

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Byron from Kalmar Township
(MBAU Docket OA-1073-7)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the City of Byron (City) and Kalmar Township (Township) on July 29, 2004, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

City of Byron Ordinance 16-03/Kalmar Township Ordinance 07201610 (Joint Resolution to Annex), adopted by the City on July 12, 2016 and the Township on July 18, 2016, requests annexation of certain real property (Property) legally described as follows:

The South 60 acres of the West 100 acres of the SE $\frac{1}{4}$, Section 28, Township 107 North, Range 15 West, Olmsted County, Minnesota, except the South 18 rods thereof. Said parcel contains 48.47 acres, more or less, including the 10th Avenue NE Right-of-Way. Said parcel is subject to the 10th Avenue NE Right-of-Way over the Western 60.00 feet thereof and is subject to any other easements or encumbrances of record.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2014), the Joint Resolution to Annex adopted by the City on July 12, 2016 and the Township on July 18, 2016, 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 to Annex, and this Order, the Property is **ANNEXED** to the City.
3. Pursuant to the agreement of the parties and as allowed by Minn. Stat. § 414.036 (2014), the City will reimburse the Township as stated in the Joint Resolution to Annex adopted by the City on July 12, 2016 and the Township on July 18, 2016.

Dated: July 27, 2016



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 (2014). 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 (2015). However, no request for amendment shall extend the time of appeal from this Order.