

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of Certain
Real Property to the City of Richmond from
Munson Township (MBAU Docket A-7966)

**ORDER AMENDING THE
ORDER APPROVING
ANNEXATION ORDINANCE**

On December 14, 2015, an Order Approving Annexation Ordinance (Order) was issued for the annexation of certain real property owned by Anton and Amy Schreifels (Parcel 23.13514.0000) and Jerome and Virginia Torborg (Parcel 23.13515.0000), pursuant to Minn. Stat. § 414.033 (2014).

On December 23, 2015, counsel for the City of Richmond (City) submitted a request for amendment of the Order to correct the legal description of the Torborg Parcel, which states:

1. The City relied on the Abstract of Title for the Torborg legal description.
2. The Stearns County Auditor brought to the City's attention that the legal description for the Torborg property changed since the Abstract of Title was last updated.
3. At some point, the Torborg property shifted 33 feet to the West. This shift is reflected on the last deed of record dated October 2, 1985, and recorded November 1, 1985, as Document Number 0589218 in the Office of the County Recorder (the Deed).
4. The Stearns County Auditor, the Stearns County Recorder, the City Administrator, and the City Engineer are in agreement that the legal description in the Order should match the legal description on the Deed. The Deed reflects the dimensions of the property transferred to, and currently owned by, the Torborgs, who petitioned for annexation.

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

ORDER

1. The December 14, 2015 Order Approving Annexation Ordinance is

amended to correct the legal description of the Torborg property to read as follows:

23.13515.0000 (Torborg)

The West 100 feet of the East 183 feet of the South 333 feet of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirteen (13), Township One Hundred Twenty-three (123) North, of Range Thirty-one (31) West, subject to street right-of-way.

Dated: December 29, 2015

s/Tammy L. Pust

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 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 (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.