

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Hendricks from Hendricks Township
(MBAU Docket OA-1702-1)

**ORDER APPROVING
ANNEXATION**

A Joint Resolution was adopted by the City of Hendricks (City) on March 19, 2018, and Hendricks Township (Township) on April 9, 2018, requesting the designation and immediate annexation of certain real property (Property) legally described as follows:

Omar and Ilene Ness Trust Property:

That part of the Southeast Quarter of the Southwest Quarter of Section 17, Township 112 North, Range 46 West of the Fifth Principal Meridian described as follows:

Beginning at the Southeast Corner of the Southwest Quarter (SW1/4) thence West along the South Line of the Southwest quarter a distance of 670 feet; thence North at right angles a distance of 260 feet; thence East on a line parallel to the South line of the Southwest Quarter to the East line of the Southwest Quarter; thence South along the East line of the Southwest Quarter to the point of beginning.

Hendricks Hospital Association Property:

All that part of the Southwest Quarter of Section 17, Township 112 North, Range 46 West, Lincoln County, Minnesota; a part of Outlot B of the subdivision entitled "Outlots A, B and C to the Town of Hendricks", in the City of Hendricks, as filed and recorded in the office of the County Recorder in and for said County; and a part of Outlot F of the subdivision entitled 'Blocks 33 to 38 inclusive and Outlots D to L inclusive to the Town of Hendricks', in the City of Hendricks, as filed and recorded in the office of said County Recorder; being more particularly described as follows:

Commencing at the southeast corner of Outlot A as shown on said subdivision entitled Outlots A, B, and C to the Town (now City) of Hendricks; thence North 00 degrees 07 minutes 28 seconds East, assumed bearing, along the east line of said Outlot A, a distance of 40.00 feet; thence South 89 degrees 52 minutes 32 seconds East a distance of 75.00 feet; thence North 00 degrees 07 minutes 28 seconds East, parallel with said east line, a distance of 42.54 feet; thence South 89 degrees 49 minutes 10 seconds East a distance of 58.00 feet to the point of beginning; thence North 89 degrees 49 minutes 10 seconds West a distance of 58.00 feet; thence South 00 degrees 07 minutes 28 seconds West a distance of 42.54 feet; thence North 89 degrees 52 minutes 32 seconds West a distance of 75.00 feet to

a point on the east line of said Outlot A; thence South 00 degrees 07 minutes 28 seconds West, along said east line of said Outlots A and B, a distance of 80.00 feet; thence North 89 degrees 52 minutes 32 seconds West, parallel to the north line of said Outlot B, a distance of 128.40 feet; thence South 00 degrees 07 minutes 28 seconds West a distance of 150.00 feet; thence North 89 degrees 52 minutes 32 seconds West a distance of 257.00 feet to the west line of said Outlot B; thence South 00 degrees 07 minutes 28 seconds West, along the west line of said Outlot B and the west line of said Outlot F, a distance of 219.78 feet to the southwest corner of said Outlot F; thence South 89 degrees 52 minutes 32 Seconds East, along the south line of said Outlot F, a distance of 385.40 feet to the southeast corner of said Outlot F; thence South 00 degrees 07 minutes 28 seconds West, along the east line of Outlot G of said subdivision entitled "Blocks 33 to 38 inclusive and Outlots D to L inclusive to the Town of Hendricks", a distance of 50.04 feet to the northwest corner of Sunview Addition, as filed and recorded in the office of said County Recorder; thence North 89 degrees 49 minutes 10 seconds East, along the north line of said Sunview Addition, a distance of 371.50 feet to the northeast corner of said Sunview Addition; thence South 00 degrees 18 minutes 15 seconds West, along the east line of said Sunview Addition, a distance of 867.97 feet to a point on the south line of said Southwest Quarter; thence North 89 degrees 00 minutes 46 seconds East, along said south line a distance of 281.15 feet; thence North 00 degrees 59 minutes 14 seconds West a distance of 260.00 feet; thence North 89 degrees 00 minutes 46 seconds East a distance of 24.45 feet; thence North 00 degrees 58 minutes 15 seconds West a distance of 825.89 feet; thence South 88 degrees 58 minutes 18 seconds West a distance of 44.38 feet; thence North 00 degrees 07 minutes 28 seconds East a distance of 319.43 feet; thence North 89 degrees 49 minutes 10 seconds West a distance of 200.00 feet; thence North 00 degrees 04 minutes 10 seconds West a distance of 72.50 feet; thence South 86 degrees 10 minutes 50 seconds West a distance of 150.30 feet; thence South 74 degrees 28 minutes 50 seconds West a distance of 69.30 feet; thence South 54 degrees 00 minutes 02 seconds West a distance of 73.29 feet to the point of beginning.

EXCEPT

All that part of the above described tract located within the City of Hendricks.

City of Hendricks Property:

All that part of the Northwest Quarter of Section 20, Township 112 North, Range 46 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence South 89 degrees 00 minutes 53 seconds West, bearing based on Lincoln County Coordinate System (1996 Adj.), along the north line of said Northwest Quarter, a distance of 707.00 feet, to the point of beginning; thence continuing South 89 degrees 00 minutes 53 seconds West, along said north line, a distance of 523.18 feet, to a point on the northeasterly right of way line of the Minnesota and South Dakota Railway (now removed); thence South 65 degrees 17 minutes 07 seconds

East, along said northeasterly right of way line, a distance of 262.91 feet, to a point on the west line of the east 990 feet of said Northwest Quarter; thence South 00 degrees 29 minutes 31 seconds West, along said west line, a distance of 164.90 feet; thence South 81 degrees 45 minutes 30 seconds East a distance of 252.44 feet; thence North 06 degrees 23 minutes 30 seconds East a distance of 322.00 feet, to the point of beginning.

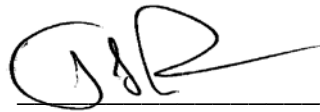
Subject to any existing highways, roadways, or easements.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2016), 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 (2016), no reimbursement shall be made by the City to the Township.

Dated: July 13, 2018



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 (2016). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Lincoln 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.