

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation  
of Certain Real Property to the City of  
Detroit Lakes from Lake View Township  
(MBAU Docket OA-1695-2)

**ORDER APPROVING  
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the City of Detroit Lakes (City) on February 13, 2018, and Lake View Township (Township) on April 18, 2018, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

The Amendment to a Joint Resolution for Orderly Annexation (Amendment to Joint Resolution) adopted by the City on November 13, 2018, and the Township on December 10, 2018, requests annexation of certain real property (Property) legally described as follows:

That part of Government Lot 2 and that part of Government Lot 3 of Section 1, Township 138 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Commencing at a found iron monument which designates the northeast corner of said Government Lot 3; thence South 0 degrees 45 minutes 03 seconds West 1178.71 feet on an assumed bearing along the east line of Government Lot 3 to a found iron monument on the centerline of County Road No. 116, now known as County Road No. 54, said point is the point of beginning; thence North 79 degrees 31 minutes 13 seconds West 145.04 feet along the centerline of said County Road No. 116, now known as County Road No. 54, to a found iron monument; thence continuing along the centerline of said County Road No. 116, now known as County Road No. 54, on a curve concave to the south, having a central angle of 22 degrees 50 minutes 33 seconds and a radius of 214.34 feet, for a distance of 85.45 feet (chord bearing South 89 degrees 03 minutes 30 seconds West) to a found iron monument on the easterly right of way line of the Burlington Northern, Inc. Railway; thence North 25 degrees 51 minutes 27 seconds West 376.56 feet along the easterly right of way line of said Burlington Northern Inc. Railway; thence North 82 degrees 45 minutes 41 seconds East 64.68 feet to an iron monument; thence North 82 degrees 45 minutes 41 seconds East 281.53 feet to an iron monument; thence South 76 degrees 09 minutes 48 seconds East 174.98 feet to an iron monument; thence South 12 degrees 38 minutes 00 seconds West 329.26 feet to an iron monument; thence continuing South 12 degrees 38 minutes 00 seconds West 52.66 feet to the centerline of County Road No. 116, now known as County Road 54; thence North 79 degrees 31 minutes 13 seconds West 38.74 feet

along the centerline of said County Road No. 116, now known as County Road 54, to the point of beginning. SUBJECT to the existing public road easement along the westerly 66.00 feet of the above described tract and subject to the existing County Road No. 116, now known as County Road 54, right of way easement along the southerly 50.00 feet of the above described tract.

LESS Parcel 21A on Minnesota Department of Transportation Right of Way Plat Numbered 03-34 as the same is on file and of record in the office of the County Recorder in and for Becker County, Minnesota.

Except 66' Randolph Road ROW and Except CSAH No. 54 ROW as depicted on MnDOT ROW Plat 03-34.

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

### **ORDER**

1. Pursuant to Minn. Stat. § 414.0325 (2018), the Amendment to Joint Resolution is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Joint Resolution to Designate, the Amendment to Joint Resolution, and this Order, the Property is **ANNEXED** to the City.
3. Pursuant to the agreement of the parties and as allowed by to Minn. Stat. § 414.036 (2018), the City will reimburse the Township as stated in the Joint Resolution to Designate.

Dated: February 13, 2019



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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 (2018). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Becker 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 (2017). However, no request for amendment shall extend the time of appeal from this Order.