

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-493-19
Sauk Rapids/Sauk Rapids 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 Sauk Rapids 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 Sauk Rapids and Sauk Rapids 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 Sauk Rapids, requests annexation of part of the designated area described as follows:

That part of the Southwest Quarter of the Southeast Quarter of Section 13, Township 36 North, Range 31 West, Benton County, described as follows:

Commencing at the southwest corner of said Southwest Quarter of the Southeast Quarter; thence North 89 degrees 01 minute 07 seconds East, assumed bearing along the south line of said Southwest Quarter of the Southeast Quarter, a distance of 400.04 feet to the southwest corner of the tract of land described in Doc. No. 347364 on file and of record in the Office of the County Recorder, said Benton County; thence North 01 degree 47 minutes 01 second West, along the west line of said tract of land, a distance of 1037.91 feet; thence South 85 degrees 18 minutes 07 seconds West, continuing along said west line, a distance of 50.00 feet to the point of beginning of the tract of land to be described; thence North 01

degree 47 minutes 01 second West, along said west line, a distance of 93.67 feet; thence North 85 degrees 18 minutes 07 seconds East, continuing along said west line, a distance of 278.52 feet; thence North 14 degrees 33 minutes 46 seconds East, continuing along said west line, a distance of 201.27 feet to the north line of said Southwest Quarter of the Southeast Quarter; thence South 89 degrees 13 minutes 00 seconds West along said north line, a distance of 434.94 feet to the east line of the tract of land described in Doc. No. 198445, on file and of record in the Office of the County Recorder, said Benton County; thence South 01 degree 47 minutes 01 seconds East along said east line, a distance of 118.53 feet to the southeast corner of said tract of land; thence South 88 degrees 12 minutes 59 seconds West along the south line of said tract of land, a distance of 250.00 feet to the west line of said Southwest Quarter of the Southeast Quarter; thence South 01 degree 47 minutes 01 second East along said west line, distance of 926.80 feet; thence North 88 degrees 12 minutes 59 seconds East, a distance of 195.00 feet; thence North 01 degree 47 minutes 01 second West, a distance of 208.30 feet; thence South 88 degrees 12 minutes 59 seconds West, a distance of 42.00 feet; thence North 01 degree 47 minutes 01 second West, a distance of 316.70 feet; thence North 88 degrees 12 minutes 59 seconds East, a distance of 110.00 feet; thence North 01 degree 47 minutes 01 second West, a distance of 189.40 feet; thence North 88 degrees 12 minutes 59 seconds East, a distance of 87.07 feet; thence North 01 degree 47 minutes 01 second West, a distance of 22.37 feet to the point of beginning.

LESS AND EXCEPT the West 33.00 feet of the South 1219.80 feet of said Southwest Quarter of the Southeast Quarter.

ALSO LESS AND EXCEPT that part of said Southwest Quarter of the Southeast Quarter described as follows:

Beginning at a point located 1037.4 feet North and 33 feet East of the Southwest Quarter corner in said Section 13; thence East (assumed bearing) at a 90 degree angle to the South Quarter line in said Section 13 a distance of 230 feet; thence South on a line parallel with said South Quarter line a distance of 189.4 feet; thence West at a 90 degree angle to said South Quarter line a distance of 230 feet to a point distant 33 feet East of said South Quarter line; thence North on a line parallel with said South Quarter line a distance of 189.4 feet 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.

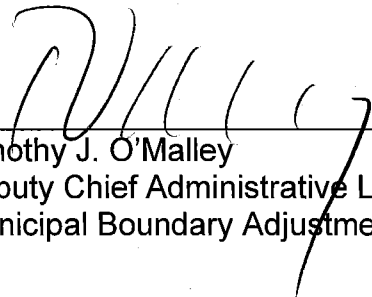
2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

ORDER

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

2. The reimbursement of the property taxes to Sauk Rapids Township shall be in accordance with Minn. Stat. 414.036, the terms of the Joint Resolution signed in 1997 by the City of Sauk Rapids and Sauk Rapids Township, and the Joint Resolution dated September 11, 2006, further clarifying the parties' agreement as to property tax reimbursement.

Dated: October 8, 2013



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