

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Belle Plaine from Belle Plaine Buse
Township (MBAU Docket OA-1042-8)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the City of Belle Plaine (City) on April 19, 2004, and Belle Plaine Township (Township) on April 12, 2004, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

An amendment to the Joint Resolution to Designate (Joint Resolution Amendment) was adopted by the City on July 7, 2014, and the Township on July 8, 2014.

A joint resolution for orderly annexation (Joint Resolution to Annex), adopted by the City on June 18, 2018, and the Township of June 10, 2018, requests annexation of certain real property (Property) legally described as follows:

Parcel Number 019050120: Beginning at the point of intersection of the west line of Section 5, Township 113 North, Range 24 West, and the southerly right of way line of U.S. Highway No. 169, said point being 616.5 feet north of the west quarter corner of said Section 5; thence North 58 degrees 35 minutes East along the southerly line of said highway a distance of 747.8 feet; thence South 5 degrees 29 minutes West a distance of 638.9 feet; thence North 70 degrees 30 minutes West a distance of 612.0 feet to the west line of said Section 5; thence north along the west line of said Section 5 a distance of 41.9 feet to the place of beginning.

Except that part thereof shown as Parcel 216 on Minnesota Department of Transportation Right of Way Plat No. 70-26.

Scott County, Minnesota

Parcel Number 019050110: The Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of the NW $\frac{1}{4}$) of Section 5, Township 113, Range 24, Scott County, Minnesota, lying South of State Highway No. 169, EXCEPTING THEREFROM the following described property:

Beginning at the point of intersection of the West line of Section Five (5), Township One Hundred Thirteen (113) North, Range Twenty-four (24) West and the Southerly right-of-way line of U.S. Highway No. 169, said point being 616.5 feet North of the West Quarter corner of said Section Five (5); thence North 58 degrees, 35 minutes East along the Southerly line of said highway a distance of 747.8 feet; thence South 5 degrees, 29 minutes West a distance of 638.9 feet thence North 70

degrees, 30 minutes West a distance of 612.0 feet to the West line of said Section 5; thence North along the West line of said Section 5 a distance of 41.9 feet to the place of beginning, Scott County, Minnesota.

Based upon a review of the Joint Resolution to Designate, the Joint Resolution Amendment, and the Joint Resolution to Annex, the Chief Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2018), the Joint Resolution to Annex is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Joint Resolution to Designate, the Joint Resolution Amendment, the Joint Resolution to Annex, and this Order, the Property is **ANNEXED** to the City.
3. Pursuant to the agreement of the parties and as allowed by to Minn. Stat. § 414.036 (2018), no reimbursement shall be made by the City to the Township in accordance with the terms of the Joint Resolution to Designate and the Joint Resolution Amendment.

Dated: October 3, 2018



TAMMY L. PUST

Chief Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.0325, .07, .09, .12 (2018). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Scott 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.