

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of  
Certain Real Property to the City of  
Fosston from Rosebud Township  
(MBAU Docket A-8072)

**ORDER APPROVING  
ANNEXATION ORDINANCE**

Pursuant to Minn. Stat. § 414.033, subd. 5 (2016), on November 13, 2017, the City of Fosston (City) adopted Ordinance Number 4.32 (Ordinance) which approved the Petition for Annexation of Carrol D. Melbo and Linda G. Melbo to annex certain real property (Property) from Rosebud Township (Township) legally described as follows:

Commencing at a point Thirty (30) rods East of the Southwest corner of the Northwest Quarter of the Northwest Quarter (NW1/4NW1/4) of Section Three (3), Township One Hundred Forty-seven (147) North, Range Forty (40) West of the Fifth Principal Meridian, thence approximately Fourteen (14) rods along the North line of Block Two (2), Stadvold and Lohn's Addition to Fosston, Minnesota, to the Northeast corner of said Block Two (2), thence North at right angles Thirteen and one-third (13-1/3) rods; thence West at right angles approximately Fourteen (14) rods, thence South at right angles Thirteen and one-third (13-1/3) rods to the point of beginning, EXCEPT the West Sixty-two and one-half (62-1/2) feet thereof, and also EXCEPTING the following described tract:

Commencing at the Northwest corner of Government Lot Four (4), Section Three (3), Township One Hundred Forty-seven (147) North, Range Forty (40) West, thence running South along the West line of Government Lot 4 a distance of 1,292.44 feet to a point, thence running East along a line having a bearing of S88°58'06"E a distance 412.71 feet to a point, thence running North along a line having a bearing of N01°00'28"W a distance of 220.14 feet to a point, thence running East along a line having a bearing of S88°57'53"E a distance of 145.09 feet to a point being the POINT OF BEGINNING, thence running South along a line having a bearing of S01°00'27"E a distance of 220.14 feet to a point, thence running East along a line having a bearing of S88°57'53"E a distance of 12 feet to a point, thence running North to a point being 17 feet Easterly of the point of beginning, thence Westerly to the point of beginning.

No objection to the Petition for Annexation was filed by the Township pursuant to Minn. Stat. § 414.033, subd. 5.

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 property taxes to the Township in the amount of \$44.42 each year for two years as stated in the Ordinance.

4. Pursuant to Minn. Stat. § 414.036 (2016), the City will reimburse special assessments to the Township in the amount of \$80 each year for two years as stated in the Ordinance.

Dated: November 20, 2017



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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 Polk 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 (2017). However, no request for amendment shall extend the time of appeal from this Order.