

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to Minnesota Statutes 414, as amended, before the Chief Administrative Law Judge, in the above-entitled matter.

The hearing will convene at 10:00 a.m. on the 31st day of March, 2008, in the Council Chambers at the Austin City Hall, 500 - 4th Avenue, N.E., Austin, Minnesota. The evidentiary part of the hearing will be continued to an indefinite date. All persons shall be given an opportunity to be heard orally and to submit written data, statements or arguments concerning the above-entitled matter when this hearing is reconvened at a future date. The right to testify and the admission of testimony and other evidence shall be governed by the Rules of the Minnesota Municipal Board and any other Statutes or rules that may be applicable.

The property proposed for annexation is described as follows:

All that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22-T103N-R18W, Section 23-T103N-R18W, the N $\frac{1}{2}$ Section 26-T103N-R18W and the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 27-T103N-R18W, Mower County, Minnesota; described as follows:

Commencing at the N $\frac{1}{4}$ corner of said Section 26;

thence South a distance of 1326.00 feet, on the north-south $\frac{1}{4}$ line of said Section 26, to the south line of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of said Section 26;

thence Westerly on said south line a distance of 33 feet;

thence Southerly a distance of 1327.50 feet, on a line parallel to said north-south $\frac{1}{4}$ line, to a point on the south line of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 26;

(14)

thence East a distance of 2248 feet, on the south line of the NE $\frac{1}{4}$ of said Section 26;

thence North a distance of 1322 feet, to a point on the south line of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 26, which is 436.66 feet west of the southeast corner thereof;

thence Northeasterly a distance of 1393 feet, to the northeast corner of the NE $\frac{1}{4}$ of said Section 26;

thence North a distance of 2639.74 feet, on the east line of the SE $\frac{1}{4}$ of said Section 23, to the northeast corner thereof;

thence North a distance of 1317.54 feet, on the east line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23, to the northeast corner thereof;

thence West a distance of 5312.61 feet, on the north line of the S $\frac{1}{2}$ NE $\frac{1}{4}$ and the north line of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 23, to the northwest corner of said S $\frac{1}{2}$ NW $\frac{1}{4}$;

thence South a distance of 1322 feet, on the west line of said S $\frac{1}{2}$ NW $\frac{1}{4}$, to the southwest corner of the NW $\frac{1}{4}$ of said Section 23;

thence South a distance of 1320.4 feet, on the west line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 23, to the southwest corner thereof;

thence West a distance of 42.76 feet, on the north line of the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22-T103N-R18W, to the west right-of-way line of County State Aid Highway No. 25 (540th Avenue), as shown on Mower County Highway Right Of Way Plat No. 4;

thence Southerly a distance of 2120 feet, on the west right-of-way line of said County State Aid Highway No. 25 (540th Avenue), as shown on said Mower County Highway Right Of Way Plat No. 4;

thence Southerly a distance of 518.70 feet, to the southwest corner of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 26;

thence South a distance of 206 feet, on the west line of the NW $\frac{1}{4}$ of said Section 26, to the south right-of-way line of Queens Lane, as shown on the plat of Royal Manor Subdivision, as the same is platted and recorded in the office of the County Recorder of Mower County, Minnesota;

thence Easterly a distance of 210.6 feet, on the south line of said Queens Lane, to the northwest corner of Lot 11, Block 2 in said Royal Manor Subdivision;

thence Southeasterly a distance of 146 feet, on the west line of said Lot 11, Block 2, to the southwest corner thereof;

thence East a distance of 10.89 feet, on the south line of said Lot 11, to the northwest corner of Block 2, Royal Manor Second Subdivision, as the same is platted and recorded in the office of the County Recorder of Mower County, Minnesota;

thence Southeasterly a distance of 936 feet, on the southwesterly line of said Block 2, Royal Manor Second Subdivision, to the southeast corner of said Block 2;

thence Southwesterly a distance of 29 feet, on the westerly right-of-way line of Kings Row, as shown on said Plat of Royal Manor Second Subdivision;

thence Southeasterly a distance of 66 feet, on the southerly right-of-way line of said Kings Row, to the westerly line of Lot 11, Block 3 in said Royal Manor Second Subdivision;

thence Southwesterly a distance of 37 feet, on the westerly line of said Lot 11, Block 3 to a corner thereof;

thence Southwesterly a distance of 207.4 feet, on the westerly line of said Lot 11, and a southwesterly extension thereof, to a point on the south line of the NW $\frac{1}{4}$ of said Section 26;

thence East a distance of 1397 feet, on the south line of said NW $\frac{1}{4}$ to a point on the westerly right-of-way line of the Iowa, Chicago & Eastern Railroad Corporation (formerly the Chicago, Milwaukee, St. Paul & Pacific Railroad;

thence Northerly a distance of 1326 feet, on the westerly right-of-way line of said Iowa, Chicago & Eastern Railroad Corporation (formerly the Chicago, Milwaukee, St. Paul & Pacific Railroad), to a point on the south line of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 26;

thence Westerly a distance of 719.5 feet, on the south line of said N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 26, to a point on the centerline of the Cedar River;

thence Northerly and Northeasterly a distance of 3025 feet, on the centerline of said Cedar River, to a point on the westerly right-of-way line of said Iowa, Chicago & Eastern Railroad Corporation (formerly Chicago, Milwaukee, St. Paul & Pacific Railroad), this point being in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 23;

thence Southeasterly a distance of 1467 feet, on the westerly right-of-way line of said Iowa, Chicago & Eastern Railroad Corporation (formerly the Chicago, Milwaukee, St. Paul & Pacific Railroad), to a point on the north line of the NW $\frac{1}{4}$ of said Section 26;

thence East a distance of 446.75 feet, on the north line of the NW $\frac{1}{4}$ of said Section 26, to the point of beginning.

After all testimony is complete and the record is closed, the Chief Administrative Law Judge will issue findings and an order in accordance with Minnesota Statutes Chapter 414. Any other person, group of persons, or governmental agency residing in, owning property in, or exercising jurisdiction over the subject area who wishes to become a party to this matter, must file a notice of appearance within 14 days of publication of the notice required by section 414.09.

For special accommodations, please contact Office of Administrative Hearings - Municipal Boundary Adjustments, Christine M. Scotillo, Executive Director, P. O. Box 64620, St. Paul, Minnesota 55164-0620, (651) 361-7900; or Greater Minnesota TTY 1-800-627-3529.

Dated this 13th day of February, 2008.

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



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments