

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-8015)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On August 2, 2016, the City of Delano (City) adopted Ordinance Number O-16-08 (Ordinance) annexing certain real property (Property) owned by Muller Family Theatres Delano LLC from Franklin Township (Township) legally described as follows:

That part of the West thirty-five acres of that part of the East Half of the Northwest Quarter lying North of the Delano and Waverly Road and Lot B of Lot 5 of the Northwest Quarter all in Section 11, Township 118, Range 25, Wright County, Minnesota, described as follows: Commencing at the Northwest corner of Section 11, thence on an assumed bearing of North 89 degrees 42 minutes 14 seconds East along the North line of the Northwest Quarter of said Section 11, a distance of 1859.61 feet; thence South 1 degree 10 minutes 48 seconds East, a distance of 464.86 feet to the point of beginning; thence South 1 degree 10 minutes 48 seconds East on a continuation of the last described line, a distance of 892.07 feet; thence North 65 degrees 19 minutes 12 seconds East, a distance of 521.65 feet; thence North 7 degrees 00 minutes 43 seconds West a distance of 121.78 feet to the Southwesterly right-of-way line of U.S. Highway No. 12; thence Northwesterly along said right-of-way line, along a curve not tangent to the last described line, a distance of 712.34 feet, said curve has a central angle of 13 degrees 57 minutes 08 seconds, a radius of 2925.286 feet, the chord of said curve bears North 32 degrees 36 minutes 35 seconds West; thence South 64 degrees 21 minutes 59 seconds West a distance of 104.89 feet to the point of beginning;

Except that portion shown as Parcel 53 set forth in Final Certificate Condemnation, dated April 20, 1999, recorded May 18, 1999 as Document No. 678437 and as shown on Minnesota Department of Transportation Right-of-Way Plat No. 86-18, recorded September 7, 1995 as Document No. 578519.

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 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 (2016), the City will reimburse the Township as stated in Ordinance Number R-16-08.

Dated: September 29, 2016

A handwritten signature in black ink, appearing to read 'T. Pust', is written over a horizontal line.

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 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.