

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-8077)

**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 4.34 (Ordinance) which approved the Petition for Annexation of Polk County to annex certain real property (Property) from Rosebud Township (Township) legally described as follows:

That part of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) of Section Four (4), Township One-Hundred Forty-Seven (147) North, Range Forty (40) West of the Fifth Principal Meridian, Polk County, Minnesota, described as follows, to-wit:

Beginning at a point 589.0 feet due north and 320.0 feet due west of the center of said Section Four (4); thence northerly, parallel with and 320.0 feet west of the north and south quarter line through said Section Four (4) a distance of 13.7 feet to the southeast corner of Lot Three (3), Block Two (2), Fosston Industrial Park; thence due west 526.0 feet, more or less, and along the southerly line of Lots Three (3), Four (4), and Five (5), Block Two (2), Fosston Industrial Park, to the southwest corner of said Lot Five (5); thence at right angles due south a distance of 40 feet; thence due east and parallel to the south line of said Lots Three (3), Four (4), and Five (5), a distance of 526.0 feet, more or less, to a point which is 320.0 feet west of the north and south quarter line through said Section Four (4) and which is also due south of the point of beginning; thence due north and parallel with such north and south quarter line a distance of 26.3 feet to the point of beginning, EXCLUDING THEREFROM any land already within the City of Fosston, said exception being and/or including Parcel #87.00024.00.

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. As there is no taxable property within the Property, the provisions of Minn. Stat. § 414.036 (2016) are not applicable.

Dated: November 20, 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 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.