

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
St. Charles from St. Charles Township
(MBAU Docket OA-1727-1)

**ORDER APPROVING
ANNEXATION**

City of St. Charles Resolution Number 39-2018/Township of St. Charles Resolution Number 002-2018 for orderly annexation (Joint Resolution) was adopted by the City of St. Charles (City) on December 26, 2018, and St. Charles Township (Township) on December 18, 2018, requesting the designation and immediate annexation of certain real property (Property) legally described as follows:

DESCRIPTION PARCEL A:

That part of the South 70 acres of the West Half of the Southwest Quarter of Section 29, Township 106 North, Range 10 West, Winona County, Minnesota more particularly described.

Commencing at the northwest corner of the Southwest Quarter of said Section 29; thence South 00 degrees 01 minutes 51 seconds West (Note: All bearings are based on the Winona County Coordinate System, NAD'83, Adjusted 1996) along the west line of said Southwest Quarter, 329.79 feet to the north line of the South 70 acres also being the Point of Beginning; thence continuing South 00 degrees 01 minutes 51 Seconds West, along said west line, 637.29 feet to the north right-of-way line of Interstate 90; thence North 88 degrees 48 minutes 13 Seconds East, along said north right-of-way line, 250.62 feet; thence easterly along a tangential curve along said north right-of-way line, concave southerly having a central angle of 07 degrees 17 minutes 12 seconds, a radius of 5943.60 feet, arc length of 755.88 feet; thence North 00 degrees 00 minutes 50 Seconds East, 292.74 feet; thence South 88 degrees 37 minutes 38 Seconds East, 72.27 feet; thence North 00 degrees 00 minutes 50 Seconds East, 138.04 feet; thence South 88 degrees 37 minutes 38 Seconds East, 243.55 feet to the east line of said West Half of the Southwest Quarter; thence North 00 degrees 01 minutes 21 Seconds East, along said east line, 225.18 feet to the north line of the south 70 Acres; thence North 89 degrees 18 minutes 34 Seconds West, along said north line, 1320.93 feet to the Point of Beginning. Containing 16.45 Acres, more or less, and subject to any easements and restrictions of record.

DESCRIPTION PARCEL B:

That part of the South 70 acres of the West Half of the Southwest Quarter of Section 29, Township 106 North, Range 10 West, Winona County, Minnesota

more particularly described.


Commencing at the northwest corner of the Southwest Quarter of said Section 29; thence South 00 degrees 01 minutes 51 seconds West (Note: All bearings are based on the Winona County Coordinate System, NAD'83, Adjusted 1996) along the west line of said Southwest Quarter, 967.08 feet to the north right-of-way line of Interstate 90; thence North 88 degrees 48 minutes 13 Seconds East, along said north right-of-way line, 250.62 feet; thence easterly along a tangential curve along said north right-of-way line, concave southerly having a central angle of 07 degrees 17 minutes 12 seconds, a radius of 5943.60 feet, arc length of 755.88 feet to the Point of Beginning; thence North 00 degrees 00 minutes 50 Seconds East, 292.74 feet; thence South 88 degrees 37 minutes 38 Seconds East, 72.27 feet; thence North 00 degrees 00 minutes 50 Seconds East, 138.04 feet; thence South 88 degrees 37 minutes 38 Seconds East, 243.55 feet to the east line of the West Half of the of said Southwest Quarter; thence South 00 degrees 01 minutes 21 Seconds West, along said east line, 456.29 feet to said north right-of-way line; thence South 85 degrees 56 minutes 51 Seconds West, along said north right-of-way line, 40.28 feet; thence westerly along a non-tangential curve along said north right-of-way line, concave southerly having a central angle of 02 degrees 40 minutes 42 seconds, a radius of 5943.60 feet, arc length of 277.84, chord bearing of North 82 degrees 34 minutes 14 Seconds West, chord distance of 277.81 feet to the Point of Beginning. Containing 3.00 Acres, more or less, and subject to any easements and restrictions of record.

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. Pursuant to the agreement of the parties and as allowed by Minn. Stat. § 414.036 (2018), the City will reimburse the Township \$179.28 each year as stated in the Joint Resolution.

Dated: February 28, 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 Winona 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.