

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-1594-1)

**CORRECTED  
ORDER APPROVING  
ANNEXATION**

A Joint Resolution adopted by the City of Elko New Market (City) on November 20, 2014, and New Market Township (Township) on October 7, 2014, (Joint Resolution to Designate), designates certain real property for orderly annexation pursuant to Minn. Stat. § 414.0325.

The City adopted Annexation Resolution No. 21-17 (City Resolution to Annex) on April 1, 2021, requesting annexation of certain real property (Property) legally described as follows:

The Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) and the North Half of the Northwest Quarter (N $\frac{1}{2}$  of NW $\frac{1}{4}$ ) of Section 25, Township 113, Range 21, Scott County, Minnesota, lying Southerly of County Road No. 2 (Deuce Road), EXCEPTING THEREFROM the following described parcels:

1. That part of the East 725.00 feet of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty-five (25), Township One Hundred Thirteen North (113N), Range Twenty-One West (21W), Scott County, Minnesota, lying southerly of County Road No. 2.

2. A tract of land, being a part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section Twenty-four (24), and the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty-five (25), Township One Hundred Thirteen (113), Range Twenty-one (21), Scott County, Minnesota, described as follows: Beginning at the intersection of the easterly boundary of Interstate Highway No. 35, and the North line of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty-five (25); thence South 20 degrees, 00 minutes west, along said highway boundary, 257.13 feet; thence South 70 degrees, 00 minutes east, 1008.0 feet; thence North 28 degrees, 11 minutes east, 226.0 feet to the centerline of Scott County Road No. 2; thence North 51 degrees 23 minutes, 22 seconds west, along the centerline of said County Road, 500.0 feet; thence on a tangential curve to the left, having a central angle of 20 degrees, 40 minutes, 245.98 feet; thence on a curve to the left having a radius of 1145.92 feet; compound to the last described curve, ~~55.26~~ **54.21** feet; thence South 15 degrees, 14 minutes west, radial to the last described curve, 55.26 feet; thence South 89 degrees, 33 minutes, 15 seconds west, along the north line of

said Section Twenty-five (25), 84.50 feet; thence westerly on a curve to the left (having a radius of 1070.92 feet and whose long chord bears North 84 degrees, 32 minutes, 03 seconds west), 202.27 feet; thence South 20 degrees, 00 minutes west, 22.87 feet to the point of beginning,


Also specifically excepting the Trunk Highway 35 right-of-way within the Northwest Quarter (NW¼) of Section Twenty-Five (25), Township One Hundred Thirteen North (113N), Range Twenty-One West (21W), Scott County, Minnesota.

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: July 28, 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.