

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Sauk Centre from Sauk Centre Township
(MBAU Docket A-8063)

ORDER APPROVING
ANNEXATION ORDINANCE



On June 21, 2017, the City of Sauk Centre (City) adopted Ordinance Number 773 (Ordinance) annexing certain real property (Property) from Sauk Centre Township (Township) legally described as follows:

All that part of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Fifteen (15), Township One Hundred Twenty-Six (126) North, Range Thirty-Four (34) West, described as follows: Commencing at the Southeast corner of Southview Addition Plat 3, according to the recorded plat thereof; thence on a record bearing of North 00°15'19" West, along the East line thereof a distance of 300.00 feet to the Northeast corner of said Southview Addition Plat 3 and to the point of beginning of the land to be described; thence North 89°59'58" West along the north line of said Southview Addition Plat 3 a distance of 469.47 feet to its intersection with a line which bears North 00°20'08" West from Point A, said Point A being a point on the south line of said SW1/4SW1/4 distant 581.00 feet easterly of the southwest corner of said SW1/4SW1/4; thence North 00°20'08" West along said line a distance of 662.51 feet to the south right of way line of Interstate Highway No. 94; thence South 84°41'47" East along said right of way line a distance of 472.65 feet; thence continue along said right of way line along a tangential curve, concaved to the south, having a central angle of 00°14'04" a radius of 1344.40 feet for a distance of 5.50 feet to its intersection with a line which bears North 00°15'19" East from the point of beginning; thence South 00°15'19" West along said line a distance of 618.30 feet to the point of beginning, containing 6.95 acres more or less, EXCEPTING THERFROM, the easterly 66' thereof as measured Westerly along the North line of Southview Addition Plat 3; AND ALSO EXCEPTING THEREFROM, the tract previously conveyed to Merle J. Felling and Kathleen M. Felling pursuant to a Warranty Deed dated May 29, 1997, and described as follows to-wit: That part of the SW1/4SW1/4 of Section Fifteen (15) Township One Hundred Twenty-Six (126) Range Thirty-Four (34) West, described as follows: Commencing at the southeast corner of Southview Addition Plat 3, according to the recorded plat thereof on file and of record in the Office of the County Recorder, Stearns County, Minnesota, thence on a record bearing of North 00°15'19" West, along the east line thereof, 300.00 feet to the northeast corner of said Southview Addition Plat 3, thence North 89°59'58" West along the north line

of said Southview Addition Plat 3, 66.00 feet to the point of beginning of the land to be described, thence continue North 89°59'58" West along the north line of said Southview Addition Plat 3, 403.47 feet to its intersection with a line which bears 00°20'08" West from Point "A"; said Point "A" being a point on the south line of said SW1/4SW1/4, 581.00 feet easterly of the southwest corner of said SW1/4SW1/4, thence North 00°20'08" West, along said line, 334.00 feet; thence South 89°59'58" East 403.95 feet to its intersection with a line which bears North 00°15'19" West from the point of beginning, thence South 00°15'19" East along said line, 344.00 feet to the point of beginning, all containing 3.19 acres more or less; TOGETHER WITH an ingress and egress easement to the land being conveyed herein on and across the Easterly 66' thereof being retained by Seller as measured from the northeast corner of Southview Addition Plat 3 West along the North line of said plat.

Based upon a review of the Ordinance, the Chief Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.033 (2016), the Ordinance is deemed adequate in all legal respects and properly support this Order.
2. Pursuant to the terms of the Ordinance and this Order, the Property is **ANNEXED** to the City.
3. Pursuant to Minn. Stat. § 414.036 (2016), the City will reimburse the Township \$1,300 each year for five years as stated in Ordinance No. 773.

Dated: July 12, 2017



TAMMY L. PUST

Chief Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.033, .07, .09, .12 (2016). Minn. Stat. § 414.033, subd. 7 requires that a copy of the annexation ordinance be filed with the township, the appropriate county auditor(s), and the Secretary of State.

Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Stearns County District Court by filing an Application for Review with the Court Administrator within 30 days of this Order. An appeal does not stay the effect of this Order.

Any party may submit a written request for an amendment of this Order within seven days from the date of the mailing of the Order pursuant to Minn. R. 6000.3100 (2015). However, no request for amendment shall extend the time of appeal from this Order.