

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of Certain
Real Property to the City of Bemidji from
Bemidji Township (MBAU Docket A-8165)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On August 6, 2018, the City of Bemidji (City) adopted Ordinance Number 150, 3rd Series (Ordinance 150), annexing certain real property from Bemidji Township (Township) legally described as:

That part of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$), Section Eighteen (18), Township One Hundred Forty-six (146) North, Range Thirty-three (33) West, Beltrami County, Minnesota, described as follows: Commencing at the southeast corner of said Southeast Quarter of the Northeast Quarter; thence North 0°12'08" West, bearing assumed, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 570.35 feet to the intersection with the north line of the south 570.30 feet of said Southeast Quarter of the Northeast Quarter, said north line is the southerly right of way line of Mikrantip Road SW, as dedicated in the plat of Gregg's West Side Development, according to the recorded plat thereof; thence North 89°27'41" West, along said north line, a distance of 171.01 feet to the intersection with the west line of the east 171.00 feet of said Southeast Quarter of the Northeast Quarter and the point of beginning of the land to be described; thence continuing North 89°27'41" West along said north line a distance of 346.23 feet to the angle point in the southerly right of way line of said Mikrantip Road SW; thence South 42°14'30" West, along the easterly right of way line of said Mikrantip Road SW, a distance of 125.00 feet to the intersection with the northeasterly right of way line of Mag Seven Court SW, as dedicated in said Gregg's West Side Development; thence southeasterly along the easterly right of way line of said Mag Seven Court SW a distance of 116.54 feet along a curve concave to the southwest and not tangent with the last described line, said curve has a radius of 192.41 feet, a central angle of 34°42'14" and the chord of said curve bears South 30°24'23" East; thence South 13°03'01" East, along tangent, a distance of 17.63 feet to the intersection with the north line of Lot 10, Block 3, said Gregg's West Side Development; thence South 89°27'41" East along said north line a distance of 254.43 feet; thence South 47°45'30" East along the northeasterly line of said Lot 10, Block 3, a distance of 155.15 feet to the intersection with the west line of the east 171.00 feet of said Southeast Quarter of the Northeast Quarter; thence North 0°12'08" West, along said west line, a distance of 312.13 feet to the intersection with the north line of the south 570.30

feet of said Southeast Quarter of the Northeast Quarter to the point of beginning. Reserving a 20 foot wide utility easement over, under and across the north 20 feet thereof.

AND

That part of the Southeast Quarter of the Northeast Quarter (SE¼ of NE¼), Section Eighteen (18), Township One Hundred Forty-six (146) North, Range Thirty-three (33) West, Beltrami County, Minnesota, described as follows: Commencing at the southeast corner of said Southeast Quarter of the Northeast Quarter; thence North 0°12'08" West, bearing assumed, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 570.35 feet to the intersection with the north line of the south 570.30 feet of said Southeast Quarter of the Northeast Quarter, said north line is the southerly right of way of Mikrantip Road SW, as dedicated in the plat of Gregg's West Side Development, according to the recorded plat thereof; thence North 89°27'41" West, along said north line, a distance of 50.00 feet to the intersection with the west line of the east 50 feet of said Southeast Quarter of the Northeast Quarter and the point of beginning of the land to be described; thence continuing North 89°27'41" West along said north line a distance of 121.01 feet to the intersection with the west line of the east 171.00 feet of said Southeast Quarter of the Northeast Quarter; thence South 0°12'08" East, along said west line, a distance of 312.13 feet to the intersection with the northeasterly line of Lot 10, Block 3, said Gregg's West Side Development; thence South 47°45'30" East along said northeasterly line a distance of 163.98 feet to the intersection with the west line of the east 50 feet of said Southeast Quarter of the Northeast Quarter; thence North 0°12'08" West, along said west line, a distance of 421.23 feet to the intersection with the north line of the south 570.30 feet of said Southeast Quarter of the Northeast Quarter to the point of beginning. Reserving a 20 foot wide utility easement over, under and across the north 20 feet thereof.

On October 15, 2018, the City adopted Ordinance Number 153, 3rd Series (Ordinance 153) amending Ordinance 150 to include reimbursement from the City to the Township.

Based upon a review of Ordinance 150 and Ordinance 153, the Chief Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.033 (2018), Ordinance 150 and Ordinance 153 are deemed adequate in all legal respects and properly support this Order.
2. Pursuant to the terms of Ordinance 150, Ordinance 153, 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 Ordinance Number 153.

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: January 14, 2019



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 Beltrami 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.