

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of  
Certain Real Property to the City of  
Big Lake from Big Lake Township  
(MBAU Docket A-8057)

**SECOND AMENDED  
ORDER APPROVING  
ANNEXATION ORDINANCE**

On May 11, 2017, the City of Big Lake (City) submitted Ordinance Number 2017-06, adopted on April 12, 2017, for the annexation of certain real property from Big Lake Township (Township), pursuant to Minn. Stat. § 414.033 (2016).

An Order Approving Annexation Ordinance was issued on May 18, 2017.

An Amended Order Approving Annexation Ordinance was issued on June 2, 2017, to correct a typographic error.

On or about June 21, 2017, the City contacted the Office of Administrative Hearings to advise that the Sherburne County Auditor had contacted the City concerning an omission in the exceptions of the legal description.

On June 28, 2017, the City adopted Ordinance Number 2017-11 (An Ordinance Amending Ordinance No. 2017-06 To Correct Legal Description of Annexed Land). The Ordinance was filed with the Office of Administrative Hearings on June 29, 2017.

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

**ORDER**

1. The legal description in the June 2, 2017 Amended Order Approving Annexation Ordinance is amended to read as follows:

(1): The Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4), Section 20, Township 33, Range 27, EXCEPT the following described parcels:

A. Beginning at the Southeast corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4), Section 20, Township 33, Range 27; thence West on the South line of said Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) 28.00 rods; thence North 28 rods and 9 feet; thence East 28.00 rods; thence South 28 rods and 9 feet to place of beginning;

B. That part of the South 548.50 feet, as measured at right angles, of the

Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) Section 20, Township 33, Range 27, Sherburne County, Minnesota, lying West of the West line of the East 462.00 feet (28 rods), as measured at right angles, thereof. Subject to that part thereof taken for right-of-way of U.S. Highways No. 10 and 52. Also subject to that part taken for County Road No. 43; and

C. Any portion thereof taken by MNDOT Right of Way Plat No. 71-20 and Sherburne County Highway Right of Way Plat No. 21.

AND

(2): The Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4), Section 20, Township 33, Range 27, EXCEPT the following described parcels:

A. The North 100.00 feet of the Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4), Section 20, Township 33, Range 27, Sherburne County, Minnesota, lying East of the West 606.66 feet of said Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4);

B. The North 376.00 feet of the West 606.66 feet of the Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4), Section 20, Township 33, Range 27;

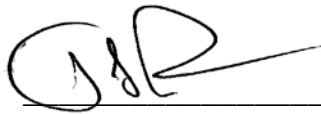
C. That part of the West 447.11 feet of the Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4), Section 20, Township 33, Range 27, Sherburne County, Minnesota, lying North of the South 456.00 feet of said Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4) and lying South of a line described as follows: Beginning at a point on the West line of said Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4), a distance of 231.50 feet North of the Northwest corner of said South 456.00 feet of said Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4); thence East along a line passing through a point on the East line of the West 660.00 feet of said Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4), distant 205.21 feet North from the Northeast corner of said West 660.00 feet of the South 456.00 feet of the Southeast Quarter of the Northwest Quarter and there terminating; and

D. That part of the North 376.00 feet of the Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4), Section 20, Township 33, Range 27, Sherburne County, Minnesota, which lies East of the East line of the West 606.66 feet of said Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4), and South of the South line of Triple Oaks Second Addition, according to the recorded plat thereof, Sherburne County, Minnesota.

**E. The plat of Smith Acres described as: The West 463.51 feet of the Southeast Quarter of the Northwest Quarter of Section 20, Township**

33, Range 27, Sherburne County, Minnesota, lying south of the North 376.00 feet of said Southeast Quarter of the Northwest Quarter and lying north of a line described as follows: Beginning at a point on the west line of said Southeast Quarter of the Northwest Quarter distant 231.50 feet north of the northwest corner of the South 456.00 feet of said Southeast Quarter of the Northwest Quarter; thence easterly to a point on the east line of the West 660.00 feet of the Southeast Quarter of the Northwest Quarter distant 205.21 feet north of the northeast corner of said West 660.00 feet of the South 456.00 feet of the Southeast Quarter of the Northwest Quarter and said line there terminating.

Dated: June 30, 2017



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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 Sherburne 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.