

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of Certain
Real Property to the City of Mahnomen from
Pembina Township (MBAU Docket A-7993)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On March 21, 2016, the City of Mahnomen (City) adopted Ordinance Number 4-2016 (Ordinance) annexing certain real property (Property) owned by the City legally described as follows:

That part of Government Lot Three (3) in Section Two (2), Township One Hundred Forty-four (144) North, Range Forty-two (42) West of the Fifth Principal Meridian in Mahnomen County, Minnesota, described as follows:

Commencing at a found iron monument which designates the Northwest corner of said Section 2; thence South 89 degrees 38 minutes 13 seconds East 1325.07 feet on an assumed bearing along the North line of said Section 2 to the Northwest corner of said Government Lot 3; thence South 00 degrees 06 minutes 31 seconds West 72.48 feet along the West line of said Government Lot 3 to an iron monument on the Southerly line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 44-15, said plat is on file and of record in the office of the Recorder in said County, said point is the point of beginning; thence South 89 degrees 05 minutes 40 seconds East 376.22 feet along the Southerly line of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 44-15 to an iron monument; thence South 44 degrees 17 minutes 14 seconds East 177.37 feet continuing along the Southerly line of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 44-15 to an iron monument on the Westerly line of Main Street; thence South 00 degrees 26 minutes 06 seconds West 457.91 feet along the Westerly line of said Main Street to an iron monument; thence North 89 degrees 16 minutes 29 seconds West 250.00 feet to an iron monument; thence South 00 degrees 26 minutes 06 seconds West 109.40 feet to an iron monument; thence continuing South 00 degrees 26 minutes 06 seconds West 15.60 feet to the intersection with a line which is 241.50 feet Northerly of, as measured at a right angle to and is parallel with, the Northerly line of Park Avenue as dedicated in BIRKETT AND FRAZERS ADDITION TO THE VILLAGE OF MAHNOMEN, said plat is on file and of record in the office of the Recorder in said County; thence North 89 degrees 16 minutes 29 seconds West 9.97 feet parallel with the Northerly line of said Park Avenue to an iron monument; thence continuing North 89 degrees 16 minutes 29 seconds West 237.01 feet parallel with the Northerly line of said Park Avenue to an iron monument on the West line of said Government Lot 3; thence North 00 degrees 06 minutes 31 seconds East 709.53 feet along the West line of said Government Lot 3 to the point

of beginning. The above described tract contains 7.22 acres.

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. As there is no taxable property within the Property, the provisions of Minn. Stat. § 414.036 (2014) are not applicable.

Dated: April 15, 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 Mahnomon 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.