

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of  
Certain Real Property to the City of  
Rockville from St. Joseph Township  
(MBAU Docket A-8111)

**ORDER APPROVING  
ANNEXATION ORDINANCE**

On June 13, 2018, the City of Rockville (City) adopted Ordinance Number 2018-91 (Ordinance) which approved the Petition for Annexation of Mark A. Yanta and Creative Capital Holdings, LP to annex certain real property (Property) legally described as follows:

Creative Capital Holdings

That part of the South Half of the Northwest Quarter (S $\frac{1}{2}$  NW $\frac{1}{4}$ ) of Section 35, Township 124 North, Range 29 West, Stearns County, Minnesota, described as follows:

Commencing at the south quarter corner of said Section 35; thence North 00 degrees 15 minutes 45 seconds East, assumed bearing along the north-south quarter line of said Section 35, a distance of 2697.25 feet to the southeast corner of said South Half of the Northwest Quarter (S $\frac{1}{2}$  NW $\frac{1}{4}$ ), said point being the beginning of the land to be described; thence continuing North 00 degrees 15 minutes 45 second East, along said north-south quarter line 870.90 feet to the south line of STATE HIGHWAY RIGHT OF WAY PLAT NO. 73-14, according to the recorded plat thereof; thence South 64 degrees 35 minutes 39 seconds West, along said south line of STATE HIGHWAY RIGHT OF WAY PLAT NO. 73-14, a distance of 1341.38 feet to the easterly corner of Parcel 214 of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-54, according to the recorded plat thereof; thence South 50 degrees 01 minutes 12 seconds West, along the southeast line of said Parcel 214, a distance of 169.49 feet; thence South 64 degrees 35 minutes 39 seconds West, along said southeast line of Parcel 214, a distance of 535.01 feet to the south line of said South Half of the Northwest Quarter (S $\frac{1}{2}$  NW $\frac{1}{4}$ ); thence North 88 degrees 38 minutes 46 seconds East, along said south line of the South Half of the Northwest Quarter (S $\frac{1}{2}$  NW $\frac{1}{4}$ ), a distance of 1821.31 feet to the point of beginning.

And

That part of the Northeast Quarter of Section 35, Township 124, Range 29, which lies southerly of STATE HIGHWAY RIGHT OF WAY PLAT No. 73-15, Stearns County, Minnesota.

Except the south 2 rods of the east 2 rods of said Northeast Quarter.

And

That part of the Northwest Quarter of the Northeast Quarter of Section 35, Township 124, Range 29, which lies northerly and westerly of STATE HIGHWAY RIGHT OF WAY PLAT No. 73-15, Stearns County, Minnesota.

Mark A. Yanta

The South 33 feet of the East 33 feet of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section Thirty-five (35) and that part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section Thirty-six (36), all in Township One Hundred Twenty-four (124) North, Range Twenty-nine (29) West, lying Southwesterly of the right of way of Interstate Highway No. 94 as shown on State highway Right of Way Plat No. 73-15, a duly recorded plat.

Together with an easement for ingress and egress over the East Two rods of the North 327.00 feet of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of said Section 35.

No objection by the St. Joseph Town Board (Township) was served 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 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 \$1,377.87 each year for two years as stated in Ordinance Number 2018-91.

Dated: June 15, 2018



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