

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE ORDERLY ANNEXATION )  
AGREEMENT BETWEEN THE CITY OF KASSON )  
AND THE TOWN OF MANTORVILLE PURSUANT ) ORDER  
TO MINNESOTA STATUTES 414 )  
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WHEREAS, a joint resolution for orderly annexation was adopted by the City of Kasson and the Town of Mantorville; and

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

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 of land 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; and

WHEREAS, on September 15, 2005, the Chief Administrative Law Judge has 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 Kasson, Minnesota, the same as if it had originally been made a part thereof:

**That part of the South Half of the Southeast Quarter of Section 29, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:**

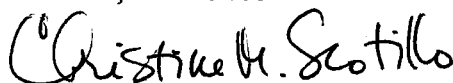
**Commencing at the southwest corner of the Southeast Quarter of said Section 29; thence North 00 degrees 02 minutes 44 seconds West (NOTE: All bearings are in**

relationship with the Dodge County Coordinate System, NAD '83, Adjusted 1996) along the west line of said Southeast Quarter, 113.00 feet to the northwest corner of BIGELOW-VOIGT FIFTH SUBDIVISION, and to the POINT OF BEGINNING; thence South 89 degrees 41 minutes 29 seconds East along the north line of said BIGELOW-VOIGT FIFTH SUBDIVISION and along the north line of BIGELOW-VOIGT FOURTH SUBDIVISION, 1048.14 feet to the northwest corner of Lot 1, Block 1, BIGELOW-VOIGT THIRD SUBDIVISION; thence North 89 degrees 40 minutes 02 seconds East along the north line of said Lot 1, for a distance of 120.00 feet to the northeast corner thereof; thence North 00 degrees 19 minutes 56 seconds West along the west line of Lot 2, said Block 3, for a distance of 38.67 feet to the northwest corner thereof; thence South 89 degrees 41 minutes 29 seconds East along the north line of said Lot 2, for a distance of 15.00 feet, to the southwest corner of BIGELOW-VOIGT SIXTH SUBDIVISION; thence North 00 degrees 19 minutes 25 seconds West along the west line of said BIGELOW-VOIGT SIXTH SUBDIVISION, 701.55 feet to the northwest corner of said BIGELOW-VOIGT SIXTH SUBDIVISION; thence South 82 degrees 36 minutes 24 seconds East, along the north line of said BIGELOW-VOIGT SIXTH SUBDIVISION, 138.82 feet; thence North 89 degrees 45 minutes 29 seconds East, along said north line, 66.77 feet; thence South 89 degrees 41 minutes 29 seconds East, along said north line, 114.67 feet; thence North 74 degrees 16 minutes 51 seconds East, along said north line, 70.53 feet; thence South 77 degrees 28 minutes 56 seconds East, along said north line, 128.29 feet; thence North 70 degrees 55 minutes 56 seconds East, along said north line, 82.59 feet; thence South 65 degrees 59 minutes 01 seconds East, along said north line, 128.93 feet; thence South 89 degrees 59 minutes 59 seconds East, along said north line, 753.46 feet, to the northeast corner of said subdivision and to the east line of the Southeast Quarter of said Section 29; thence North 00 degrees 00 minutes 01 seconds East, along said east line, 504.14 feet to the northeast corner of the South Half of said Southeast Quarter; thence North 89 degrees 36 minutes 08 seconds West along the north line of said South Half of the Southeast Quarter, 2641.24 to the northwest corner thereof; thence South 00 degrees 02 minutes 44 seconds East along the west line of said South Half of the Southeast Quarter, 1205.26 feet to the POINT OF BEGINNING.

Said parcel contains 49.10 acres more or less.

Dated this 15<sup>th</sup> day of September, 2005.

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



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

OA-807-11 Kasson

MEMORANDUM

In ordering the annexation contained in Docket No. OA-807-11 the Chief Administrative Law Judge finds and makes the following comment:

Paragraph 4 states the agreement shall be in effect for five years. 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. Paragraph 3. 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*