

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation of
Certain Real Property to the City of
New York Mills from Newton Township
(MBAU OA-1637-1)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution) was adopted by the City of New York Mills (City) on February 9, 2016, and Newton Township (Township) on February 8, 2016, requesting the designation and immediate annexation of the certain real property (Property) owned by Shirley A. Goins legally described as follows:

That part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 7, Township 135, Range 37, Otter Tail County, Minnesota, lying southerly of STATE HIGHWAY RIGHT OF WAY PLAT No. 56-16, (Plat No. 56-16) as is on file and of record as Document No 521275 in the office of the County Recorder in and for said Otter Tail County, described as follows:

Commencing at the east quarter corner of said Section 7, thence North 00 degrees 42 minutes 03 seconds West, assumed bearing along the west line of the Northeast Quarter (NE1/4) of said Section 7 for 1849.62 feet, more or less, to the southerly right of way boundary of said Plat No. 56-16, said point being the point of beginning;

thence North 70 degrees 48 minutes 13 seconds West, along the last described southerly right of way boundary, for 35.10 feet to right of way boundary corner B9 as is depicted on said Plat No. 56-16;

thence North 39 degrees 13 minutes 52 seconds West, along said southerly right of way boundary for 188.83 feet to right of way boundary corner B10 as is depicted on said Plat No. 56-16;

thence northwesterly 129.81 feet along the portion of said southerly right of way boundary being delineated by right of way boundary corners B10 and B11 on said Plat No. 56-16, said boundary being a non-tangential curve concave to the southwest having a radius of 5629.58 feet, a central angle of 1 degree 19 minutes 16 seconds, a chord bearing of North 72 degrees 36 minutes 48 seconds West and a chord of 129.81 feet;

thence South 17 degrees 16 minutes 14 seconds West, not tangent to the last described curve, for 247.06 feet;

thence South 72 degrees 50 minutes 02 seconds East 368.00 feet to said west line of the Northeast Quarter (NE1/4);

thence North 00 degrees 42 minutes 03 seconds West, along the last described west line of the NE1/4 for 147.94 feet to the point of beginning. Containing 1.63 acres, more or less.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2014), the Joint Resolution is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Joint 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 (2014), the City will reimburse the Township as stated in the Joint Resolution.

Dated: March 3, 2016



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 (2014). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Otter Tail 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 Katie Lin at the Office of Administrative Hearings at katie.lin@state.mn.us or 651-361-7911.