

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-8145)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On April 16, 2018, the City of Rochester (City) adopted Ordinance Number 4338 (Ordinance) annexing certain real property (Property) from Cascade Township (Township) legally described as follows:

Commencing at the northeast corner of the Southwest Quarter of said Section 17; thence South 00 degrees 23 minutes 48 seconds East, assumed bearing, along the east line of said Southwest Quarter, 755.05 feet for the point of beginning; thence South 88 degrees 21 minutes 12 seconds West, 316.47 feet; thence South 44 degrees 51 minutes 12 seconds West, 697.84 feet; thence South 87 degrees 38 minutes 12 seconds West, 535.00 feet; thence North 00 degrees 21 minutes 48 seconds West, 197.00 feet; thence North 37 degrees 08 minutes 12 seconds East, 409.90 feet; thence North 52 degrees 51 minutes 48 seconds West, 172.40 feet; thence North 00 degrees 21 minutes 48 seconds West, 290.32 feet; thence South 89 degrees 38 minutes 12 seconds West, 265.00 feet; thence North 84 degrees 04 minutes 48 seconds West, 651.66 feet; thence South 08 degrees 38 minutes 12 seconds West, 491.89 feet; thence South 89 degrees 40 minutes 12 seconds West, 350.05 feet to a line which is 60.00 feet easterly of, as measured at right angles to and parallel with, the west line of said Southwest Quarter; thence South 00 degrees 17 minutes 49 seconds East, along said parallel line, 1906.65 feet to the northerly right of way line of Badger Hills Drive NW (the next 3 courses are along said northerly right of way line); thence easterly 51.06 feet along a nontangential curve, concave northerly, central angle of 33 degrees 14 minutes 43 seconds, radius of 88.00 feet and a chord which bears South 80 degrees 53 minutes 27 seconds East, 50.35 feet; thence easterly 85.97 feet along a reverse curve, concave southerly, central angle of 07 degrees 40 minutes 21 seconds, radius of 642.00 feet and a chord which bears North 86 degrees 19 minutes 22 seconds East, 85.91 feet; thence easterly 129.31 feet along a compound curve, concave southerly, central angle of 09 degrees 24 minutes 51 seconds and a chord which bears South 85 degrees 08 minutes 02 seconds East, 129.16 feet to the south line of the Southwest Quarter of said Section 17; thence North 88 degrees 26 minutes 10 seconds East, not tangent to said curve and along said

south line, 260.45 feet to the westerly and northerly right of way line of Alpha Parkway NW (the next 2 courses are along said westerly and northerly right of way line); thence North 29 degrees 49 minutes 10 seconds East, 90.20 feet; thence South 60 degrees 10 minutes 50 seconds East, 10.00 feet to the most westerly corner of said Alpha Parkway NW, as dedicated on ALPHA SUBDIVISION, according to the recorded plat thereof; (the next 11 courses are along the northerly line of said ALPHA SUBDIVISION); thence North 29 degrees 49 minutes 10 seconds East, 78.56 feet; thence northeasterly 396.97 feet along a tangential curve, concave southeasterly, central angle of 51 degrees 41 minutes 35 seconds and a radius of 440.00 feet; thence North 81 degrees 30 minutes 45 seconds East, tangent to said curve, 320.74 feet; thence northeasterly 155.49 feet along a tangential curve, concave northerly, central angle of 19 degrees 22 minutes 00 seconds and a radius of 460.00 feet; thence North 62 degrees 08 minutes 45 seconds East, tangent to said curve, 300.94 feet; thence northeasterly 97.38 feet along a tangential curve, concave southeasterly, central angle of 10 degrees 19 minutes 55 seconds and a radius of 540.00 feet; thence North 72 degrees 28 minutes 40 seconds East, tangent to said curve, 181.78 feet; thence northeasterly 423.96 feet along a tangential curve, concave northwesterly, central angle of 39 degrees 49 minutes 18 seconds and a radius of 610.00 feet; thence North 32 degrees 39 minutes 22 seconds East, tangent to said curve, 70.47 feet; thence easterly 302.64 feet along a tangential curve, concave southerly, central angle of 66 degrees 41 minutes 35 seconds and a radius of 260.00 feet; thence South 80 degrees 39 minutes 03 seconds East, tangent to said curve, 117.10 feet to the southwest corner of Outlot B, NORTHERN HILLS COMMERCIAL PARK, according to the recorded plat thereof (the next 2 courses are along the westerly line of said Outlot B); thence North 00 degrees 23 minutes 48 seconds West, 851.03 feet; thence South 88 degrees 21 minutes 12 seconds West, 33.35 feet; thence continue South 88 degrees 21 minutes 12 seconds West, 69.36 feet to the point of beginning. Containing 90.32 acres, more or less.

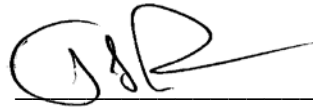
Based upon a review of the Ordinance, the Chief Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.033 (2018), 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 (2018), the City will reimburse the Township as stated in the Ordinance.

4. The City must file a copy of the Annexation Ordinance with the Township, the appropriate county auditor(s), and the Secretary of State as required by Minn. Stat. § 414.033, subd. 7.

Dated: September 6, 2018



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 (2018). 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 (2017). However, no request for amendment shall extend the time of appeal from this Order.