

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation of
Certain Real Property to the City of Baxter
from the Unorganized Territory of First
Assessment (MBAU OA-1640-1)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution) was adopted by the City of Baxter (City) on March 7, 2016, and Crow Wing County (County) on March 8, 2016, requesting the designation and immediate annexation of the certain real property (Property) legally described as follows:

PID 970322300B00009

The North 520 feet of the West 208 feet of the Southwest Quarter of the Northwest Quarter, Section 32, Township 134, Range 28, Crow Wing County, Minnesota.

PID 970322300AA0009

The South Half of the Northwest Quarter of Section 32, Township 134, Range 28, Crow Wing County, Minnesota, EXCEPT that part thereof described as follows: Commencing at the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 32 and thence running South for a distance of 520 feet along the West line of said Section 32; thence East for a distance of 208 feet; thence North for a distance of 502 feet to the North line of said Southwest Quarter of the Northwest Quarter; thence West 208 feet along said North line for a distance of 208 feet to the point of beginning.

AND EXCEPT that part thereof described as follows: Beginning at the Southwest corner of said Northwest Quarter; thence North 1 degree 17 minutes 49 seconds East, assumed bearing, 278.56 feet along the West line of said Northwest Quarter; thence South 89 degrees 54 minutes 52 seconds East 622.58 feet; thence South 1 degree 17 minutes 49 seconds West 278.56 feet; thence North 89 degrees 54 minutes 52 seconds West 622.58 feet along the South line of said Northwest Quarter to the point of beginning.

AND EXCEPT the Southeast Quarter of said Northwest Quarter.

PID 970322300C00009

That part of the Southwest Quarter of the Northwest Quarter, Section 32, Township

134, Range 28, Crow Wing County, Minnesota, described as follows: Beginning at the Southwest corner of said Northwest Quarter; thence North 1 degree 17 minutes 49 seconds East, assumed bearing, 278.56 feet along the West line of said Northwest Quarter; thence South 89 degrees 54 minutes 52 seconds East 622.58 feet; thence South 1 degree 17 minutes 49 seconds West 278.56 feet to the South line of said Northwest Quarter; thence North 89 degrees 54 minutes 52 seconds West 622.58 feet along the South line of said Northwest Quarter to the point of beginning.

PID 970323200AB0009

The Northeast Quarter of the Northwest Quarter of the Southwest Quarter of Section 32, Township 134, Range 28, Crow Wing County, Minnesota.

PID 992020010010009

Lot 1, Block 1, Mertens Addition

PID 992020010020009

Lot 2, Block 1, Mertens Addition

PID 992020010030009

Lot 3, Block 1, Mertens Addition

PID 992020010040009

Lot 4, Block 1, Mertens Addition

PID 992020010050009

Lot 5, Block 1, Mertens Addition

PID 992020010060009

Lot 6, Block 1, Mertens Addition

PID 970323100BA0009

That part of the Northeast Quarter of the Southwest Quarter, Section 32, Township 134, Range 28, described as follows, to-wit: Commencing at the Northwest corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence Easterly along the north line thereof a distance of 462.27 feet; thence southerly, parallel with the west line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 960.92 feet; thence west parallel with the north line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 132.25 feet; thence South parallel with the west line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 370.01 feet, more or less, to the south line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence west along the said south line to the southwest corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence Northerly along the West line thereof to the point of beginning.

PID 970323100B00889

Northeast Quarter of the Southwest Quarter of Section 32 in Township 134 North of Range 28 West of the 5th P.M. containing 40 acres more or less, according to the United States Government Survey thereof, except a tract of land 450 feet by 290.4 feet wide in the Northeast corner of said tract of land, and subject to any

reservations and easements of record. EXCEPT that part of the Northeast Quarter of the Southwest Quarter, Section 32, Township 134, Range 28, described as follows, to-wit: Commencing at the Northwest corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence Easterly along the north line thereof a distance of 462.27 feet; thence southerly, parallel with the west line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 960.92 feet; thence west parallel with the north line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 132.25 feet; thence South parallel with the west line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 370.01 feet, more or less, to the south line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence west along the said south line to the southwest corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence Northerly along the West line thereof to the point of beginning. Except that part conveyed to the DNR for trail purposes.

PID 970323100A00009

The North 450 feet of the East 290.4 feet of the Northeast Quarter of the Southwest Quarter of Section 32, Township 134, Range 28, Crow Wing County, Minnesota.

PID 970323400F00009

That part of the Southeast Quarter of the Southwest Quarter, Section 32, Township 134 North, Range 28 West, Crow Wing County, Minnesota, described as follows: Commencing at the Northeast corner of said Southeast Quarter of the Southwest Quarter; thence South 00 degrees 42 minutes 15 seconds West, assumed bearing, along the East line of said Southeast Quarter of the Southwest Quarter a distance of 508.00 feet to the point of beginning; thence North 89 degrees 51 minutes 31 seconds West a distance of 664.44 feet to the center of a 33.00 foot road easement being the point of beginning; thence continuing North 89 degrees 51 minutes 31 seconds West a distance of 673.04 feet to the West line of said Southeast Quarter of the Southwest Quarter; thence South 0 degrees 33 minutes 47 seconds West along said West line of said Southeast Quarter of the Southwest Quarter a distance of 333.23 feet; thence South 89 degrees 48 minutes 10 seconds East a distance of 688.47 feet to the center of said 33.00 foot road easement, a distance of 334.15 feet to the point of beginning.

PID 970323400AD0009

That part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 134 North, Range 28 West, Crow Wing County, Minnesota, described as follows: Commencing at the Northeast corner of said Southeast Quarter of the Southwest Quarter; thence South 00 degrees 42 minutes 15 seconds West, assumed bearing, along the east line of said Southeast Quarter of the Southwest Quarter a distance of 508.00 feet to the point of beginning; thence North 89 degrees 51 minutes 31 seconds West a distance of 664.44 feet to the center of a 33.00 foot road easement; thence South 2 degrees 05 minutes 00 seconds East, along the center of said 33.00 foot road easement a distance of 334.15 feet to the north line of the South 489.40 feet of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 48 minutes 10 seconds East, along said North line of the South 489.40 feet, a distance of 648.18 feet to said East line of the Southeast Quarter of the Southwest Quarter; thence North 0 degrees 42 minutes

15 seconds East, along said East line of the Southeast Quarter of the Southwest Quarter, a distance of 334.54 feet to the point of beginning. Except that part conveyed to the DNR for trail purposes.

PID 970323400AC0009

That part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 134 North, Range 28 West, Crow Wing County, Minnesota, described as follows: Commencing at the Northwest corner of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 51 minutes 31 seconds East, assumed bearing, along the North line of said Southeast Quarter of the Southwest Quarter a distance of 525.00 feet to the point of beginning; thence South 0 degrees 33 minutes 47 seconds West a distance of 525.00 feet to the point of beginning; thence South 0 degrees 33 minutes 47 seconds West a distance of 24.82 feet to the center line of an existing road; thence southeasterly a distance of 164.39 feet, along said center line along a non-tangential curve, concave to the southwest, having a radius of 115.00 feet and a central angle of 81 degrees 54 minutes 13 seconds, the chord of said curve is 152.77 feet in length and bears South 49 degrees 09 minutes 10 seconds East; thence South 7 degrees 32 minutes 00 seconds East along said center line a distance of 145.00 feet; thence South 2 degrees 05 minutes 00 seconds East along said centerline a distance of 240.00 feet; thence South 89 degrees 51 minutes 31 seconds East a distance of 664.44 feet to the East line of said Southeast Quarter of the Southwest Quarter; thence North 0 degrees 42 minutes 15 seconds East along the East line of said Southeast Quarter of the Southwest Quarter a distance of 508.00 feet to the Northeast Quarter of said Southeast Quarter of the Southwest Quarter; thence North 89 degrees 51 minutes 31 seconds West along the North line of said Southeast Quarter of the Southwest Quarter a distance of 813.73 feet to the point of beginning. Except that part conveyed to the DNR for trail purposes.

PID 970323400D00009

That part of the Southeast Quarter of the Southwest Quarter, Section 32, Township 134, Range 28, Crow Wing County, Minnesota, described as follows: Beginning at the Northwest corner of the Southeast Quarter of the Southwest Quarter, proceed East 525 along the North line of the Southeast Quarter of the Southwest Quarter to the place of beginning; thence South 350 feet parallel to the West line of the Southeast Quarter of the Southwest Quarter; thence North 350 feet parallel with the West line of the Southeast Quarter of the Southwest Quarter ; thence East 75 feet parallel with the north line of the Southeast Quarter of the Southwest Quarter; thence North 350 feet parallel with the west line of the Southeast Quarter of the Southwest Quarter; thence West 75 feet along the North line of the Southeast Quarter of the Southwest Quarter to the place of beginning.

PID 970323400B00009

That part of the Southeast Quarter of the Southwest Quarter, Section 32, Township 134, Range 28, Crow Wing County, Minnesota, described as follows: Beginning at the Northwest corner of the Southeast Quarter of the Southwest Quarter, proceed

East 250 feet along the North line of said Southeast Quarter of the Southwest Quarter to the place of beginning; thence South 350 feet parallel to the West line of said Southeast Quarter of the Southwest Quarter; thence East 275 feet parallel with the North line of said Southeast Quarter of the Southwest Quarter; thence North 350 feet parallel with the West line of said Southeast Quarter of the Southwest Quarter; thence West 275 feet along the North line of said Southeast Quarter of the Southwest Quarter to the place of beginning.

PID 970323400AE0009

The Southeast Quarter of the Southwest Quarter, Section 32, Township 134, Range 28, Crow Wing County, Minnesota, EXCEPT that part described as follows:

That part of the Southeast Quarter of the Southwest Quarter, Section 32, Township 134, Range 28, Crow Wing County, Minnesota, described as follows: Beginning at the Northwest corner of the Southeast Quarter of the Southwest Quarter, proceed East 250 feet along the North line of said Southeast Quarter of the Southwest Quarter to the place of beginning; thence South 350 feet parallel to the West line of said Southeast Quarter of the Southwest Quarter; thence East 275 feet parallel with the North line of said Southeast Quarter of the Southwest Quarter; thence North 350 feet parallel with the West line of said Southeast Quarter of the Southwest Quarter; thence West 275 feet along the North line of said Southeast Quarter of the Southwest Quarter to the place of beginning.

AND EXCEPT: That part of the Southeast Quarter of the Southwest Quarter, Section 32, Township 134, Range 28, Crow Wing County, Minnesota, described as follows: Beginning at the Northwest corner of the Southeast Quarter of the Southwest Quarter, proceed East 525 along the North line of the Southeast Quarter of the Southwest Quarter to the place of beginning; thence South 350 feet parallel to the West line of the Southeast Quarter of the Southwest Quarter; thence North 350 feet parallel with the West line of the Southeast Quarter of the Southwest Quarter ; thence West 75 feet along the North line of the Southeast Quarter of the Southwest Quarter to the place of beginning.

AND EXCEPT: The North 350 feet of the West 250 feet of said Southeast Quarter of the Southwest Quarter.

AND EXCEPT: That part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 134 North, Range 28 West, Crow Wing County, Minnesota, described as follows: Commencing at the Northeast corner of said Southeast Quarter of the Southwest Quarter; thence South 00 degrees 42 minutes 15 seconds West, assumed bearing, along the east line of said Southeast Quarter of the Southwest Quarter a distance of 508.00 feet to the point of beginning; thence North 89 degrees 51 minutes 31 seconds West a distance of 664.44 feet to the center of a 33.00 foot road easement; thence South 2 degrees 05 minutes 00 seconds East, along the center of said 33.00 foot road easement a distance of 334.15 feet to the north line of the South 489.40 feet of said Southeast Quarter of

the Southwest Quarter; thence South 89 degrees 48 minutes 10 seconds East, along said North line of the South 489.40 feet, a distance of 648.18 feet to said East line of the Southeast Quarter of the Southwest Quarter; thence North 0 degrees 42 minutes 15 seconds East, along said East line of the Southeast Quarter of the Southwest Quarter, a distance of 334.54 feet to the point of beginning.

AND EXCEPT: That part of the Southeast Quarter of the Southwest Quarter, Section 32, Township 134 North, Range 28 West, Crow Wing County, Minnesota, described as follows: Commencing at the Northeast corner of said Southeast Quarter of the Southwest Quarter; thence South 00 degrees 42 minutes 15 seconds West, assumed bearing, along the East line of said Southeast Quarter of the Southwest Quarter a distance of 508.00 feet to the point of beginning; thence North 89 degrees 51 minutes 31 seconds West a distance of 664.44 feet to the center of a 33.00 foot road easement being the point of beginning; thence continuing North 89 degrees 51 minutes 31 seconds West a distance of 673.04 feet to the West line of said Southeast Quarter of the Southwest Quarter; thence South 0 degrees 33 minutes 47 seconds West along said West line of said Southeast Quarter of the Southwest Quarter a distance of 333.23 feet; thence South 89 degrees 48 minutes 10 seconds East a distance of 688.47 feet to the center of said 33.00 foot road easement, a distance of 334.15 feet to the point of beginning.

AND EXCEPT: The South 489.4 feet of the Southeast Quarter of the Southwest Quarter, Section 32, Township 134, Range 28, Crow Wing County, EXCEPT that part conveyed to the DNR for the Paul Bunyan Trail.

PID 970323400E00009

The South 489.4 feet of the Southeast Quarter of the Southwest Quarter, Section 32, Township 134, Range 28, Crow Wing County, EXCEPT that part conveyed to the DNR for the Paul Bunyan Trail.

PID 970323300AC0009

The Southwest Quarter of the Southwest Quarter of the Southeast Quarter, Section 6, Township 133, Range 28, EXCEPT the West 200 feet thereof and except the East 175 feet thereof.

PID (none assigned – Paul Bunyan Trail area)

All that portion of the former Burlington Northern Railroad Company right of way as originally located and constructed upon, over and across the Southwest Quarter of Section 32, Township 134, Range 28, Crow Wing County Minnesota, further described in Document Number 431206, which is on file in the office of the Crow Wing County Recorder.

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.

Dated: March 21, 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 Crow Wing 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.