

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Rochester from Cascade Township
(MBAU Docket A-8040)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On December 19, 2016, the City of Rochester (City) adopted Ordinance Number 4276 (Ordinance) annexing certain real property (Property) from Cascade Township (Township) legally described as follows:

That part of the Northwest Quarter of the Northwest Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 20; thence North 88 degrees 26 minutes 10 seconds East, assumed bearing, along the north line of said Northwest Quarter, 324.15 feet for the point of beginning; thence southeasterly 89.76 feet along a non-tangential curve, concave southerly, central angle of 06 degrees 32 minutes 06 seconds, radius of 787.00 feet and a chord which bears South 77 degrees 09 minutes 33 seconds East, 89.72 feet; thence southeasterly 62.95 feet along a reverse curve, concave northerly, central angle of 06 degrees 30 minutes 37 seconds, radius of 554.00 feet and a chord which bears South 77 degrees 08 minutes 49 seconds East, 62.92 feet; thence easterly 30.66 feet along a compound curve, concave northerly, central angle of 06 degrees 27 minutes 27 seconds, radius of 272.00 feet and a chord which bears South 83 degrees 37 minutes 51 seconds East, 30.64 feet; thence northeasterly 40.77 feet along a compound curve, concave northerly, central angle of 37 degrees 04 minutes 54 seconds, radius of 63.00 feet and a chord which bears North 74 degrees 35 minutes 59 seconds East, 40.07 feet; thence North 56 degrees 03 minutes 32 seconds East, tangent to said curve, 45.31 feet; thence North 29 degrees 49 minutes 10 seconds East, 9.80 feet to the north line of said Northwest Quarter; thence South 88 degrees 26 minutes 10 seconds West, along said north line, 260.45 feet to the point of beginning.

ALSO:

That part of the Northwest Quarter of the Northwest Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 20; thence North 88 degrees 26 minutes 10 seconds East, assumed bearing, along the north line of said Northwest Quarter, 324.15 feet; thence southeasterly 89.76 feet along a non-tangential curve, concave southerly, central angle of 06 degrees 32 minutes 06 seconds, radius of 787.00 feet and a chord which bears South 77 degrees 09 minutes 33 seconds East, 89.72 feet; thence southeasterly 62.95 feet along a reverse curve, concave northerly, central angle of 06 degrees 30 minutes 37 seconds, radius of 554.00 feet and a chord which bears South 77 degrees 08 minutes 49 seconds East, 62.92 feet; thence easterly 30.66 feet along a compound curve, concave northerly, central angle of 06 degrees 27 minutes 27 seconds, radius of 272.00 feet and a chord which bears South 83 degrees 37 minutes 51 seconds East, 30.64 feet; thence northeasterly 40.77 feet along a compound curve, concave northerly, central angle of 37 degrees 04 minutes 54 seconds, radius of 63.00 feet and a chord which bears North 74 degrees 35 minutes 59 seconds East, 40.07 feet; thence North 56 degrees 03 minutes 32 seconds East, tangent to said curve, 45.31 feet; thence North 29 degrees 49 minutes 10 seconds East, 9.80 feet to the north line of said Northwest Quarter; thence North 88 degrees 26 minutes 10 seconds East, along said north line, 117.14 feet; thence South 29 degrees 49 minutes 10 seconds West, 91.66 feet; thence southerly 69.73 feet along a non-tangential curve, concave easterly, central angle of 17 degrees 22 minutes 13 seconds, radius of 230.00 feet and a chord which bears South 04 degrees 25 minutes 15 seconds West, 69.46 feet; thence southeasterly 30.93 feet along a compound curve, concave northeasterly, central angle of 39 degrees 22 minutes 42 seconds, radius of 45.00 feet and a chord which bears South 23 degrees 57 minutes 13 seconds East, 30.32 feet; thence southeasterly 15.67 feet along a compound curve, concave northeasterly, central angle of 14 degrees 28 minutes 58 seconds, radius of 62.00 feet and a chord which bears South 50 degrees 53 minutes 02 seconds East, 15.63 feet; thence southeasterly 123.84 feet along a reverse curve, concave southwesterly, central angle of 13 degrees 20 minutes 15 seconds, radius of 532.00 feet and a chord which bears South 51 degrees 27 minutes 24 seconds East, 123.56 feet; thence southeasterly 376.34 feet along a reverse curve, concave northeasterly, central angle of 34 degrees 43 minutes 22 seconds, radius of 621.00 feet and a chord which bears South 62 degrees 08 minutes 57 seconds East, 370.61 feet; thence easterly 222.31 feet along a compound curve, concave northerly, central angle of 17 degrees 16 minutes 57 seconds, radius of 737.00 feet and a chord which bears South 88 degrees 09 minutes 07 seconds East, 221.47 feet to the east line of the Northwest Quarter of said Northwest Quarter; thence South 00 degrees 18 minutes 40 seconds East, along said east line, 90.96 feet for the point of beginning; thence westerly 104.79 feet along a non-tangential curve, concave northerly, central angle of 04 degrees 00 minutes 10 seconds, radius of 1500.00 feet and a chord which bears South 87 degrees 40 minutes 08 seconds West, 104.77 feet; thence northwesterly 590.39 feet along a compound curve, concave northeasterly, central angle of 47 degrees 26 minutes 35 seconds, radius of 713.00 feet and a chord which bears North 66 degrees 36 minutes 30 seconds West, 573.67 feet; thence northwesterly 119.48 feet along a reverse curve, concave southwesterly, central angle of 36 degrees 36 minutes 32 seconds, radius of 187.00 feet and a chord


which bears North 61 degrees 11 minutes 29 seconds West, 117.46 feet; thence North 79 degrees 29 minutes 44 seconds West, tangent to said curve, 20.39 feet; thence southwesterly 34.18 feet along a tangential curve, concave southeasterly, central angle of 62 degrees 30 minutes 00 seconds, radius of 31.33 feet and a chord which bears South 69 degrees 15 minutes 16 seconds West, 32.51 feet; thence South 38 degrees 00 minutes 16 seconds West, tangent to said curve, 33.79 feet; thence southwesterly 35.71 feet along a tangential curve, concave southeasterly, central angle of 08 degrees 11 minutes 06 seconds, radius of 250.00 feet and a chord which bears South 33 degrees 54 minutes 43 seconds West, 35.68 feet; thence South 29 degrees 49 minutes 10 seconds West, tangent to said curve, 46.83 feet; thence North 60 degrees 10 minutes 50 seconds West, 60.00 feet; thence North 29 degrees 49 minutes 10 seconds East, 34.50 feet; thence northerly 52.68 feet along a tangential curve, concave westerly, central angle of 20 degrees 07 minutes 27 seconds, radius of 150.00 feet and a chord which bears North 19 degrees 45 minutes 27 seconds East, 52.41 feet; thence North 09 degrees 41 minutes 43 seconds East, tangent to said curve, 47.52 feet; thence northerly 21.38 feet along a tangential curve, concave westerly, central angle of 39 degrees 06 minutes 23 seconds, radius of 31.33 feet and a chord which bears North 09 degrees 51 minutes 28 seconds West, 20.97 feet; thence northwesterly 88.42 feet along a compound curve, concave southwesterly, central angle of 44 degrees 03 minutes 12 seconds, radius of 115.00 feet and a chord which bears North 51 degrees 26 minutes 16 seconds West, 86.26 feet; thence westerly 133.82 feet along a compound curve, concave southerly, central angle of 09 degrees 27 minutes 58 seconds, radius of 810.00 feet and a chord which bears North 78 degrees 11 minutes 50 seconds West, 133.67 feet; thence South 89 degrees 46 minutes 54 seconds West, not tangent to said curve, 189.54 feet; thence southwesterly 39.36 feet along a non-tangential curve, concave southeasterly, central angle of 29 degrees 40 minutes 22 seconds, radius of 76.00 feet and a chord which bears South 57 degrees 54 minutes 23 seconds West, 38.92 feet; thence South 29 degrees 46 minutes 54 seconds West, not tangent to said curve, 11.19 feet to a line which is 33.00 feet easterly of, as measured at right angles to and parallel with, the west line of said Northwest Quarter; thence North 00 degrees 13 minutes 06 seconds West, along said parallel line, 114.31 feet to the north line of said Northwest Quarter; thence South 88 degrees 26 minutes 10 seconds West, along said north line, 33.01 feet to the west line of said Northwest Quarter; thence South 00 degrees 13 minutes 06 seconds East, along said west line, 1314.01 feet to the south line of the Northwest Quarter of said Northwest Quarter; thence North 88 degrees 21 minutes 31 seconds East, along said south line, 1320.81 feet to the east line of the Northwest Quarter of said Northwest Quarter; thence North 00 degrees 18 minutes 40 seconds West, along said east line, 760.74 feet to the point of beginning.

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 the equivalent of three years' worth of taxes in two years as stated in Ordinance Number 4276.

Dated: February 28, 2017



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 Olmsted 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.