

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Aitkin from Aitkin Township
(MBAU Docket OA-1721-1)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution) was adopted by the City of Aitkin (City) on November 20, 2018, and Aitkin Township (Township) on November 14, 2018, requesting the designation and immediate annexation of certain real property (Property) legally described as follows:

The Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Thirty-six (36), Township Forty-seven (47), Range Twenty-seven (27), EXCEPT that part described as follows:

Commencing at a point 360 feet South of the center post of said Section 36; thence West 35 feet; thence South 80 feet; thence East 35 feet; thence North 80 feet, except that part thereof that lays westerly of the centerline of the Aitkin Township Road as presently located on 9/3/98.

AND

The Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Thirty-six (36), Township Forty-seven (47), Range Twenty-seven (27), except all that part lying West of Ripple River.

AND

The Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Thirty-six (36), Township Forty-seven (47), Range Twenty-seven (27).

AND

The Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Thirty-six (36), Township Forty-seven (47), Range Twenty-seven (27), except all that part lying West of Ripple River.

AND

The Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Thirty-six (36), Township Forty-seven (47), Range Twenty-seven (27).

AND

The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Thirty-six (36), Township Forty-seven (47), Range Twenty-seven (27) EXCEPT that part of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ which lies northerly of the township road as same existed on the 26th day of February 1974.

AND

That part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Thirty-six (36), Township Forty-seven (47), Range Twenty-seven (27), Aitkin County, Minnesota, to be described as follows:

Commencing at the Northwest corner of said Southwest Quarter of the Northwest Quarter; thence South 00 degrees 28 minutes 22 seconds East on an assigned bearing along the West line of said Southwest Quarter of the Northwest Quarter a distance of 570.96 feet; thence South 89 degrees 42 minutes 06 seconds East along the North line of the South 765 feet of said Southwest Quarter of the Northwest Quarter a distance of 580.05 feet, to a point hereby designated and hereafter referred to a Point A; thence continuing South 89 degrees 42 minutes 06 second East a distance of 305.79 feet; thence South 00 degrees 15 minutes 43 seconds East a distance of 102.13 feet, to the actual point of beginning of the tract of land to be described; thence North 00 degrees 15 minutes 43 seconds West a distance of 102.13 feet; thence North 89 degrees 42 minutes 06 seconds West a distance of 132.84 feet; thence South 00 degrees 28 minutes 22 seconds East, parallel with the Easterly right of way line of U. S. Trunk Highway No. 169 as presently located on April 2, 1999, a distance of 466.00 feet; thence North 89 degrees 31 minutes 38 seconds East, along the Easterly extension of the Northerly line of a tract of land as described in Book "97" of Deeds, on page 79, a distance of 50.01 feet; thence South 22 degrees 09 minutes 57 seconds West along the Easterly line of a tract of land as described in Document No. 164569 a distance of 332.71 feet, to its intersection with the South line of said Southwest Quarter of the Northwest Quarter, said point also being the Southeasterly corner of said tract of land as described in Document No. 164569; thence South 89 degrees 42 minutes 06 seconds East, along the South line of said Southwest Quarter of the Northwest Quarter a distance of 206.69 feet, to the Southwesterly corner of a tract of land as described in Document No. 297515; thence North 00 degrees 08 minutes 49 seconds West, along the Westerly line of said tract of land as described in Document No. 297515 a distance of 662.37 feet, to the actual point of beginning. EXCEPT any part thereof that lays Northerly of the Ripple River.

AND

That part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Thirty-six (36), Township Forty-seven (47), Range Twenty-seven (27), Aitkin County, Minnesota, to be described as follows:

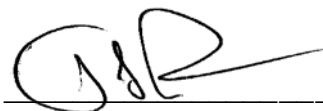
Commencing at the Northwest corner of said Southwest Quarter of the Northwest Quarter; thence South 00 degrees 28 minutes 22 seconds East on an assigned bearing along the West line of said Southwest Quarter of the Northwest Quarter a distance of 570.96 feet; thence South 89 degrees 42 minutes 06 seconds East along the North line of the South 765 feet of said Southwest Quarter of the Northwest Quarter a distance of 580.05 feet to a point hereby designated and hereafter referred to as Point A; thence continuing South 89 degrees 42 minutes 06 seconds East a distance of 305.79 feet; thence South 00 degrees 15 minutes 43 seconds East a distance of 102.13 feet, to the actual point of beginning of the following tract of land to be described; thence North 89 degrees 42 minutes 06 seconds East a distance of 441.27 feet to the East line of said Southwest Quarter of the Northwest Quarter; thence South 00 degrees 15 minutes 43 seconds East along the East line of said Southwest Quarter of the Northwest Quarter a distance of 662.37 feet to the Southeast corner thereof; thence North 89 degrees 42 minutes 06 seconds West along the South line of said Southwest Quarter of the Northwest Quarter a distance of 441.27 feet; thence North 00 degrees 08 minutes 49 seconds West, a distance of 662.37 feet, to the actual point of beginning. EXCEPT any part thereof that lays Northerly and Northeasterly of the Ripple River.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2018), 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. As there is no taxable property within the Property, the provisions of Minn. Stat. § 414.036 (2018) are not applicable.

Dated: January 7, 2019



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 Aitkin 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.