

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City
of Shakopee from Jackson Township
(MBAU Docket OA-1694-3)

**CORRECTED
ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the City of Shakopee (City) and Jackson Township (Township) on March 6, 2018, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

The City adopted Resolution No. R2020-121 (City Resolution to Annex) on October 20, 2020, requesting annexation of certain real property (Property) legally described as follows:

The Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$), and the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$) exception therefrom a parcel of land previously deeded to Anton LaTour, which land is described as follows: to wit:

Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$), thence running West along the south line of said Northeast Quarter of the Southwest Quarter, thirty-five (35) feet, thence Northeasterly to a point thirty-five (35) feet North of the Southeast corner of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$), thence South thirty-five (35) feet to the place of beginning, all in Section fourteen (14), Township one hundred fifteen (115), Range twenty-three (23). All of the above land being in Scott County, Minnesota.

AND

The North one-half ($\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$), and the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), Section fourteen (14), Township one hundred fifteen (115) Range twenty-three (23) West, Scott County, Minnesota, EXCEPT the following parcels:

- (A) The North 320.00 feet of the West 340.31 feet of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), containing 2.5 acres more or less.
- (B) The East 216.0 feet of West 698.0 feet of the South 202.0 feet of the

Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼).

- (C) The West 266 feet of the South 202 feet of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼).
- (D) That part of the West half (W ½) of the Northwest Quarter (NW ¼) and the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼), all in Section 14, Township 115 North, Range 23 West, shown as Parcel 43B on Minnesota Department of Transportation Right of Way Plat Numbered 70-16 lying northeast of the following described line:

Commencing at the northeast corner of said Northwest Quarter; thence South 87 degrees 40 minutes 12 seconds West, assumed bearing along the north line of said Northwest Quarter, a distance of 95.62 feet to the Point of Beginning; thence South 68 degrees 18 minutes 34 seconds East, a distance of 103.06 feet to appoint on the east line of said Northwest Quarter, lying 41.98 feet south of said northeast corner, and there terminating.

AND

All that part of the Northeast Quarter of the Northeast Quarter (NE ¼ of NE ¼) Section 15, Township 115, Range 23, Scott County, Minnesota lying southerly and westerly of the following described line: Beginning at the southeast corner of THEIS 2ND ADDITION, according to the recorded plat thereof, Scott County, Minnesota; thence North 87 degrees 45 minutes 57 seconds West, assumed bearing along the south line of said THEIS 2ND ADDITION and its westerly projection, a distance of 900.00 feet; thence North 00 degrees 17 minutes 53 seconds West, a distance of 499.40 feet to the south line of THEIS ADDITION; thence North 87 degrees 46 minutes 12 seconds ~~East~~ **West** along said south line, a distance of 219.63 feet to a point on the south line of a parcel of land as described in Book 165 of Deeds page 371; thence deflecting left 8 degrees 16 minutes, along the southerly line of said parcel a distance of 210.92 feet to the West line of said NE ¼ of the NE ¼ and there terminating. Containing 10.7 acres more or less.

Also all of the Southeast Quarter of the Northeast Quarter (SE ¼ of NE ¼), Section 15, Township 115, Range 23, Containing 40.5 acres more or less.

And also all that part of the East one-half of the Southeast Quarter (E ½ of SE ¼) Section 15, Township 115, Range 23 lying northerly of the following described line: Beginning at a point in the East line of said E ½ of the SE ¼ distant 2418.90 feet North of the Southeast corner thereof; thence West at right angles a distance of 1324.3 feet more or less to the West line of said E ½ of the SE ¼ and there terminating. Containing 7.8 acres more or less.

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), the City will reimburse the Township in accordance with the terms of the Joint Resolution to Designate.

Dated: October 27, 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 (2021). However, no request for amendment shall extend the time of appeal from this Order.