

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Becker from Becker Township
(MBAU Docket OA-1364-1)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (2007 Joint Resolution to Designate) was adopted by the City of Becker (City) on October 16, 2007, and Becker Township (Township) on October 15, 2007, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation. A joint resolution (2017 Joint Resolution to Designate) was adopted by the City on September 5, 2017, and the Township on August 22, 2017, replacing the 2007 Joint Resolution to Designate.

Resolution 18-71 (Joint Resolution to Annex), adopted by the City on November 20, 2018, and the Township on December 17, 2018, requests annexation of certain real property (Property) legally described as follows:

Tract A:

The Northwest Quarter of Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota; and

The Southwest Quarter of Section 35, Township 34 North, Range 29 West, including Government Lot 1, Sherburne County, Minnesota, except that part lying Southerly of the centerline of the traveled County Highway No. 53, Sherburne County, Minnesota; and

That part of Government Lot 2, Section 2, Township 33 North, Range 29 West, Sherburne County, Minnesota, lying North of the centerline of the traveled County Road No. 53, also known as 115th Avenue Southeast, now vacated. Sherburne County, Minnesota.

Tract B:

The Southeast Quarter of Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota.

Tract C:

The Northeast Quarter of Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota, except the north 440 feet of the West Half

Tract D:

Beginning at the northwest corner of the Northeast Quarter of Section 35, Township 34 North, Range 29 West; thence North 89 degrees 07 minutes 33

seconds East along the north line of said Northeast Quarter of Section 35 (assumed bearing) a distance of 495.01 feet; thence. South 00 degrees 10 minutes 53 seconds West a distance of 440.07 feet to the south line of the north 440 feet of the Northwest Quarter of the Northeast Quarter; thence South 89 degrees 07 minutes 33 seconds West a distance of 495.02 feet to the west line of the Northeast Quarter of Section 35; thence North 00 degrees 10 minutes 53 seconds East along said west line to the point of beginning, and there terminating

Tract E:

Commencing at the northwest corner of the Northeast Quarter of Section 35, Township 34 North, Range 29 West; thence North 89 degrees 07 minutes 33 seconds East along the north line of said Northeast Quarter of Section 35 (assumed bearing) a distance of 819.97 feet to the point of beginning of the land to be described; thence continuing North 89 degrees 07 minutes 33 seconds East a distance of 497.96 feet to the east line of the Northwest Quarter of the Northeast Quarter of. said Section 35; thence South 00 degrees 11 minutes 30 seconds West along the east line of said Northwest Quarter of the Northeast Quarter a distance of 440.07 feet to the south line of the north 440 feet thereof; thence South 89 degrees 07 minutes 33 seconds West a distance of 495.00 feet; thence North 00 degrees 11 minutes 31 seconds East a distance of 440.07 feet to the point of beginning and there terminating.

Tract F:

That part of Government Lot 1, Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota, lying South of the centerline of the traveled County Road No. 53, except a portion previously annexed into City Of Becker.

Based upon a review of the 2017 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 (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 2017 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 to Minn. Stat. § 414.036 (2018), the City will reimburse the Township as stated in the 2017 Joint Resolution to Designate and the Joint Resolution to Annex.

Dated: January 22, 2019



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 Sherburne 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.