

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-822-13)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the city of Stewartville (City) on December 11, 2001, and High Forest Township (Township) on December 5, 2001, pursuant to Minn. Stat. § 414.0325 (2014) designating certain real property for annexation. The City and Township amended the Joint Resolution to Designate in 2006 (2006 Amendment) and 2011 (2011 Amendment).

Resolution Number 39-Joint Resolution Amending Joint Resolution for Orderly Annexation adopted by the City on October 27, 2015 and the Township on October 6, 2015, requests annexation of certain real property (Property) referred to as a portion of 20th Street, NW legally described as follows:

PARCEL A: That part of the North 33 feet of the Northeast Quarter of the Southeast Quarter, Section 28, Township 105 North, Range 14 West, Olmsted County, Minnesota, lying **EASTERLY** of the east line of the following described parcel:

That part of the Northeast Quarter of the Southeast Quarter of Section 28, Township 105 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said Southeast Quarter; thence westerly on a Minnesota State Plane Grid Azimuth from north of 269 degrees 33 minutes 55 seconds along the north line of said Southeast Quarter 927.52 feet to the point of beginning; thence continue westerly 269 degrees 33 minutes 55 seconds azimuth along said north line 200.00 feet; thence southerly 179 degrees 33 minutes 55 seconds azimuth 251.39 feet; thence easterly 89 degrees 33 minutes 55 seconds azimuth 200.00 feet; thence northerly 359 degrees 33 minutes 55 seconds azimuth 251.39 feet to the point of beginning.

The above PARCEL A contains 0.70 acres, more or less.

PARCEL B: That part of the North 33 feet of the Northeast Quarter of the Southeast Quarter, Section 28, Township 105 North, Range 14 West, Olmsted County, Minnesota, lying WESTERLY of the west line of the following described parcel:

That part of the Northeast Quarter of the Southeast Quarter of Section 28, Township 105 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said Southeast Quarter; thence westerly on a Minnesota State Plane Grid Azimuth from north of 269 degrees 33 minutes 55 seconds along the north line of said Southeast Quarter 927.52 feet to the point of beginning; thence continue westerly 269 degrees 33 minutes 55 seconds azimuth along said north line 200.00 feet; thence southerly 179 degrees 33 minutes 55 seconds azimuth 251.39 feet; thence easterly 89 degrees 33 minutes 55 seconds azimuth 200.00 feet; thence northerly 359 degrees 33 minutes 55 seconds azimuth 251.39 feet to the point of beginning.

The above PARCEL B contains 0.14 acres, more or less.

Based upon a review of the Joint Resolution to Designate, the 2006 Amendment, the 2011 Amendment, and Resolution Number 39-Joint Resolution Amending Joint Resolution for Orderly Annexation, the Chief Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.0325, Resolution Number 39-Joint Resolution Amending Joint Resolution for Orderly Annexation is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Joint Resolution to Designate, the 2006 Amendment, the 2011 Amendment, Resolution Number 39-Joint Resolution Amending Joint Resolution for Orderly Annexation, 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 (2014), no reimbursement shall be made by the City to the Township.

Dated: November 19, 2015

s/Tammy L. Pust

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 (2014). 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 (2015). However, no request for amendment shall extend the time of appeal from this Order.

For questions concerning this Order, please contact Star Holman at the Office of Administrative Hearings at *star.holman@state.mn.us* or 651-361-7909.