

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
La Crescent from La Crescent Township
(MBAU Docket A-7960)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On February 22, 2016, the City of La Crescent (City) adopted Ordinance Number 501 (Ordinance) annexing certain real property (Property) legally described as follows:

Parcel 08.0123.001:

PART OF LOT NINE (9) OF BLOCK H, OF AUDITORS SUBDIVISION OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE $\frac{1}{4}$ SE $\frac{1}{4}$) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, LA CRESCENT TOWNSHIP, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST; THENCE SOUTH 00°07'50" WEST, 1137.59 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SAID SECTION NINE (9), TO THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY 6; THENCE SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE, 345.61 FEET, ALONG THE ARC OF A 1942.86 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST, THE CHORD OF WHICH BEARS SOUTH 78°40'58" WEST, AND MEASURES 345.16 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE, 83.77 FEET ALONG THE ARC OF A 1942.86 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST, THE CHORD OF WHICH BEARS SOUTH 72°21'05" WEST, AND MEASURES 83.77 FEET; THENCE SOUTH 71°06'58" WEST, 47.95 FEET ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY 6, TO THE SOUTHWESTERLY LINE OF THE PARCEL OF LAND DESCRIBED IN HOUSTON COUNTY DOCUMENT NO. 197968; THENCE NORTH 14°45'52" WEST, 669.79 FEET ALONG THE SOUTHWESTERLY LINE OF THE PARCEL DESCRIBED IN DOCUMENT NO. 197968; THENCE SOUTH 89°52'10" EAST, 301.91 FEET; THENCE SOUTH 11°10'46" EAST, 265.19 FEET; THENCE SOUTHERLY, 112.58 FEET ALONG THE ARC OF A 129.87 FOOT RADIUS CURVE, CONCAVE TO THE WEST, THE CHORD OF WHICH BEARS SOUTH 13°39'18" WEST, AND

MEASURES 109.09 FEET; THENCE SOUTHERLY, 216.07 FEET ALONG THE ARC OF A 229.56 FOOT RADIUS CURVE, CONCAVE TO THE EAST, THE CHORD OF WHICH BEARS SOUTH 11°31'29" WEST, AND MEASURES 208.18 FEET; THENCE SOUTH 15°26'24" EAST, 37.28 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY 6, AND THE POINT OF BEGINNING OF THIS DESCRIPTION.

INCLUDING ALL THAT PART OF SOUTH 7TH STREET LYING SOUTHERLY AND ADJACENT TO THE ABOVE DESCRIBED PARCEL.

Parcel 08.0419.000:

LOT TWO (2) OF CRESCENT HEIGHTS FIRST ADDITION TO THE TOWNSHIP OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

Parcel 08.0420.000:

LOT THREE (3) OF CRESCENT HEIGHTS FIRST ADDITION, TOWNSHIP OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

Parcel 08.0554.000

A TRACT OF PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 9, IN TOWNSHIP 104 NORTH OF RANGE 4 WEST OF THE FIFTH PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¹/₄ SE¹/₄) OF SECTION 9, TOWNSHIP 104 NORTH, OF RANGE 4 WEST, THENCE WEST 1024.3 FEET, THENCE NORTH 8°30' EAST 14.8 FEET TO AN IRON STAKE, THENCE NORTHWESTERLY ALONG SOUTHERLY RIGHT OF WAY LINE OF PINE CREEK HIGHWAY 129.7 FEET TO AN IRON STAKE, THENCE NORTH 8°30' EAST 34.5 FEET TO CENTER LINE OF PINE CREEK HIGHWAY, WHICH IS THE PLACE OF BEGINNING, THENCE SOUTH 8°30' WEST 439.3 FEET TO AN IRON STAKE, THENCE NORTH 81°31' WEST 96 FEET TO AN IRON STAKE, THENCE NORTH 8°30' EAST TO CENTER LINE OF PINE CREEK HIGHWAY, THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF PINE CREEK HIGHWAY 100.25 FEET TO THE PLACE OF BEGINNING, EXCEPT EASEMENT FOR HIGHWAY PURPOSES.

No objection by La Crescent Township (Township) was served pursuant to Minn. Stat. § 414.033, subd. 3 (2014).

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

ORDER

1. Pursuant to Minn. Stat. § 414.033 (2014), the Ordinance is deemed adequate in all legal respects and properly supports 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 (2014), the City will reimburse the Township \$2,884.17 each year for two years as stated in Ordinance Number 501. There are no special assessments or debt incurred by the Township on the Property for which reimbursement is required.

Dated: February 29, 2016



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 (2014). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Houston 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.

For questions concerning this Order, please contact Star Holman at the Office of Administrative Hearings at star.holman@state.mn.us or 651-361-7909.