

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Elko New Market from New Market
Township (MBAU Docket OA-1527-1)

**ORDER APPROVING
ANNEXATION**

A Joint Resolution adopted by the City of Elko New Market (City) on January 26, 2012, and New Market Township (Township) on February 9, 2012, (Joint Resolution to Designate), designates certain real property for orderly annexation pursuant to Minn. Stat. § 414.0325.

The City adopted Annexation Resolution No. 21-15 (City Resolution to Annex) on April 1, 2021, requesting annexation of certain real property (Property) legally described as follows:

All that part of the Southeast Quarter, Section 23, Township 113 North, Range 21 West, Scott County, Minnesota, described as follows:

Commencing at the West Quarter corner of said Section 23; thence South 88 degrees 48 minutes 14 seconds East (assumed bearing) on the north line of the Southwest Quarter of said Section 23, a distance of 1343.44 feet to the northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 23; thence South 88 degrees 48 minutes 14 seconds East on said north line and the north line of said Southeast Quarter, a distance of 2938.50 feet to a point on the north line of the Chicago, Milwaukee, St. Paul and Pacific R.R. Company, now abandoned; thence North 60 degrees 12 minutes 56 seconds East on said north line, a distance of 1156.98 feet to a point on the westerly line of Interstate No. 35; thence South 00 degrees 41 minutes 17 seconds West, on said westerly line, a distance of 258.00 feet; thence southwesterly 587.06 feet on said westerly line and on a 11249.16 foot radius curve, concave to the west, having a central angle of 02 degrees 59 minutes 24 seconds; thence South 18 degrees 16 minutes 26 seconds West on said westerly line, 121.49 feet; thence South 04 degrees 16 minutes 43 seconds West on said westerly line, 945.00 feet to the point of beginning; thence North 89 degrees 53 minutes 56 seconds West, 2078.05 feet; thence South 00 degrees 00 minutes 04 seconds West, 1078.69 feet to a point on the north line of Scott County Right of Way Plat No. 28, according to the recorded plat thereof; thence South 88 degrees 29 minutes 25 seconds East on said north line, 413.46 feet; thence North 46 degrees 30 minutes 35 seconds East on said north line, 106.07 feet; thence South 88 degrees 29 minutes 25 seconds East on said north line, 100.00 feet; thence South 43 degrees 29 minutes 25 seconds East on said

north line, 106.07 feet; thence South 88 degrees 29 minutes 25 seconds East on said north line, 812.49 feet to the northeast corner of said Parcel 3; thence North 81 degrees 49 minutes 58 seconds East on the westerly line of Interstate No. 35, a distance of 346.51 feet; thence North 20 degrees 28 minutes 17 seconds East on the westerly line of said Interstate No. 35, 666.03 feet; thence northeasterly 382.68 feet on a 11699.16 foot radius curve, concave to the east, not tangent to the last described line and on said westerly line of Interstate No. 35, having a central angle of 01 degrees 52 minutes 27 seconds and a 382.67 foot chord that bears North 03 degrees 20 minutes 29 seconds East; thence North 04 degrees 16 minutes 43 seconds East on said westerly line, 58.86 feet to the point of beginning.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2020), the City 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 City 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 (2020), no reimbursement shall be made by the City to the Township in accordance with the terms of the Joint Resolution to Designate.

Dated: April 22, 2021


JESSICA A. PALMER-DENIG
Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.0325, .07, .09, .12 (2020). 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 (2019). However, no request for amendment shall extend the time of appeal from this Order.