

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of  
Certain Real Property to the City of  
Melrose from Melrose Township  
(MBAU Docket A-8032)

**ORDER APPROVING  
ANNEXATION ORDINANCE**

On November 17, 2016, the City of Melrose (City) adopted Ordinance Number 11-17-2016-1 (Ordinance) annexing certain real property (Property) from Melrose Township (Township) legally described as follows:

That part of the East Half of the Southeast Quarter, Section 35, Township 126, Range 33, Stearns County, Minnesota, being described as follows:

Commencing at the southeast corner of said Section 35; thence on an assumed bearing of North 89 degrees 52 minutes 43 seconds West, along the south line of said Southeast Quarter and also being the south line of the plat of EICH'S ACRES, according to the recorded plat thereof on file in the office of the County Recorder, Stearns County, Minnesota, a distance of 662.18 feet to the southwest corner of the East Half of the Southeast Quarter of the Southeast Quarter and also being the southwest corner of said plat of EICH'S ACRES; thence North 00 degrees 43 minutes 50 seconds West, along the westerly line of said plat of EICH'S ACRES also being the west line of said East Half of the Southeast Quarter of the Southeast Quarter, a distance of 285.00 feet to the northwest corner of said plat of EICH'S ACRES; thence continuing North 00 degrees 43 minutes 50 seconds West, along said west line of the East Half of the Southeast Quarter of the Southeast Quarter, a distance of 700.60 feet to the point of beginning of the parcel of land to be described; thence continuing North 00 degrees 43 minutes 50 seconds West, along said west line of the East Half of the Southeast Quarter of the Southeast Quarter and its northerly extension, a distance of 518.62 feet; thence North 52 degrees 34 minutes 36 seconds West, a distance of 555.79 feet; thence North 00 degrees 40 minutes 00 seconds West, a distance of 694 feet, more or less, to the southerly bank of the Sauk River; thence Southwesterly, along said southerly bank of the Sauk River, a distance of 239 feet, more or less, to the west line of the East Half of the Southeast Quarter; thence South 00 degrees 40 minutes 00 seconds East, along the west line of said East Half of the Southeast Quarter, a distance of 1462 feet, more or less, to the northwest corner of West Half of the South Three-Fourths of the Southeast Quarter of said Southeast Quarter; thence South 89 degrees 54 minutes 31 seconds East, a distance of 661.07 feet to the point of beginning. Said parcel of land contains 14.6 acres of land, more or less, and is subject to existing easements of record.

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), and as agreed to by the City and Township, and the City will reimburse the Township two equal payments of \$125 as stated in the City's January 5, 2017 letter to the Township.

Dated: January 6, 2017

A handwritten signature in black ink, appearing to read 'TLP', 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 Stearns 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.