

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-1694-9)

**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. R2021-093 (City Resolution to Annex) on June 15, 2021, requesting annexation of certain real property (Property) legally described as follows:

That part of the North half of Southwest Quarter, Section 15, Township 115, Range 23, lying southeasterly of the centerline of the North bound lane of State Highway No. 169, excepting therefrom the following described parcel:

"EXCEPTION 1"

Beginning at the intersection of said center line of the North bound lane of State Highway No. 169 and the South line of said North half of Southwest Quarter; thence East along said South line a distance of 360.00 feet; thence deflecting to the left at an angle of 35 degrees 26 minutes 30 seconds a distance of 192.60 feet; thence deflecting to the left at an angle of 104 degrees 03 minutes 30 seconds a distance of 334.13 feet to the center line of said North bound lane; thence southwesterly along said center line to the point of beginning:

"EXCEPTION 2"

less that part of the Southeast Quarter of the Southwest Quarter, Section 15, Township 115, Range 23, platted as Severson Addition and more particularly described as follows: Commencing at the intersection of the West line of said Southeast Quarter of Southwest Quarter and the centerline of County Road No. 78 according to Highway Document No. 323066, which is recorded; thence North 01 degrees 55 minutes 53 seconds West along said West line, a distance of 112.56 feet to the northerly line of said County Road No. 78, said line being parallel with and 75 feet northeasterly of said centerline of County Road No. 78; thence South 43 degrees 42 minutes 52 seconds East along said northerly line of County Road No. 78, a distance of 388.74 feet to its intersection with a line that is parallel with and distant 259.02 feet easterly of said West line of the Southeast Quarter of

Southwest Quarter, and the actual point of beginning; thence continuing South 43 degrees 42 minutes 52 seconds East along said northerly line a distance of 122.70 feet; thence deflecting to the left along said northerly line on a tangential curve concave to the Northeast, having a central angle of 00 degrees 05 minutes 00 seconds, a radius of 1357.40 feet and a length of 2.30 feet; thence North 46 degrees 17 minutes 08 seconds East a distance of 384.30 feet; thence North 43 degrees 42 minutes 52 Seconds West a distance of 555.07 feet to the line that is parallel with and distant 259.02 feet easterly of said West line of the Southeast Quarter of Southwest Quarter; thence South 01 degrees 55 minutes 53 seconds East, along said parallel line a distance of 576.76 feet to the point of beginning:

"EXCEPTION 3"

and less that part thereof conveyed to the County of Scott by the deed recorded as Document No. 323066, more particularly described on Exhibit B attached to and made a part hereof:

"EXCEPTION 4"

and less that part thereof described as follows, to-wit: That part of the Southeast quarter of the Southeast quarter of Section 15, Township 115, Range 23, Scott County, Minnesota, described as follows: Beginning at the southeast corner of Lot 1, Block 1, Severson Addition; thence North 46 degrees 17 minutes 08 seconds East, along the southeast line of said Lot 1, Block 1, a distance of 384.30 feet to the northeast corner of said Lot 1, Block 1; thence South 43 degrees 42 minutes 52 seconds East a distance of 66.00 feet; thence South 46 degrees 17 minutes 08 seconds West a distance of 382.58 feet to the north line of County Road No. 78 according to Highway Document No. 323066; thence northwesterly, along said north line of County Road No. 78, to the point of beginning:

"EXCEPTION 5"

and less that part platted as Peiffer Second Addition, more particularly described as follows: Lot 1, Block 1, Peiffer Addition, according to the plat thereof: also that part of the Northeast quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter, Section 15, Township 115, Range 23 described as follows: Beginning at the most easterly corner of said Lot 1, Block 1 Peiffer Addition, thence North 43 degrees 42 minutes 52 seconds West, along the northeasterly line of said Lot 1, Block 1, a distance of 655.10 feet; thence North 46 degrees 17 minutes 08 seconds East a distance of 133.00 feet; thence South 43 degrees 42 minutes 52 seconds East a distance of 721.10 feet; thence South 46 degrees 17 minutes 08 seconds West a distance of 133.00 feet; thence North 43 degrees 42 minutes 52 seconds West a distance of 66.00 feet to the point of beginning:

"EXCEPTION 6"

and less that part conveyed to R & R Investments by the deed recorded as

Document No. 319424, more particularly described on Exhibit C attached to and made a part hereof.

Exhibit B - (Exception 3 Described)

EXCEPTION 3A

All that part of the Southeast Quarter of the Southwest Quarter of Section 15, Township 115, Range 23 Scott County, Minnesota

Which lies 75.00 feet each side of the following described centerline:

Commencing at a point on the South line of Section 14, Township 115, Range 23, Scott County, Minnesota, said point being 500.00 feet West of the South Quarter corner of said Section 14; thence North 86 degrees 27 minutes 21 seconds East assumed bearing along the South line of said Section 14 a distance of 500.00 feet; thence South 11 degrees 58 minutes 09 seconds East 74.34 feet; thence South 88 degrees 02 minutes 23 seconds West 2,368.51 feet to the point of beginning; thence westerly along a tangential curve concave to the North, central angle of 04 degrees 22 minutes 44 seconds, radius of 7,639.44 feet, an arc length of 583.85 feet; thence North 87 degrees 34 minutes 53 seconds West 884.95 feet; thence westerly along a tangential curve concave to the South, central angle of 03 degrees 12 minutes 44 seconds, radius of 5,729.58 feet, an arc length of 321.22 feet; thence South 89 degrees 12 minutes 23 seconds West 1,184.29 feet; thence northwesterly along a tangential curve concave to the Northeast, central angle of 47 degrees 04 minutes 45 seconds , radius of 1,432.40 feet, an arc length of 1,176.98 feet; thence North 43 degrees 42 minutes 52 seconds west 1,300.00 feet and there terminating.

EXCEPTION 3B

And all that part of the North Half of the Southwest Quarter of Section 15, Township 115, Range 23, Scott County, Minnesota, described as follows:

Beginning at the intersection of the South line of said North Half of the Southwest Quarter and the centerline of the northbound land of Trunk Highway 169; thence on an assumed bearing of North 88 degrees 54 minutes 25 seconds East a distance of 511.48 feet to the Northeast corner of the Southwest Quarter of the Southwest Quarter of said Section 15; thence continuing along said bearing of North 88 degrees 54 minutes 25 seconds East, a distance of 135.74 feet; thence North 72 degrees 09 minutes 58 seconds East, a distance of 111.60 feet; thence North 59 degrees 50 minutes 33 seconds East a distance of 186.16 feet; thence North 40 degrees 57 minutes 51 seconds East, a distance of 139.15 feet; thence North 14 degrees 45 minutes 56 seconds East, a distance of 46.31 feet; thence North 10 degrees 41 minutes 33 seconds West, a distance of 55.20 feet; thence North 49 degrees 02 minutes 09 seconds West, a distance of 561.26 feet more or less to the said centerline of the northbound lane of Trunk Highway 169; thence southwesterly along said centerline 920 feet more or less to the point of beginning.

Excepting therefrom the following described tract:

Commencing at the intersection with the South line of said North Half of the Southwest Quarter and the centerline of the northbound lane of Trunk Highway 169 and running thence East along said South line a distance of 360.0 feet; thence northeasterly and deflecting left at an angle of 35 degrees 26 minutes 30 seconds a distance of 192.6 feet; thence deflecting to the left at an angle of 104 degrees 03 minutes 30 seconds a distance of 334.3 feet more or less to the centerline of said northbound lane; thence southwesterly along said centerline a distance of 420.8 feet more or less to the point of beginning. Subject to the Highway right-of-way over the northerly 75 feet thereof.

Exhibit C - (Exception 6 Described)

That part of the West 259.02 feet of the Southeast Quarter of the Southwest Quarter of Section 15, Township 115, Range 23, Scott County, Minnesota, that lies northerly of a line which is 75.00 feet northeasterly of, as measured at right angles to and parallel with the centerline of County Road No. 78 according to the District Court File No. 93-04386 and described as follows:

Commencing at a point on the South line of Section 14, Township 115, Range 23, Scott County, Minnesota, said point being 500.00 feet West of the South Quarter Corner of said Section 14; thence North 86 degrees 27 minutes 21 seconds East, assumed bearing along the South line of said Section 14, a distance of 500.00 feet; thence South 11 degrees 58 minutes 09 seconds East 74.34 feet; thence South 82 degrees 02 minutes 23 seconds West 2,368.51 feet to the point of beginning; thence westerly along a tangential curve concave to the North, central angle of 04 degrees 22 minutes 44 seconds, radius of 7,639.44 feet, and arc length of 583.85 feet; thence North 87 degrees 34 minutes 53 seconds West 884.95 feet; thence westerly along a tangential curve concave to the South, central angle of 03 degrees 12 minutes 44 seconds, radius of 5,729.58 feet, an arc length of 321.22 feet; thence South 89 degrees 12 minutes 23 seconds West 1,184.29 feet; thence northwesterly along a tangential curve concave to the Northeast, central angle of 47 degrees 04 minutes 45 seconds, radius of 1,432.40 feet, an arch length of 1,176.98 feet; thence North 43 degrees 42 minutes 52 seconds West 1,300.00 feet and there terminating.


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: November 3, 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.