

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Zumbrota from Zumbrota Township
(MBAU Docket A-8238)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On November 7, 2019, the City of Zumbrota (City) adopted Ordinance Number 2019-05 (Ordinance) annexing certain real property (Property) from Zumbrota Township (Township) legally described as follows:

PARCEL A

That part of the Southeast Quarter of Section 31, Township 110 North, Range 15 West, Goodhue County, Minnesota, described as follows:

Commencing at the southwest corner of said Southeast Quarter; thence northerly on a Minnesota State Plane Grid Azimuth from north of 358 degrees 25 minutes 55 seconds along the west line of said Southeast Quarter 1107.00 feet to the southwesterly line of the real property described in a deed recorded in Book N-4 of Deeds, Page 457; thence southeasterly 122 degrees 37 minutes 24 seconds azimuth along said southwesterly line 112.00 feet to the most southerly corner of the real property described in the second deed recorded in Book I-9 of Deeds, Page 236; thence northeasterly 24 degrees 37 minutes 24 seconds azimuth along the southeasterly line of said real property described and recorded in said Book I-9 of Deeds, Page 236, a distance of 446.90 feet to the point of beginning; thence continue northeasterly 24 degrees 37 minutes 24 seconds azimuth along said southeasterly line 89.10 feet to the point of beginning of the real property described in the first deed recorded in said Book I-9, Page 236; thence northerly 358 degrees 25 minutes 55 seconds azimuth along the along the easterly line of said first deed recorded in said Book I-9, Page 236, a distance of 80.00 feet; thence easterly 88 degrees 25 minutes 55 seconds azimuth 54.53 feet; thence southerly 179 degrees 57 minutes 51 seconds azimuth 112.85 feet; thence southwesterly 235 degrees 55 minutes 48 seconds azimuth 87.73 feet; thence westerly 268 degrees 25 minutes 48 seconds azimuth 16.85 feet to the point of beginning. Said tract contains 0.19 acres more or less.

PARCEL B

Commencing at a point eleven hundred seven (1107) feet North of the South West corner of the Southeast Quarter (SE ½) of Section Thirty-one (31), Township One

Hundred Ten (110) North, Range Fifteen (15) West – running thence South fifty-five degrees and forty-five minutes (55° 45') East a distance of one hundred twelve (112) feet; thence North twenty-six degrees and fifteen minutes (26° 15') East a distance of five hundred thirty-six (536) feet for a place of beginning – thence due North a distance of eighty (80) feet; thence due West a distance of one hundred sixty (160) feet; thence due South one hundred sixty (160) feet; thence due East twenty-one and three tenths (21.3) feet; thence North thirty-eight degrees and thirty minutes (38° 30') East a distance of one hundred eight and five tenths (108.5) feet; thence South eighty-five degrees and fifty minutes (85° 50') East a distance of seventy (70) feet to the place of beginning, containing forty-four hundredths (0.44) acre.

PARCEL C

Beginning at a point eleven hundred seven (1107) feet North of the South West corner of the South East quarter (1/4) of Section thirty-one (31) of Township one hundred ten (110). North of range fifteen (15) West – running thence South-fifty five degrees and forty five minutes (55°-45') East one hundred twelve (112) feet thence North twenty six degrees and fifteen minutes (26°-15') East – five hundred thirty six (536) feet thence North eighty five degrees and fifty minutes (85°-50') West seventy (70) feet thence South thirty eight degrees and thirty minutes (38°-30') West five hundred sixteen (516) feet thence South fifty five degrees and forty five (55-45')minutes. East sixty-three (63) feet to place of beginning containing one and one half (1 ½) acres. The said grantor herein permit the said village to enter upon land owned by them lying between the above described tract and the original town site of said village for the purpose of laying certain water pipes or mains and for the purpose of repairing the same provided said village shall permit no waste or damage to said land by such laying or repairing of said pipes or mains and have its surface of said land in as good condition as before such laying or repairing.

The said grantee further agrees to make and maintain all necessary fences around said granted land that may be required for the uses and purposes of the farm surrounding said tract.

EXCEPT

Beginning at a point eleven hundred seven (1107) feet North of the Southwest corner of the Southeast Quarter (SE ¼) of Section Thirty-one (31), Township One Hundred Ten (110) North, Range Fifteen (15) West – running thence South fifty-five degrees and forty-five minutes (55° 45') East a distance of one hundred twelve (112) feet; thence North twenty-six degrees and fifteen minutes (26° 15') East a distance of four hundred forty-six and nine tenths (446.9) feet; thence due West a distance of ninety-eight and five tenths (98.5) feet; thence South thirty-eight degrees and thirty minutes (38° 30') West a distance of three hundred ninety-one and five tenths (391.5) feet; thence South fifty-five degrees and forty-five minutes (55° 45') East a distance of sixty-three (63) feet to the place of beginning containing one and fifty-four hundredths (1.54) acres.

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. As there is no taxable property within the Property, the provisions of Minn. Stat. § 414.036 (2018) are not applicable.

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 16, 2020


JESSICA PALMER-DENIG
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 Goodhue 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 (2019). However, no request for amendment shall extend the time of appeal from this Order.