seconds West on said north line, a distance of 1.06 feet; thence South 89 degrees 15 minutes 15 seconds West on said north line, a distance of 330.99 feet to the point of beginning; thence South 89 degrees 15 minutes 15 seconds West on said north line, a distance of 80.00 feet; thence North 00 degrees 09 minutes 37 seconds East, 100.00 feet; thence North 89 degrees 15 minutes 15 seconds East, 80.00 feet; thence South 00 degrees 09 minutes 37 seconds West, 100 feet to the point of beginning.

THE ABOVE PARCEL IS MORE PARTICULARLY DESCRIBED AS:

All that part of the Southeast Quarter, and the South Half of the Southeast Quarter of the Northeast Quarter of Section 3, and all that part of the West Half of the Southwest Quarter of Section 2, all in Township 108 North, Range 26 West, Blue Earth County, Minnesota described as follows:

Commencing at the northeast corner of the Southeast Quarter of said Section 3; thence South 89 degrees 25 minutes 53 seconds West on the north line of the Southeast Quarter of said Section 3, a distance of 133.01 feet to a point on the west right-of-way line of the Dakota, Minnesota and Eastern Railroad; thence North 00 degrees 09 minutes 23 seconds East on said west right-of-way line, a distance of 660.31 feet to a point on the north line of the South Half of the Southeast Quarter of the Northeast Quarter of said Section 3;

thence South 89 degrees 25 minutes 15 seconds West on said north line, a distance of 144.01 feet to the point of beginning; thence South 00 degrees 09 minutes 23 seconds West, 1004.09 feet; thence South 60 degrees 36 minutes 07 seconds West, 207.29 feet; thence South 29 degrees 23 minutes 53 seconds East, 176.23 feet; thence South 36 degrees 11 minutes 07 seconds East, 25.42 feet; thence South 35 degrees 28 minutes 36 seconds West, 166.78 feet to a point on the north right-of-way line of the Sakatah Singing Hills Trail; thence North 54 degrees 31 minutes 24 seconds West on said north right-of-way line, a distance of 1280.78 feet to a point on the north line of the Southeast Quarter of said Section 3; thence North 89 degrees 25 minutes 53 seconds East on said north line, a distance of 180.15 feet to a point on the west line of the South Half of the Southeast Quarter of the Northeast Quarter of said Section 3; thence North 00 degrees 07 minutes 55 seconds East on said west line, a distance of 660.08 feet to a point on the north line of the South Half of the Southeast Quarter of the Northeast Quarter of said Section 3; thence North 89 degrees 25 minutes 15 seconds East on said north line, a distance of 1040.01 feet to the point of beginning.

AND ALSO:

Commencing at the northeast corner of the Southeast Quarter of said Section 3; thence South 89 degrees 25 minutes 53 seconds West on the north line of the Southeast Quarter of said Section 3, a distance of 1666.84 feet to a point on the south right-of-way line of the Sakatah Singing Hills Trail, said point being the point of beginning; thence South 54 degrees 31 minutes 24 seconds East on said south right-of-way line, a distance of 1418.19 feet; thence South 35 degrees 28 minutes 36 seconds West, 195.00 feet; thence South 54 degrees 31 minutes 24 seconds East, 300.11 feet; thence South 35 degrees 33 minutes 57 seconds East, 389.37 feet; thence South 00 degrees 09 minutes 37 seconds West, 768.60 feet; thence South 89 degrees 15 minutes 15 seconds West, 182.02 feet; thence South 00 degrees 09 minutes 37 seconds West, 185.04 feet; thence South 89 degrees 15 minutes 15 seconds West, 80.00 feet; thence South 00 degrees 09 minutes 37 seconds West, 100.00 feet to a point on the north line of BLUE EARTH COUNTY HIGHWAY RIGHT OF WAY PLAT No. 13, according to the recorded plat thereof; thence South 89 degrees 15 minutes 15 seconds West on said north line, a distance of 2219.23 feet to a point on the west line of the Southeast Quarter of said Section 3; thence North 00 degrees 06 minutes 27 seconds East on said west line, a distance of 2549.12 feet to a point on the north line of the Southeast Quarter of said Section 3; thence North 89 degrees 25 minutes 53 seconds East on said north line, a distance of 966.65 feet to the point of beginning.

AND ALSO:

Commencing at the northeast corner of the Southeast Quarter of said Section 3; thence South 00 degrees 09 minutes 37 seconds West on the east line of the Southeast Quarter of said Section 3, a distance of 1202.09 feet to a point on the south right-of-way line of the Sakatah Singing Hills Trail, said point being the point of beginning; thence South 54 degrees 25 minutes 39 seconds East on said south right-of-way line, a distance of 1618.57 feet to a point on the east line of the West Half of the Southwest Quarter of said Section 2; thence South 00 degrees 08 minutes 30 seconds West on said east line, a distance of 394.06 feet to a point on the north line of BLUE EARTH COUNTY HIGHWAY RIGHT OF WAY PLAT No. 13, according to the recorded plat thereof; thence South 89 degrees 51 minutes 25 seconds West on said north line, a distance of 1319.29 feet to a point on the east line of the Southeast Quarter of said Section 3; thence North 00 degrees 09

minutes 37 seconds East on said east line, a distance of 1338.94 feet to the point of beginning.

IT IS FURTHER ORDERED: That pursuant to Minn. Stat. 414.036, Mankato Township will be reimbursed by the City of Mankato in accordance with the terms of the Joint Resolution signed by the City of Mankato and Mankato Township on February 3, 1995.

Dated this 18<sup>th</sup> day of June, 2008.

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



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-357-90, the Chief Administrative Law Judge finds and makes the following comment:

Article XII states the agreement shall expire within 20 years unless an extension is requested by the parties in writing. 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. See Section II. 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*