

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Glenwood from Glenwood Township
(MBAU Docket A-8269)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On May 26, 2020, the City of Glenwood (City) filed a Notice of Intent for Annexation pursuant to Minn. Stat. § 414.033, subd. 3 (2018) with the Office of Administrative Hearings.

No objection by the Glenwood Town Board (Township) was served pursuant to Minn. Stat. § 414.033, subd. 3.

On July 14, 2020, the City adopted Ordinance Number 24 (Ordinance) annexing certain real property (Property) legally described as follows:

Tract One: Parcel No. 09-0316-001:

That part of the Northeast Quarter (NE1/4) Section 18, Township 125, Range 37 described as follows:

Commencing at the Northeast corner of said quarter section;

thence West along the North line of said quarter section 1741.4 feet;

thence South 820 feet;

thence East 1741.4 feet to the East line of said quarter section;

thence North along the said East line to the point of beginning.

EXCEPT that part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 18, Township 125 North, Range 37 West, Pope County, Minnesota, described as follows:

Beginning at the northeast corner of said Section 18;

thence South 00 degrees 05 minutes 51 seconds West, record bearing, along the east line of said Northeast Quarter of the Northeast Quarter 355.50 feet to Point A;

thence South 89 degrees 29 minutes 27 seconds West 726.00 feet;

thence North 00 degrees 05 minutes 51 seconds East 355.50 feet to the north line

of said Northeast Quarter of the Northeast Quarter;

thence North 89 degrees 29 minutes 27 seconds East along said north line 726.00 feet to the point of beginning.

FURTHER EXCEPT that part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 18, Township 125 North, Range 37 West, Pope County, Minnesota, described as follows:

Beginning at the northeast corner of said Section 18;

thence South 00°05'51" West, record bearing, along the east line of said Northeast Quarter of the Northeast Quarter 355.50 feet to Point A;

thence South 00°05'51" West record bearing, along the east line of said Northeast Quarter of the Northeast Quarter 50 feet to Point B;

thence South 89°29'27" West 726.00 feet;

thence North 00°05'51" East 50 feet;

thence North 89°29'27" East 726.00 feet to the point of beginning.

ALSO EXCEPTING all that part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 18 Township 125 Range 37 which lies within a distance of 50 feet Westerly of the following described line:

Commencing at the NE Corner of said Section 18;

thence South 00 degrees 05 minutes 51 seconds West, record bearing, along the East line of said NE1/4 NE1/4 630.32 feet more or less to the south line of Service Road "C" as presently laid out and maintained by the Minnesota Department of Transportation and the Pope County Highway Department, this being the point of beginning;

thence continue South 00 degrees 05 minutes 51 seconds West, record bearing, along the East line of said NE1/4 NE1/4 189.68 feet more or less to the South line of that land as described in Document Number 184423 and of record in the office of the Pope County recorder and there terminate;

The above described tract of land is subject to the existing County State-Aid Highway No. 21.

ALSO FURTHER EXCEPTING that part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 18, Township 125 North, Range 37 West, Pope County, Minnesota, described as follows:

Commencing at the northeast corner of said Section 18;

thence South 00 degrees 05 minutes 51 seconds West, record bearing, along the east line of said Northeast Quarter of the Northeast Quarter, 405.50 feet to Point "X";

thence South 00 degrees 05 minutes 51 seconds West, continuing along said east line, 414.50 feet;

thence South 89 degrees 29 minutes 27 seconds West 50.00 feet to the point of beginning of the land to be described;

thence South 89 degrees 29 minutes 27 seconds West 676.00 feet;

thence North 00 degrees 05 minutes 51 seconds East 414.50 feet to the south line of that certain tract of land as described in Document Number 198257 and recorded in the office of the Pope County Recorder;

thence North 89 degrees 29 minutes 27 seconds East, along said south line, 726.00 feet to aforesaid Point "X", said point being on the east line of said Northeast Quarter of the Northeast Quarter;

thence South 00 degrees 05 minutes 51 seconds West, along said east line, 224.82 feet to the south line of Service Road "C", Minnesota Department of Transportation;

thence North 89 degrees 54 minutes 09 seconds West, along said south line, 50.00 feet;

thence South 00 degrees 05 minutes 51 seconds West 190.21 feet to the point of beginning.

Tract Two: Parcel No. 09-0316-003:

That part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 18, Township 125 North, Range 37 West, Pope County, Minnesota, described as follows:

Beginning at the Northeast corner of said Section 18;

Thence South 00°05'51" West, record bearing, along the East line of said Northeast Quarter of the Northeast Quarter 355.50 feet to Point A;

Thence South 00°05'51" West record bearing, along the East line of said Northeast Quarter of the Northeast Quarter 50 feet to Point B;

Thence South 89°29'27" West 726.00 feet;

Thence North 00°05'51" East 50 feet;

Thence North 89°29'27" East 726.00 feet to the point of beginning.

Tract Three: Parcel No. 09-0316-004:

That part of the Northeast Quarter of the Northeast Quarter of Section 18, Township 125 North, Range 37 West, Pope County, Minnesota, described as follows:

Commencing at the Northeast corner of Said Section 18;

thence South 00 degrees 05 minutes 51 seconds West, record bearing along the East line of said Northeast Quarter of the Northeast Quarter, 405.50 feet to Point "X";

thence South 00 degrees 05 minutes 51 seconds West, continuing along said East line, 414.50 feet;

thence South 89 degrees 29 minutes 27 seconds West 50.00 feet to the point of beginning of the land to be described;

thence South 89 degrees 29 minutes 27 seconds West 676.00 feet;

thence North 00 degrees 05 minutes 51 seconds East 414.50 feet to the South line of that certain tract of land as described in Document Number 198257 and recorded in the office of the Pope County Recorder;

thence North 89 degrees 29 minutes 27 seconds East, along said South line, 726.00 feet to aforesaid Point "X", said point being on the East line of said Northeast Quarter of the Northeast Quarter;

thence South 00 degrees 05 minutes 51 seconds West, along said East line, 224.82 feet to the South line of Service Road "C", Minnesota Department of Transportation;

thence North 89 degrees 54 minutes 09 seconds West, along said South line, 50.00 feet;

thence South 00 degrees 05 minutes 51 seconds West 190.21 feet to the point of beginning.

The tract contains 6.6899 acres and is subject to easement, reservations or restrictions of record, if any.

Based upon a review of the Ordinance, the 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 \$42.77 each year for two years 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: July 31, 2020


JESSICA A. 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 Pope 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.