

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE ORDERLY ANNEXATION )  
AGREEMENT BETWEEN THE CITY OF PARK RAPIDS )  
AND THE TOWN OF TODD PURSUANT TO MINNESOTA ) ORDER  
STATUTES 414 )  
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WHEREAS, a joint resolution for orderly annexation was adopted by the City of Park Rapids and the Town of Todd; and

WHEREAS, a resolution was received from the City of Park Rapids indicating their desire that certain property be annexed to the City of Park Rapids 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 May 11, 2006, the Chief Administrative Law Judge has reviewed and accepted the resolution for orderly annexation;

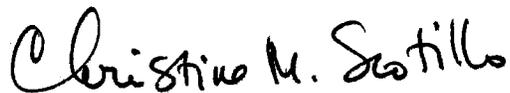
IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the joint resolution to the City of Park Rapids, Minnesota, the same as if it had originally been made a part thereof:

That part of the SW¼SE¼ Section 14, Township 140, Range 35, West of the 5<sup>th</sup> P.M., Hubbard County, MN, described as follows: Commencing at the southeasterly corner of Lot 1, Block 1, Peden Point, plat of which is on file and of record in the office of the Register of Deeds of said County; thence West 53.88 ft on an assumed bearing along the southerly line of said Lot 1 to a found iron monument; thence continuing West 31.83 ft; thence North 29°59'57" West 665.87 ft to

a found iron monument on the northeasterly line of Trunk Highway No. 71; thence northwesterly on a curve, concave to the southwest, having a central angle of  $01^{\circ}26'40''$  and a radius of 2939.79 ft for a distance of 74.11 ft (chord bearing North  $35^{\circ}22'08''$  West) along the northeasterly line of said Trunk Highway No. 71 to the point of beginning; thence northwesterly on a curve, concave to the southwest, having a central angle of  $01^{\circ}26'35''$  and a radius of 2939.79 ft for a distance of 74.04 ft (chord bearing North  $36^{\circ}48'45''$  West) along the northeasterly line of said Trunk Highway No. 71 to a found iron monument; thence north  $58^{\circ}26'01''$  East 206.91 ft to a found iron monument; thence continuing North  $58^{\circ}26'01''$  East 6 ft, more or less to the waters edge of said Fish Hook River; thence southeasterly along the waters edge of said Fish Hook River to the intersection with a line bearing North  $55^{\circ}56'32''$  East from the point of beginning; thence South  $55^{\circ}56'32''$  West 215.84 ft, more or less, to the point of beginning. Subject to an easement for ingress and egress over the existing driveway which is adjacent to the Northwesterly boundary line of the above described tract and immediately adjacent to United States Highway #71 and not more than 25 ft in width (as measured on a line parallel to the easterly boundary line of Highway #71) and not more than 30 ft in a line measured and being parallel to the Northwesterly boundary line of the tract conveyed herein which is the boundary line common to properties owned by Willis Johnson and Gladys L. Woodward.

Dated this 11<sup>th</sup> day of May, 2006.

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



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

OA-854-3 Park Rapids

MEMORANDUM

In ordering the annexation contained in Docket No. OA-854-3, the Chief Administrative Law Judge finds and makes the following comment:

Planning in the area designated for orderly annexation must be provided for by one of three provisions set forth in Minnesota Statutes Section 414.0325, Subd. 5.

Paragraph 2 e., on page 3 of the agreement refers to detachment of land to the Township if certain conditions are not fulfilled within 3 years of the effective date of an annexation. Such language does not create an “automatic” detachment. Once land is annexed, it can only be detached by complying with the requirements of Minnesota Statutes Sec. 414.06.

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*