

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Detroit Lakes from Detroit Township
(MBAU Docket A-7972)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On November 10, 2015, the city of Detroit Lakes (City) adopted Ordinance Number 392 (Ordinance) annexing certain real property (Property) owned by Robert and Joyce Spilman legally described as follows:

That part of the Northwest Quarter of the Southwest Quarter in Section 36, Township 139 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Commencing at a found P.K. nail which designates the southwest corner of said Northwest Quarter of the Southwest Quarter; thence North 01 degree 35 minutes 34 seconds East 34.77 feet on an assumed bearing along the West line of said Section 36 to the point of beginning; thence continuing North 01 degree 35 minutes 34 seconds East 295.23 feet along the west line of said Section 36; thence South 88 degrees 24 minutes 26 seconds East 33.00 feet to an iron monument; thence continuing South 88 degrees 24 minutes 26 seconds East 297.00 feet to an iron monument; thence continuing South 88 degrees 24 minutes 26 seconds East 330.00 feet to an iron monument; thence South 01 degree 35 minutes 34 seconds West 252.14 feet to an iron monument; thence South 01 degree 35 minutes 34 seconds West 252.14 feet to an iron monument; thence continuing South 01 degree 35 minutes 34 seconds West 48.30 feet; thence North 89 degrees 32 minutes 23 seconds West 631.64 feet to the northeasterly line of the BNSF Railway; thence North 56 degrees 32 minutes 44 seconds West 33.53 feet along the northeasterly line of said BNSF Railway to the point of beginning.

SUBJECT TO an easement for public road purposes for Lemmon Road and Highland Drive over, under and across that part of the above tract described as follows:

Beginning at the aforementioned point of beginning; thence North 01 degree 35 minutes 34 seconds East 295.35 feet along the West line of said Section 36, thence South 88 degrees 24 minutes 26 seconds East 33 feet to an iron monument; thence 01 degree 35 minutes 34 seconds West 260.37 feet; thence South 88 degrees 36 minutes 14 seconds East 627.00 feet; thence South 01 degree 35 minutes 34 seconds West 42.22 feet; thence North 89 degrees 32 minutes 23 seconds West 631.64 feet to the northeasterly line of the BNSF

Railway; thence North 56 degrees 32 minutes 44 seconds West 33.53 feet along the northeasterly line of said BNSF Railway to the point of beginning of said public road easement, and including the entire road right-of-way of Lemmon Road abutting the above described property.

Contains 4.64 acres more or less.

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 Detroit Township (Township) \$110.38 each year for five years as stated in the Ordinance.

Dated: January 7, 2016

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 Becker 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.