

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Stewartville from High Forest Township
(MBAU Docket OA-1845-1)

**ORDER APPROVING
ANNEXATION**

Resolution No. 22-19 (Joint Resolution) was adopted by the City of Stewartville (City) on October 26, 2022, and High Forest Township (Township) on November 1, 2022, pursuant to Minn. Stat. § 414.0325 (2022). The Joint Resolution designates certain real property for orderly annexation (Designated Area), and requests the immediate annexation of certain real property (Property) legally described as follows:

The South 50 feet of the Southwest Quarter of the Southwest Quarter of Section 27, Township 105 North, Range 14 West, Olmsted County, Minnesota.

AND

The South 50 feet of the Southeast Quarter of the Southeast Quarter of Section 28, Township 105 North, Range 14 West, Olmsted County, Minnesota.

AND

The South 50 feet of the following described parcel located in the Southeast Quarter of Section 28, Township 105 North, Range 14 West, Olmsted County, Minnesota, except land already within the City:

Commencing at the southwest corner of the Southeast Quarter of Section 28, Township 105 North, Range 14 West; thence East along the south line of said Southeast Quarter a distance of 456.00 feet; thence deflect left 89 degrees 07 minutes a distance of 1049.00 feet; thence deflect left 90 degrees 53 minutes a distance of 475.00 feet to the west line of said Southeast Quarter; thence deflect 90 degrees 09 minutes 40 seconds along said west line a distance of 1048.82 feet to the point of beginning.

AND

The South 50 feet of the Southwest Quarter of Section 28, Township 105 North, Range 14 West, Olmsted County, Minnesota.

AND

That part of Tract A described below:

Tract A

The East Half of the Southeast Quarter of Section 29, Township 105 North, Range 14 West, Olmsted County, Minnesota;

which lies southeasterly of a line run parallel with and distant 100 feet southeasterly of Line 1 described below and southerly of Line 2 described below:

Line 1

Beginning at a point on the south line of said Section 29, distant 1552.8 feet east of the south quarter corner thereof; thence run northeasterly at an angle of 52 degrees 10 minutes 00 seconds with said south section line (measured from east to northeast) for 600 feet and there terminating;

Line 2

Beginning at a point on said 100 foot parallel line, distant 80 feet northeasterly of its intersection with a line run parallel with and distant 33 feet north of the south line of said Section 29; thence run southeasterly to a point on said 33 foot parallel line, distant 550 feet easterly of said intersection and there terminating.

AND

That part of the South 50 feet of the East Half of the Southeast Quarter of the Southeast Quarter of Section 29, Township 105 North, Range 14 West, Olmsted County, Minnesota, lying northeasterly and easterly of the following described line:

Beginning at a point on said 100 foot parallel line, distant 80 feet northeasterly of its intersection with a line run parallel with and distant 33 feet north of the south line of said Section 29; thence run southeasterly to a point on said 33 foot parallel line, distant 550 feet easterly of said intersection; thence South at a right angle to the south line of said Southeast Quarter 33.00 feet and said line there terminating.

AND

That part of Tract A described below:

Tract A

The Northeast Quarter of the Northeast Quarter of Section 32, Township 105 North, Range 14 West, Olmsted County, Minnesota;

which lies between two lines run parallel with and distant 100 feet and 166 feet southeasterly of Line 1 described below:

Line 1

Beginning at a point on the north line of said Section 32, distant 1552.8 feet east of the north quarter corner thereof; thence run southwesterly at an angle of 52 degrees 10 minutes 00 seconds with said north section line (measured from west to south) for 600 feet and there terminating;

together with that part of Tract A hereinbefore described, which lies southeasterly of the above described strip and westerly and northerly of the following described line: Beginning at a point on a line run parallel with and distant 33 feet south of the north line of said Section 32, distant 375 feet easterly of its intersection with the southeasterly boundary of the above described strip; thence run southerly at right angles with said 33 foot parallel line for 82 feet; thence run westerly to a point on said southeasterly boundary, distant 160 feet southwesterly of said intersection.

EXCEPT:

That part of the Northeast Quarter of the Northeast Quarter of said Section 32 described as follows:

Commencing at the northeast corner of said Northeast Quarter of the Northeast Quarter; thence on an assumed bearing of South 89 degrees 45 minutes 03 seconds West along the north line of said Northeast Quarter of the Northeast Quarter, 147.60 feet; thence South 00 degrees 14 minutes 57 seconds West, 510.00 feet; thence South 89 degrees 45 minutes 03 seconds West, 1137.04 feet to the intersection of a line which is parallel and distant 166.00 feet southeasterly of the eastbound centerline of Interstate Highway No. 90 and the point of beginning of the parcel to be described; thence North 37 degrees 35 minutes 13 seconds East, along said line 443.97 feet; thence North 84 degrees 23 minutes 40 seconds East, 475.22 feet; thence North 00 degrees 14 minutes 57 seconds West, 55.00 feet; thence South 89 degrees 45 minutes 03 seconds West, 144.38 feet; thence South 83 degrees 01 minutes 00 seconds West, 371.57 feet to the intersection of a line which is parallel and distant 100.00 feet southeasterly of the eastbound centerline of Interstate Highway No. 90; thence South 37 degrees 35 minutes 13 seconds West, along said line, 443.85 feet to the west line of said Northeast Quarter of the Northeast Quarter; thence South 00 degrees 31 minutes 31 seconds East, along said west line, 106.93 feet to the intersection of a line which is parallel and distant 166.00 feet southeasterly of the eastbound centerline of Interstate Highway No. 90; thence North 37 degrees 35 minutes 13 seconds East, along said line 64.63 feet to the point of beginning.

AND

That part of the North 50 feet of the Northeast Quarter of the Northeast Quarter of Section 32, Township 105 North, Range 14 West, Olmsted County, Minnesota,

lying easterly of the following described line:

Commencing at the northeast corner of said Northeast Quarter of the Northeast Quarter; thence on an assumed bearing of South 89 degrees 45 minutes 03 seconds West along the north line of said Northeast Quarter of the Northeast Quarter, 147.60 feet; thence South 00 degrees 14 minutes 57 seconds West, 510.00 feet; thence South 89 degrees 45 minutes 03 seconds West, 1137.04 feet to the intersection of a line which is parallel and distant 166.00 feet southeasterly of the eastbound centerline of Interstate Highway No. 90; thence North 37 degrees 35 minutes 13 seconds East, along said line 443.97 feet; thence North 84 degrees 23 minutes 40 seconds East, 475.22 feet to the point of beginning of the line to be described; thence North 00 degrees 14 minutes 57 seconds West, 115.00 feet to the north line of said Northeast Quarter and said line there terminating.

AND

That part of the North 50 feet of the Northwest Quarter of Section 33, Township 105 North, Range 14 West, Olmsted County, Minnesota, lying west of the following described parcel:

That part of the Northwest Quarter and the Northeast Quarter of Section 33, Township 105 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Beginning at the northwest corner of the Northeast Quarter of said Section 33; thence North 89 degrees 33 minutes 20 seconds East, assumed bearing, along the north line of said Northeast Quarter, 331.43 feet to the east line of the West 20 acres of said Northeast Quarter; thence South 00 degrees 29 minutes 11 seconds East, along said east line, 1218.39 feet; thence South 89 degrees 30 minutes 49 seconds West, 53.50 feet; thence North 00 degrees 29 minutes 11 seconds West, 180.00 feet; thence North 16 degrees 48 minutes 52 seconds West, 772.02 feet; thence North 00 degrees 35 minutes 47 seconds West, 57.19 feet; thence North 37 degrees 15 minutes 15 seconds West, 100.87 feet; thence North 13 degrees 52 minutes 49 seconds West, 112.92 feet; thence North 00 degrees 17 minutes 40 seconds West, 50.00 feet to the north line of the Northwest Quarter of said Section 33; thence North 89 degrees 42 minutes 20 seconds East, along the north line of said Northwest Quarter, 25.59 feet to the point of beginning.

AND

That part of the North 50 feet of the West two (W. 2) Acres of the East one-hundred Forty (E. 140) Acres of the Northeast Quarter of Section 33, Township 105 North, Range 14 West, Olmsted County, Minnesota, except land already within the City.


In all, containing 11.92 acres, more or less.

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, 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 Minn. Stat. § 414.036 (2022), the City will reimburse the Township as stated in the Joint Resolution.

Dated: December 7, 2022


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 (2022). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Olmsted 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.