

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of Certain
Real Property to the City of Delano from
Franklin Township (MBAU Docket A-7992)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On January 19, 2016, the City of Delano (City) adopted Ordinance Number 0-16-01 (Ordinance) annexing certain real property (Property) owned by LBJ Enterprises, LLC legally described as follows:

That part of the East Half of the East Half of Lot "A" in the Northeast Quarter of the Northwest Quarter of Section 13, Township 118, Range 25, Wright County, Minnesota described as follows: Commencing at the Northwest corner of said East Half of the East Half; thence on an assumed bearing of South 0 degrees 03 minutes 36 seconds West along the West line of said East Half of the East Half a distance of 340.79 feet to the point of beginning of the tract to be described; thence continuing on a bearing of South 0 degrees 03 seconds 36 seconds West along said West line a distance of 150.29 feet; thence South 88 degrees 16 minutes 44 seconds East a distance of 96.53 feet; thence North 1 degree 38 minutes 34 seconds West a distance of 152.89 feet; thence North 89 degrees 46 minutes 30 seconds West a distance of 91.95 feet to the point of beginning and there terminating.

Excepting therefrom Parcel 22 of Minnesota Department of Transportation Right of Way Plat No. 86-122, as the same is on file and of record in the office of the County Recorder in and for Wright County, Minnesota.

Together with an appurtenant non-exclusive easement for ingress and egress, as created in Document No. 722200, over all that part of the East Half of the East Half of Lot "A" in the Northeast Quarter of the Northwest Quarter of Section 13, Township 118, Range 25 Wright County, Minnesota described as follows:

Beginning at the Northeast corner of said Lot "A"; thence on an assumed bearing of North 89 degrees 39 minutes 40 seconds West along the North line of said Lot "A", a distance of 22.00 feet; thence South 0 degrees 03 minutes 36 seconds West a distance of 340.62 feet; thence South 89 degrees 46 minutes 30 seconds East a distance of 3.96 feet; thence South 1 degree 38 minutes 34 seconds East a distance of 152.89 feet; thence South 88 degrees 16 minutes 44 seconds East a distance of 13.51 feet to the East line of said Lot "A", thence North 0 degrees 03 minutes 36 seconds East along said East line a distance of 493.67 feet to the point of beginning and there terminating.

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 Franklin Township as stated in Ordinance Number 0-16-01.

Dated: April 7, 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). Minn. Stat. § 414.033, subd. 7 requires that a copy of the annexation ordinance be filed with the township, the appropriate county auditor(s), and the Secretary of State.

Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Wright 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.