

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-8007)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On August 8, 2016, the City of La Crescent (City) adopted Ordinance Number 505 (Ordinance) annexing certain real property (Property) owned by Douglas R. Nelson and Cheri L. Olson from La Crescent Township (Township) legally described as follows:

PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER (S $\frac{1}{2}$ SW $\frac{1}{4}$) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION NINE (9) , THENCE WEST ALONG THE SOUTH LINE THEREOF 169.51 FEET; THENCE NORTH 3° 23' 31" WEST ALONG THE WEST LINE OF CRESCENT VALLEY SUBDIVISION EXTENDED, AND SAID WEST LINE 390.58 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE NORTH 3° 23' 31" WEST 220.80 FEET; THENCE NORTH 89° 59' 16" WEST 310.02 FEET; THENCE SOUTH 10° 36' 32" EAST 107.87 FEET; THENCE SOUTH 29° 07' 30" EAST 109.49 FEET; THENCE NORTH 83° 41' 31" EAST 83.69 FEET; THENCE SOUTH 68° 16' 56" EAST 89.18 FEET; THENCE NORTH 86° 36' 29" EAST 83.93 FEET TO THE POINT OF BEGINNING. CONTAINS 1.38 ACRES.

TOGETHER WITH THE RIGHTS AND SUBJECT TO THE OBLIGATIONS SET FORTH IN THE AMENDED RECIPROCAL EASEMENT AGREEMENT DATED 30TH DAY OF AUGUST, 1983, AND RECORDED IN BOOK 312 OF DEEDS ON PAGES 421, 422, 423 AND 424 IN THE OFFICE OF THE COUNTY RECORDER, HOUSTON COUNTY, MINNESOTA, AS AMENDED BY AN AGREEMENT DATED JUNE 29, 1989.

TOGETHER WITH A DRIVE EASEMENT ACROSS LOT ONE (1), BLOCK ONE (1), OF CRESCENT VALLEY SUBDIVISION, HOUSTON COUNTY, MINNESOTA.

AND

PART OF THE SOUTH ONE HALF OF THE SOUTHWEST QUARTER (S $\frac{1}{2}$ SW $\frac{1}{4}$) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION NINE (9); THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION NINE (9) A DISTANCE

OF 169.95 FEET; THENCE NORTH 3° 23' 3" WEST 59.41 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 3° 23' 31" WEST 552.15 FEET; THENCE PARALLEL TO SAID SOUTH LINE OF SECTION NINE (9), WEST 450 FEET; THENCE SOUTH 65° 10' 3" WEST 657.27 FEET; THENCE SOUTH 71° 5' 5" EAST 472.04 FEET; THENCE SOUTH 29° 22' 18" EAST 81.11 FEET; THENCE SOUTH H 11° 20' 34" EAST 41.03 FEET; THENCE SOUTH 89° 5' 43" EAST 585.76 FEET TO THE POINT OF BEGINNING, INCLUDING ALL LAND LYING BETWEEN THE MEANDER LINE AND CENTER LINE OF PINE CREEK; TOGETHER WITH THE RIGHTS AND SUBJECT TO THE OBLIGATIONS SET FORTH IN A RECIPROCAL EASEMENT AGREEMENT DATED THE 14TH DAY OF JUNE, 1977, FILED FOR RECORD THE 16TH DAY OF JUNE, 1977, AND RECORDED IN BOOK 272 OF DEEDS ON PAGE 607, IN THE OFFICE OF THE COUNTY RECORDER, HOUSTON COUNTY, MINNESOTA.

EXCEPT THE FOLLOWING PARCEL:

PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE¼ SW¼) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION NINE (9); THENCE WEST ALONG THE SOUTH LINE THEREOF 169.51 FEET; THENCE NORTH 3° 23' 31" WEST ALONG THE EXTENDED WEST LINE OF CRESCENT VALLEY SUBDIVISION 59.53 FEET TO THE NORTH LINE OF C.S.A.H. 25 AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 3° 23' 31" WEST ALONG SAID WEST LINE AND EXTENDED WEST LINE 331.05 FEET; THENCE SOUTH 86° 36' 29" WEST 83.93 FEET; THENCE NORTH 68° 16' 56" WEST 89.18 FEET; THENCE SOUTH 83° 41' 31" WEST 83.69 FEET; THENCE SOUTH 12° 27' 38" WEST 139.97 FEET; THENCE SOUTH 12° 41' 37" EAST 68.05 FEET; THENCE SOUTH 43° 46' 36" EAST 199.56 FEET TO THE NORTH LINE OF C.S.A.H. 25; THENCE SOUTH 89° 08' 59" EAST ALONG SAID NORTH LINE 146.60 FEET TO THE POINT OF BEGINNING. CONTAINS: 1.93 ACRES. SUBJECT TO A DRIVE EASEMENT OVER THE EAST 30 FEET OF THE DESCRIBED PARCEL. TOGETHER WITH A DRIVE EASEMENT ACROSS LOT ONE (1), BLOCK ONE (1), CRESCENT VALLEY SUBDIVISION.

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

ORDER

1. Pursuant to Minn. Stat. § 414.033 (2016), the Ordinance is deemed adequate in all legal respects and properly support 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 (2016), the City will reimburse the Township \$1,154.63 each year for two years as stated in Ordinance Number 505.

Dated: August 17, 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 (2016). 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 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.