

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Royalton from Langola Township
(MBAU Docket OA-1631-1)

**ORDER AMENDING THE
ORDER APPROVING ANNEXATION**

On January 6, 2016, an Order Approving Annexation was issued for the annexation of certain real property pursuant to Minn. Stat. § 414.033 (2014).

On January 12, 2016, the Benton County Auditor-Treasurer (County) and counsel for the City of Royalton (City) submitted a request for amendment of the Order to correct minor errors in the legal description

Based upon review of the proceeding, the Chief Administrative Law Judge makes the following:

ORDER

1. The January 6, 2016 Order Approving Annexation is **amended** to correct the legal description of the Torborg property to read as follows:

All that part of the Northeast quarter of the Northeast quarter (NE ¼ of NE ¼) of Section Two (2), Township Thirty-eight (38) North, Range Thirty-two (32) West of the Fourth Principal Meridian, lying Easterly of U.S. Highway No. 10, and Easterly of the Platte River, excepting therefrom the North Sixteen (16) rods, thereof, and subject to flowage rights of record and zoning regulations of Benton County. Mineral rights have been reserved.

LESS AND EXCEPT:

That part of the Northeast quarter of Northeast quarter (NE ¼ of NE ¼), Section Two (2), Township Thirty-eight (38), Range Thirty-two (32), legally described as follows:

Beginning at the southeast corner of said Northeast Quarter of the Northeast Quarter; thence North 00 degrees 15 minutes 37 seconds West, assumed bearing, 90.31 feet along the east line of said Northeast Quarter of the Northeast Quarter; thence North 33 degrees 44 minutes 14 seconds West 83.89 feet; thence South 40 degrees 18 minutes 29 seconds West 86.62 feet to the easterly line of U.S. Trunk Highway No. 10; thence South 33 degrees 44 minutes 14 seconds East

112.89 feet along said easterly line of U.S. Trunk Highway No. 10 to the south line of said Northeast Quarter of the Northeast Quarter; thence **South** 89 degrees 48 minutes 06 seconds **East** 40.34 feet along said south line of the Northeast Quarter of the Northeast Quarter to the point of beginning. Subject to 55th Avenue NW on the north.

Subject to a Highway Easement as recorded on March 21, 1994, as Document Number 221639, in the office of the Benton County Recorder, and legally described as follows:

That part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), less the North 16 rods thereof, Section 2, Township 38 North, Range 32 West, that lies within 50 feet of either side of the following described line:


Beginning at the Northeast Corner of Section 2, Township 38 North, Range 32 West, thence South 00 degrees 02 minutes 39 seconds West, 1,013.75 feet; thence Southwesterly along a tangential curve, concave to the Northwest, Radius 286.48, Central Angle 56 degrees 32 minutes 50 seconds right, a distance of 282.74 feet; and there terminating. Said point of termination is approximately 25 feet Southwesterly of the Northeasterly right of way line to Trunk Highway No. 10.

Containing 0.66 acre, more or less, in addition to existing highway right of way.

Together with a triangular piece of land in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 2, Township 38 North, Range 32 West, adjoining the above described tract and which lies Northwesterly of the following described line: Beginning at a point on the Southeasterly boundary of the above described tract, distant 100 feet Northeasterly of the Northeast right of way line of Trunk Highway No. 10, thence running Southwesterly to a point on said Northeasterly right of way line of Trunk Highway No. 10, distant 100 feet Southeasterly of above described tract. Containing 0.05 acre, more or less, in addition to existing highway right of way.

Also a temporary highway construction easement allowing men, machinery and equipment to enter upon a tract of land adjacent and within 15 feet Westerly and Northerly of above described tracts. Said temporary easement contains 0.13 acre, more or less, in addition to existing highway right of way and terminates upon completion of construction.

Dated: January 14, 2016



TAMMY L. PUST
Chief Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.033, .07, .09, .12 (2014). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Stearns 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.

For questions concerning this Order, please contact Star Holman at the Office of Administrative Hearings at star.holman@state.mn.us or 651-361-7909.