

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE PETITION FOR)
THE ANNEXATION OF CERTAIN LAND TO)
THE CITY OF LACRESCENT PURSUANT TO)
MINNESOTA STATUTES 414)

NOTICE OF
HEARING CANCELLATION
AND
ORDER TO DISMISS

WHEREAS, a petition requesting the annexation of certain property from LaCrescent Township to the City of LaCrescent was filed with the Office of Administrative Hearings- Municipal Boundary Adjustments (herein after MBA) pursuant to Minnesota Statutes 414.033, Subd. 5 on April 6, 2007, MBA Docket A-7541; and

WHEREAS, a timely objection from LaCrescent Township was filed on July 3, 2007; 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 July 18, 2007, the Chief Administrative Law Judge directed the parties into mediation; and

WHEREAS, pursuant to statutory requirements a first hearing was convened on the petition on August 24, 2007, after due and appropriate legal notice, and was continued to an indefinite date to allow the parties time to complete mediation; and

WHEREAS, on September 25, 2007, the parties participated in mediation and resolved contested issues; and

WHEREAS, on January 22, 2008, MBA received the Joint Resolution for Orderly Annexation between the City of LaCrescent and LaCrescent Township representing settlement of the underlying dispute and designating certain land for orderly annexation and requests the immediate annexation of said land; and

WHEREAS, the city requested that the petition for annexation pursuant to Minnesota Statutes 414.033, Subd. 3 be withdrawn; that MBA Docket A-7541 LaCrescent be closed; and the filing fee transferred to MBA Docket OA-1378 and OA-1378-1; and

WHEREAS, on January 24, 2008, the Chief Administrative Law Judge granted the request to withdraw the petition; canceled the continued hearing; transferred part of the filing fee; and closed MBA Docket A-7541 LaCrescent;

IT IS HEREBY ORDERED: That the petition for annexation of certain property to the City of LaCrescent described as:

Parcel 08.0569.000:

That part of the South Half of the Southeast Quarter (SI/2 SE1/4) of Section 9, Township 104, Range 4, Houston County, Minnesota described as follows: Beginning at the point of intersection of the Southerly Right of Way line of Houston County Highway No.6 and the East Line of Lot 2, Block H, Auditor's Subdivision of said Section 9; thence on an assumed bearing of South 8 degrees 30 minutes West along the East line of said Lot 2 and the East line of Lot 2, Block L, said Auditor's Subdivision, also being the East line of Walter's First Addition, Houston County, Minnesota, 628.94 feet to the Southeast Comer of said Walter's First Addition and the Point of Beginning of the land to be described; Thence South 81 degrees 34 minutes 25 seconds East, 4.11 feet to a 3/4 Inch Iron Pipe Monument; Thence South 7 degrees 47 minutes 01 seconds West, 82.00 feet to a 3/4 Inch Iron Pipe Monument; Thence South 74 degrees 24 minutes 51 seconds East, 93.45 feet to a 3/4 Inch Iron Pipe Monument on the Westerly Right of Way line of South Ridge Road; Thence South 31 degrees 12 minutes 28 seconds West, 253.54 feet to a point 327.40 feet, South 8 degrees 30 minutes West of The Point of Beginning; Thence North 81 degrees 48 minutes 18 seconds West, 125.00 feet to a One Half Inch Iron Pipe Monument; Thence North 8 degrees 29 minutes 25 seconds East, 327.49 feet to the Southwest Corner of said Walter's First Addition; Thence South 81 degrees 45 minutes 44 seconds East along the South line of said Walter's First Addition, 125.06 feet to the Point of Beginning. Subject to the Right of Way of South Ridge Road and subject to all Easements of Record.

Parcel No. 08.0569.001:

Commencing at the South Quarter Corner of Section Nine (9), Township One Hundred Four (104) North, Range Four (4) West, running thence South 89° 58' 40" East 250.11 feet, Thence North 6° 45' 10" East 655.64 feet, Thence North 88° 42' 20" East 768.33 feet to the Point of Beginning of the Parcel to be described; running thence North 7° 53' 22" East 7.05 feet, Thence South 85° 26' 17" East 81.25 feet, Thence South 21° 19' 00" East 72.98 feet, Thence South 9° 27' 23" West 172.75 feet, Thence North 81° 34' 34" West 112.02 feet, Thence North 7° 53' 22" East 223.57 feet to the Point of Beginning, containing .59 Acres, more or less, and being apart of the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of said Section Nine (9).

Parcel Nos. 08.0569.002 & 08.0569.003:

That part of the South ½ of the SE ¼ of Section 9, Township 104, Range 4, Houston County, Minnesota, described as follows: Beginning at the point of intersection of the Southerly right of way line of Houston County Highway No.6 and the East line of Lot 2, Block H, Auditor's Subdivision of said Section 9; thence on an assumed bearing of South 8 degrees 30 minutes West along the East line of said Lot 2 and the East line of Lot 2, Block L, said Auditor's Subdivision, also being the East line of Walter's First Addition, Houston County, Minnesota, 628.94 feet to the Southeast corner of said Walter's First Addition; thence continue South 8 degrees 30 minutes West along the Southerly extension of the last described course, 327.40 feet; thence North 81 degrees 48 minutes 18 seconds West, 125.00 feet to a one half inch iron pipe monument marking the point of beginning of the land to be described; thence North 8 degrees 29 minutes 25 seconds East, 327.49 feet to the Southwest corner of said Walter's First Addition; thence North 8 degrees 22 minutes 59 seconds East along the West line of said Walter's First Addition, 256.00 feet; thence North 81 degrees 48 minutes 38 seconds West, 74.46 feet to an iron pipe monument; thence North 81 degrees 37 minutes 49 seconds West, 117.49 feet to an iron pipe monument; thence North 81 degrees 50 minutes 58 seconds West, 114.38 feet to the Northeast corner of Lot 9, Block Two, Crescent Valley First Addition, Houston County, Minnesota; thence South 8 degrees 15 minutes 28 seconds West along the East line of said Block Two, 362.58 feet to a 3/4 inch iron pipe monument; thence South 84 degrees 57 minutes 35 seconds East, 81.09 feet to a 3/4 inch iron pipe monument; thence South 20 degrees 51 minutes 34 seconds East, 72.94 feet to a 3/4 inch iron pipe monument; thence South 9 degrees 54 minutes 09 seconds West, 172.51 feet to a 3/4 inch iron pipe monument; thence South 82 degrees 04 minutes 47 seconds East, 119.30 feet to a 1 1/2 inch iron pipe monument; thence North 8 degrees 15 minutes 25 seconds East, 10.00 feet to a 3/4 inch iron pipe monument; thence South 81 degrees 48 minutes 18 seconds East, 73.63 feet to the point of beginning.

AND

Parcel No. 08.0571.000:

From the Southeast Corner of Section Nine (9) in Township 104, North of Range Four West of the Fifth Principal Meridian West along the South line of said Section a distance of 1647.9 feet, thence North 8° 30' East 363.6 feet to the Place of Beginning; Thence

North 8° 30' East 90 feet, Thence South 81° 30' East 427.3 feet, thence South go 30' West 50.3 feet to an iron stake in center of present road, thence South 32° 45' West 43.6 feet, thence North 81 ° 30' West, 409.5 feet to the Place of Beginning.

Parcel No. 08.0823.000:

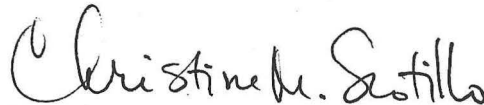
Lot 2, Block 1 of Walter's Second Addition, LaCrescent Township, Houston County, Minnesota.

is withdrawn, the continued hearing in this matter is canceled, and MBA Docket A-7541

LaCrescent is closed without prejudice.

Dated this 24th day of January, 2008.

For the Chief Administrative Law Judge
P. O. Box 64620
St. Paul, Minnesota 55164-0620



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments