

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-438-20  
Stillwater/Stillwater Township  
Pursuant to Minnesota Statutes 414

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

The city resolution for orderly annexation submitted by the City of Stillwater was reviewed for conformity with applicable law. By delegation, the Chief Administrative Law Judge hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

**FINDINGS OF FACT**

1. A joint resolution for orderly annexation was adopted by the City of Stillwater and Stillwater Township pursuant to Minnesota Statutes § 414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit.
2. A resolution adopted and submitted by the City of Stillwater, requests annexation of part of the designated area described as follows:

Parcel I:

That part of the West 1/2 of the Northwest 1/4, Section 29, Township 30 North, Range 20 West, described as follows:

Commencing at the West 1/4 corner of said Section 29; thence Easterly along the East-West 1/4 line, a distance of 460 feet to the hereinafter referred to "Point B"; thence continuing Easterly, along said East-West 1/4 line, a distance of 295.8 feet; thence Northerly parallel with the West line of Northwest 1/4 to the point of beginning at the point of intersection with the Northerly right of way line 75<sup>th</sup> Street North as described on Document No. 345261; thence continuing Northerly, parallel with said West line of the Northwest 1/4 to the center line of Boutwell Road North; thence Northwesterly, along said center line of Boutwell Road North to the point of intersection with a line drawn Northerly, parallel with said West line of the Northwest 1/4; from said "Point B"; thence Southerly, along said parallel line to said Northerly right of way line of 75<sup>th</sup> Street North; thence

Southeasterly, along said Northerly right of way line to the point of beginning. Together with an easement for ingress and egress over, under and across the part of the West 1/2 of the Northwest 1/4, Section 29, Township 30 North, Range 20 West, described as follows: Commencing at the West 1/4 corner of said Section 29; thence Easterly; along the East-West 1/4 line a distance of 755.80 feet; thence Northerly parallel with the West line of said Northwest 1/4, a distance of 1,102 feet, to the point of beginning; thence Northeasterly deflecting to the right 5 degrees 40 minutes, a distance of 355 feet, more or less, to the point of intersection with the center line of Boutwell Road North; thence Northwesterly, along said center line of Boutwell Road North to the point of intersection with a line drawn Northerly parallel with the West line of said Northwest 1/4, Section 29 from the point of beginning; thence Southerly, along said parallel line to the point of beginning.

Parcel 2:

That part of the Southwest Quarter of the Northwest Quarter, Section 29, Township 30 North, Range 20 West, Washington County, Minnesota, described as follows:

Commencing at the West quarter corner of said Section 29; thence Easterly, along the East-West quarter line, a distance of 755.80 feet; thence Northerly, parallel with the West line of said Northwest Quarter, a distance of 777 feet to the point of beginning; thence Easterly, at a right angle 373 feet, more or less, to the West line of the East 189.75 feet (11.5 rods) of said Southwest Quarter of the Northwest Quarter; thence Southerly, along said West line to the Northerly right-of-way line of 75<sup>th</sup> Street North as described on Document No. 345261; thence Northwesterly, along said Northerly right-of-way line to the point of intersection with a line drawn Southerly parallel with the West line of said Northwest Quarter, Section 29 from the point of beginning; thence Northerly, along said parallel line to the point of beginning.

Parcel 3:

That part of the West 1/2 of the Northwest 1/4, Section 29, Township 30 North, Range 20 West, Washington County, Minnesota, described as follows:

Commencing at the West Quarter corner of said Section 29; thence Easterly, along the East-West Quarter line, a distance of 755.80 feet; thence Northerly, parallel with the West line of said Northwest 1/4, a distance of 777 feet to the point of beginning; thence Easterly, at a right angle 373 feet, more or less, to the West line of the East 189.75 feet (11.5 rods) of said West 1/2 of the Northwest 1/4; thence Northerly, along said West line to the center line of Boutwell Road North; thence Northwesterly, along said center line of Boutwell Road North to the point of intersection with a line drawn Northerly parallel with the West line of said Northwest

1/4, Section 29 from the point of beginning; thence Southerly, along said parallel line to the point of beginning.

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.

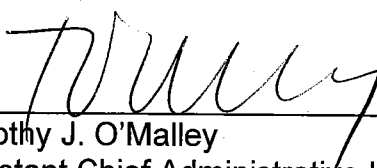
2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

### **ORDER**

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

2. Pursuant to Minnesota Statutes § 414.036, Stillwater Township will be reimbursed by the City of Stillwater in accordance with the terms of the joint resolution signed by the City and Township on August 16, 1996; and City Resolution No. 2012-198.

Dated: January 15, 2013

  
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Timothy J. O'Malley  
Assistant Chief Administrative Law Judge  
Municipal Boundary Adjustment Unit