

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 TO )  
MINNESOTA STATUTES 414 )  
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ORDER

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 Mantorville Township 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 June 19, 2006, 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 Northeast Quarter of Section 28, Township 107 North, Range 16 West of the 5th P.M., Dodge County, Minnesota, described as follows:

Commencing at the Northeast corner of said Section 28; thence along the North line of said NE  $\frac{1}{4}$  on an assumed bearing, North 89 degrees 46 minutes 32 seconds West, 1224.0 feet to a point on the West line of the East 1224.0 feet of said NE  $\frac{1}{4}$ ; thence South 00 degrees 01 minute 48 seconds East, 952.93 feet along said West line to the Point of Beginning; thence continuing South 00 degrees 01 minute 48 seconds East, 330.20 feet along said West line; thence South 37 degrees 15 minutes 35 seconds West, 14.38 feet; thence North 52 degrees 44 minutes 25 seconds West 185.43 feet; thence North 43 degrees 10 minutes 27 seconds East, 164.10 feet to a point on a 233.00 foot radius, non-tangent curve, concave Northeasterly with a central angle of 19 degrees 18 minutes 27 seconds; thence Northwesterly 78.52 feet along said curve having a chord that bears North 37 degrees 10 minutes 19 seconds West, 78.14 feet; thence North 62 degrees 28 minutes 54 seconds East, 102.67 feet to the Point of Beginning, containing 0.64 acres, subject to easements and restrictions of record.

Said parcel contains 0.64 acres more or less.

Dated this 19<sup>th</sup> day of June, 2006.

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



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-807-14 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. *CMS*