

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City
of Carver from Dahlgren Township
(MBAU Docket OA-1428-11)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the City of Carver (City) and Dahlgren Township (Township) on February 11, 2009, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

City Resolution Number 114-18 (City Resolution), adopted by the City on May 7, 2018, requests annexation of certain real property (Property) legally described as follows:

The Northwest Quarter of the Northeast Quarter of Section 13, Township 115, North, of Range 24 West, Excepting therefrom the following described tract of land: Commencing at the Northeast corner of the Northwest Quarter of the Northeast Quarter of Section 13, Township 115, Range 24 West; thence South 208 feet; thence West 208 feet; thence North 208 feet; thence East 208 feet to the point of beginning, Carver County, Minnesota.

And

That part of the East Half of the Northeast Quarter of Section 13, Township 115 North, of Range 24 West, lying northerly of the following described tract of land, to-wit: That part of the Southeast Quarter of the Northeast Quarter of Section 13, Township 115, Range 24, Carver County, Minnesota described as follows: Commencing at the Southeast corner of said Southeast Quarter of the Northeast Quarter of Section 13; thence on an assumed bearing of North 0 degrees 54 minutes 35 seconds East, along the east line thereof, a distance of 148.50 feet to the point of beginning of the land to be described; thence North 88 degrees 30 minutes 31 seconds West a distance of 1333.10 feet to the west line of said Southeast Quarter of the Northeast Quarter of Section 13; thence South 0 degrees 40 minutes 18 seconds West, along said west line, a distance of 102.43 feet to the north line of the South 148.17 feet of the Southeast Quarter of the Northeast Quarter of Section 13; thence North 87 degrees 05 minutes 36 seconds East, along said north line, a distance of 1335.57 feet to the point of beginning.

Excepting right of way of Trunk Highway No. 212.

Further excepting: That part of the East Half of the Northeast Quarter of Section 13, Township 115, Range 24, Carver County, Minnesota, described as follows: Beginning at the northeast corner of said East Half of the Northeast Quarter; thence South 00 degrees 54 minutes 35 seconds West, assumed bearing along east line of said East Half of the Northeast Quarter, a distance of 1361.72 feet; thence North 89 degrees 05 minutes 25 seconds West a distance of 535.80 feet; thence northwesterly a distance of 273.43 feet, along a tangential curve, concave to the Northeast, having a central angle of 44 degrees 45 minutes 42 seconds and a radius of 350.00 feet; thence North 44 degrees 19 minutes 42 seconds West, tangent to last described curve, a distance of 497.70 feet; thence northwesterly a distance of 274.89 feet, along a tangential curve, concave to the Northeast, having a central angle of 45 degrees 00 minutes 00 seconds and a radius of 350.00 feet; thence North 00 degrees 40 minutes 18 seconds East, tangent to last described curve, a distance of 402.10 feet; thence northwesterly a distance of 218.04 feet, along a tangential curve, concave to the Southwest, having a central angle of 58 degrees 06 minutes 25 seconds and a radius of 215.00 feet to the northwest corner of said East Half of the Northeast Quarter; thence North 87 degrees 33 minutes 53 seconds East, along the north line of said East Half of the Northeast Quarter a distance of 1345.32 feet to the point of beginning.

Further excepting that part of the East Half of the Northeast Quarter of Section 13, Township 115, Range 24, Carver County, Minnesota, described as follows: Commencing at the northeast corner of said East Half of the Northeast Quarter; thence South 00 degrees 54 minutes 35 seconds West, assumed bearing, along the east line of said East Half of the Northeast Quarter, a distance of 1361.72 feet to the point of beginning; thence North 89 degrees 05 minutes 25 seconds West, 535.80 feet; thence Northwesterly 153.05 feet along a tangential curve concave to the northeast having a radius of 350.00 feet and central angle of 25 degrees 03 minutes 17 seconds; thence South 00 degrees 54 minutes 35 seconds West, not tangent to last described line, 90.43 feet; thence South 89 degrees 05 minutes 25 seconds East, 684.02 feet to said east line of the East Half of the Northeast Quarter; thence North 00 degrees 54 minutes 35 seconds East along said east line of the East Half of the Northeast Quarter, 57.50 feet to the point of beginning.

Further excepting the recorded Plat of Carver Elementary, Carver County, Minnesota.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2016), the City Resolution is deemed adequate in all legal respects and properly supports this Order.

2. Pursuant to the terms of the Joint Resolution to Designate, the City Resolution, 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 (2016), no reimbursement shall be made by the City to the Township in accordance with the terms of the Joint Resolution to Designate adopted by the City and Township on February 11, 2009.

Dated: June 6, 2018

A handwritten signature in black ink, appearing to read 'TLP', is written above a horizontal line.

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 (2016). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Carver 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.