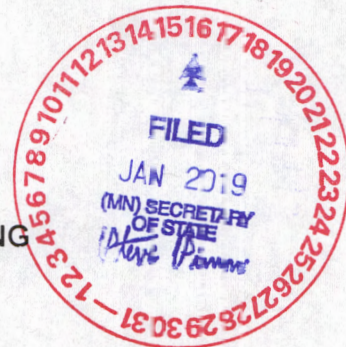


STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
St. Joseph from St. Joseph Township
(MBAU Docket OA-1725-1)

ORDER APPROVING
ANNEXATION



A joint resolution for orderly annexation (Joint Resolution) was adopted by the City of St. Joseph (City) and St. Joseph Township (Township) on November 19, 2018, requesting the designation of certain real property (Designated Area); and requesting the immediate annexation of certain real property (Property) within the Designated Area legally described as follows:

Section 1-124-29

The Northeast Quarter, (1)

And the Northwest Quarter, (2)

And the Southeast Quarter, (3)

And the East Half of the Southwest Quarter, (4)

All in Section 1, Township 124 North, Range 29 West, Stearns County, Minnesota.

Section 2-124-29

The Northeast Quarter, (5)

And the Northwest Quarter, (6)

And the Northwest Quarter of the Southeast Quarter, (7)

And the Northeast Quarter of the Southeast Quarter lying northwesterly of the centerline of County Road 133, (8)

And the Northeast Quarter of the Southwest Quarter, (9)

And the Northwest Quarter of the Southwest Quarter except the South 2 rods of the West 2 rods thereof, (10)

And the North 1.5 rods of the East 42 rods of the Southwest Quarter of the Southwest Quarter, (11)

And the North 1.5 rods of the West 10 rods of the Southeast Quarter of the Southwest Quarter, (12)

All in Section 2, Township 124 North, Range 29 West, Stearns County, Minnesota.

Section 3-124-29

The Northeast Quarter, (13)

And the Northwest Quarter, (14)

And the Northwest Quarter of the Southeast Quarter, (15)

And the Northeast Quarter of the Southwest Quarter, (16)

And the Northwest Quarter of the Southwest Quarter, (17)

And the Southwest Quarter of the Southwest Quarter, (18)

And the Northeast Quarter of the Southeast Quarter lying north of NORTHLAND HEIGHTS, according to the recorded plat thereof, (19)

And the Southwest Quarter of the Southeast Quarter lying north of NORTHLAND HEIGHTS, JASMINE PLAT, and NORTHLAND PLAT 8, according to the recorded plats thereof, (20)

And the West 264.00 feet of the Southeast Quarter of the Southwest Quarter lying south of ROTHFORK ADDITION, according to the recorded plat thereof, (21)

And all of ROTHFORK ADDITION, (22)

And the West 270.00 feet of the Southeast Quarter of the Southwest Quarter lying north of ROTHFORK ADDITION and south of the North Quarter of said Southeast Quarter of the Southwest Quarter, (23)

And the North Quarter of the Southeast Quarter of the Southwest Quarter, (24)

All in Section 3, Township 124 North, Range 29 West, Stearns County, Minnesota.

Section 4-124-29

The Northeast Quarter of the Southeast Quarter, (25)

And the Northwest Quarter of the Southeast Quarter lying east of the thread of the Watab River, (26)

And the South Half of the Southeast Quarter, (27)

And the Southeast Quarter of the Southwest Quarter lying east of the west right of way line of C.S.A.H. No. 3, (28)

The Southwest Quarter of the Southwest Quarter lying southwesterly of the southwesterly right of way line of C.S.A.H. 75, (31B)

And the Southeast Quarter of the Southwest Quarter lying southwesterly of the southwesterly right of way line of C.S.A.H. No. 75, (32)

All in Section 4, Township 124 North, Range 29 West, Stearns County, Minnesota.

Section 9-124-29

The Northwest Quarter lying southwesterly of the southwesterly right of way line of C.S.A.H. No. 75, (36)

And the Northeast Quarter of the Northwest Quarter lying northeasterly of the

northeasterly right of way line of C.S.A.H. No. 75 and lying southeasterly of the northwesterly right of way line of C.S.A.H. No. 3, (37)

And the North Half of the Southwest Quarter, (38)

And the Southwest Quarter of the Southwest Quarter lying northwesterly of the centerline of C.S.A.H. No. 2 and lying northeasterly of STATE HIGHWAY RIGHT OF WAY PLAT NO. 73-23, (39)

And the Southeast Quarter of the Southwest Quarter lying westerly of the centerline of C.S.A.H. No. 2 and northerly of the north right of way line of Minnesota Street and its westerly extension to the centerline of C.S.A.H. No. 2, (40)

And the West Half of the Southwest Quarter of the Southeast Quarter lying north of the northerly right of way of Minnesota Street, (41)

And the West Half of the Northwest Quarter of the Southeast Quarter, (42)

And the Southwest Quarter of the Northeast Quarter lying southwest of C.S.A.H. No. 75, except Lots 1 and 2, AUDITOR'S SUBDIVISION NO. 4, (43)

And the Northwest Quarter of the Northeast Quarter lying southwest of C.S.A.H. No. 75, (44)

And the West 16.5 feet of Lot 9, AUDITOR'S SUBDIVISION NO. 4, lying north of C.S.A.H. No. 75, (45)

And that part of the North 8.5 acres of the Southeast Quarter of the Northeast Quarter lying west of the East 504 feet thereof, (46)

And the Northeast Quarter of the Northeast Quarter except the South 451.42 feet of the North 880.42 feet of the East 686.70 feet, and also except that part of the East 504 feet of said Northeast Quarter of the Northeast Quarter lying south of Line A, described as follows: Beginning at a point on the west line of SCHNEIDER'S ADDITION, said point being 800 feet northerly from the intersection with the northerly right of way line of C.S.A.H. No. 75; thence westerly, perpendicular to said west line of SCHNEIDER'S ADDITION, and also except that part of said Northeast Quarter of the Northeast Quarter lying east of a line parallel to and distant 150 feet west of the west line of said SCHNEIDER'S ADDITION, and lying north of Line A described above, and lying south of the North 880.42 feet of said Northeast Quarter of the Northeast Quarter, (47)

All in Section 9, Township 124 North, Range 29 West, Stearns County, Minnesota.

Section 10-124-29

That part of the North 13 acres of the Northwest Quarter of the Northwest Quarter lying westerly of the southeasterly right of way line of C.S.A.H. No. 2, (48)

And the West 264.00 feet of the Northeast Quarter of the Northwest Quarter except the South 264 feet thereof, and also except the North 6.80 feet thereof, (49)

And Lots 1, 2, 3 and 4, Block 2, LOSO'S SIXTH ADDITION, (50)

And Lots 1 and 2, SCHNEIDER'S ADDITION, (51)

And that part of the Northwest Quarter of the Northwest Quarter described as follows:

Beginning at the northwest corner of Lot 1, SCHNEIDER'S ADDITION; thence northerly along the northerly extension of the west line of said SCHNEIDER'S ADDITION, to the south line of the North 880.42 feet of said Northwest Quarter of the Northwest Quarter; thence westerly along said south line to the east line of the West 44.00 feet of said Northwest Quarter of the Northwest Quarter; thence northerly along said east line to the southwesterly right of way line of the Burlington Northern Santa Fe railroad; thence southeasterly along said right of way line to the intersection with the north line of LOSO'S SIXTH ADDITION; thence westerly along said north line to the northwest corner of said LOSO'S SIXTH ADDITION; thence southerly along the west line of said LOSO'S SIXTH ADDITION to the northeast corner of said Lot 1; thence westerly along the north line of said Lot 1 to the point of beginning,

And that part of the Northwest Quarter of the Northwest Quarter lying northwesterly of Outlot A, NORTH PARK THIRD ADDITION, and lying northeasterly of LOSO'S SIXTH ADDITION, and lying southwesterly of the southwesterly right of way line of Burlington Northern Santa Fe railroad, (52)

And that part of the 100.00 foot wide Burlington Northern Santa Fe railroad right of way lying in the Southeast Quarter of the Northeast Quarter, (53)

All in Section 10, Township 124 North, Range 29 West, Stearns County, Minnesota.

Section 11-124-29

The Southeast Quarter of the Northeast Quarter, (54)

And the Northeast Quarter of the Southeast Quarter lying north of the south right of way line of County Road No. 134, (55)

And the Northwest Quarter of the Southeast Quarter lying north of the northeasterly right of way of C.S.A.H. No. 75, and lying southeasterly and southerly of County Road No. 134, (56)

And all of the right of way of County Road No. 134 lying and being in the Northwest Quarter of the Southeast Quarter, lying east of the northerly extension of the east line of Lot 3, Block 2, RMR ADDITION, (57)

And the East 706.92 feet of the Southwest Quarter of the Northeast Quarter lying north of the Burlington Northern Santa Fe railroad right of way, (58)

And all the 100.00 foot wide Burlington Northern Santa Fe railroad right way lying and being within Section 11, (59)

And that part of the Southwest Quarter of the Southeast Quarter in Section 11, Township 124 North, Range 29 West of the 5th Principal Meridian, Stearns County, Minnesota, described as follows:

Commencing at the southwest corner of said Southwest Quarter of the

Southeast Quarter; thence North 88 degrees 57 minutes 55 seconds East, assumed bearing, 99.50 feet along the south line of said Southwest Quarter of the Southeast Quarter; thence North 00 degrees 49 minutes 56 seconds West 891.37 feet to the south line of Lot 1, Block 1, ST JOSEPH BUSINESS PARK; thence North 89 degrees 10 minutes 04 seconds East, along said south line and its easterly extension, a distance of 941.54 feet; thence North 00 degrees 47 minutes 22 seconds West 31.58 feet; thence North 89 degrees 12 minutes 38 seconds East 250.00 feet to the east line of said Southwest Quarter of the Southeast Quarter; thence South 00 degrees 47 minutes 22 seconds East, along said east line, a distance of 918.52 feet to the southeast corner of said Southwest Quarter of the Southeast Quarter; thence South 88 degrees 57 minutes 55 seconds West, along the south line of said Southwest Quarter of the Southeast Quarter, a distance of 1190.88 to the point of beginning. (60)

All in Section 11, Township 124 North, Range 29 West, Stearns County, Minnesota.

Section 12-124-29

The Northeast Quarter of the Northwest Quarter, (61)

And the Southwest Quarter of the Northwest Quarter, (62)

And the Southeast Quarter of the Northwest Quarter, (63)

And the Northeast Quarter, (64)

And the North Half of the Southeast Quarter lying north of the southerly right of way line of County Road No. 134, (65)

And the North Half of the Southwest Quarter lying north of the southerly right of way line of County Road No. 134, (66)

All in Section 12, Township 124 North, Range 29 West, Stearns County, Minnesota.

Section 14-124-29

The Northwest Quarter of the Northeast Quarter, (67A)

That part of the Southwest Quarter of the Northeast Quarter lying west of a line beginning 48 rods west of the southeast corner of said Southwest Quarter of the Northeast Quarter and terminating at a point 32 rods west of the northeast corner of said Southwest Quarter of the Northeast Quarter, (67B)

And the East Half of the Northwest Quarter, (69)

And the Southwest Quarter of the Northwest Quarter, (70)

And the Southwest Quarter, (71)

And the Northwest Quarter of the Northwest Quarter lying south of POND VIEW RIDGE SEVEN, (73)

All in Section 14, Township 124 North, Range 29 West, Stearns County,

Minnesota.

Section 15-124-29

The South Half of the Northeast Quarter, (74)

And the North Half of the Southeast Quarter, (76)

And the Southeast Quarter of the Northwest Quarter except the West 264.00 feet, (77)

And the Northeast Quarter of the Southwest Quarter lying east of the centerline of County Road No. 121, and also except the North 82.5 feet of the West 264.00 feet, (78)

And the Southwest Quarter of the Southwest Quarter, (79)

And the Southeast Quarter of the Southeast Quarter except those parts platted as RIVERS BEND, (80)

And Lot 6, Block 1, BENEDICT, (81)

All in Section 15, Township 124 North, Range 29 West, Stearns County, Minnesota.

Section 16-124-29

The Southeast Quarter of the Southeast Quarter lying northeasterly of STATE HIGHWAY RIGHT OF WAY PLAT NO. 73-21, Stearns County, Minnesota, (82)

Section 22-124-29

The Southeast Quarter of the Northwest Quarter lying northeasterly of STATE HIGHWAY RIGHT OF WAY PLAT NO. 73-20, (83)

And the Southwest Quarter of the Northeast Quarter lying west of the centerline of Jade Road, (84)

And the Northwest Quarter of the Northeast Quarter lying west of the centerline of Jade Road, and lying south of Outlot A, RIVERS BEND, (85)

And the Northeast Quarter of the Northwest Quarter lying east and south of Outlot A, RIVERS BEND, (86)

And the Southwest Quarter lying northeasterly of STATE HIGHWAY RIGHT OF WAY PLAT NO. 73-20, (87)

And the Southeast Quarter lying westerly of the centerline of Jade Road and northeasterly of STATE HIGHWAY RIGHT OF WAY PLAT NO. 73-20, (88)

All in Section 22, Township 124 North, Range 29 West, Stearns County, Minnesota.

Sections 2 & 11-124-29

That part of the South Half of the Southwest Quarter of Section 2 and the Northwest Quarter of Section 11, all in Township 124 North, Range 29 West Stearns County, Minnesota, described as follows:

Commencing at the South Quarter corner of said Section 2; thence South 89 degrees 13 minutes 48 seconds West, assumed bearing, along the south line of said South Half of the Southwest Quarter, a distance of 981.48 feet; thence North 00 degrees 34 minutes 36 seconds West, a distance of 282.91 feet to the centerline of County Road No. 133, being the point of beginning of the tract of land to be described; thence continuing North 00 degrees 34 minutes 36 seconds West, a distance of 434.76 feet; thence South 49 degrees 21 minutes 10 seconds West, a distance of 800.99 feet; thence South 40 degrees 38 minutes 50 seconds East, a distance of 332.25 feet to said centerline of County Road No. 133; thence North 49 degrees 34 minutes 55 seconds East, along said centerline, a distance of 67.00 feet; thence North 49 degrees 22 minutes 35 seconds East, along said centerline, a distance of 454.12 feet to the point of beginning. (89)

Sections 10 & 11-124-29

That part of the East Half of the Northeast Quarter of Section 10 and the Northwest Quarter of the Northwest Quarter of Section 11, all in Township 124 North, Range 29 West, Stearns County, Minnesota, described as follows:

Commencing at the southwest corner of the Northeast Quarter of the Northeast Quarter of said Section 10; thence northerly along the west line of said Northeast Quarter of the Northeast Quarter 331.58 feet to the point of beginning of the land to be described; thence easterly parallel with the south line of said Northeast Quarter of the Northeast Quarter, a distance of 260.20 feet; thence southeasterly deflecting to the right 50 degrees 13 minutes 59 seconds, a distance of 755.93 feet to the former centerline of County Road No. 133; thence northeasterly along said former centerline to the west line of the East 1980.00 feet of the Northwest Quarter of said Section 11; thence northerly along said west line to the south line of the North 194.00 feet of said Northwest Quarter; thence easterly along said south line to the east line of the West 22.74 feet of the East 1980.00 feet of said Northwest Quarter; thence northerly along said east line to the north line of said Northwest Quarter; thence westerly along said north line to the northwest corner of said Section 11; thence westerly along the north line of said Northeast Quarter of the Northeast Quarter to the northwest corner thereof; thence southerly along the west line of said Northeast Quarter of the Northeast Quarter to the point of beginning. (90)

Sections 15 & 16-124-29

Outlot H, BENEDICT, Stearns County, Minnesota. (91)

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2018), the Joint Resolution is deemed adequate in all legal respects and properly supports this Order.

2. Pursuant to the terms of the Joint Resolution and this Order, the Property is **ANNEXED** to the City.

3. Pursuant to the agreement of the parties and as allowed by Minn. Stat. § 414.036 (2018), the City will reimburse the Township as stated in the Joint Resolution.

Dated: January 16, 2019



TAMMY L. PUST
Chief Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.0325, .07, .09, .12 (2018). 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 (2017). However, no request for amendment shall extend the time of appeal from this Order.