

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Shakopee from Jackson Township
(MBAU Docket OA-882-2)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the City of Shakopee (City) on August 7, 2002 and Jackson Township (Township) on July 22, 2002, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

The City adopted Resolution Number 7758 (City Resolution to Annex) on August 16, 2016, requesting annexation of certain real property (Property) legally described as follows:

That part of the Northeast Quarter of the Northeast Quarter of Section 14, Township 115 North, Range 23 West, Scott County, Minnesota, described as follows: Commencing at the northeast corner of said Section 14; thence due south along the east line of said Section 14, a distance of 16.5 feet to the point of beginning of Tract A to be described; thence due west parallel to the north line of said Section 14, a distance of 416 feet; thence due south parallel to the east line of said section, a distance of 208 feet; thence due east parallel to the north line of said section, a distance of 416 feet to a point on the east line of said section; thence due north along the east line of said section, a distance of 208 feet to the point of beginning.

TOGETHER WITH

That part of the Northeast Quarter, Section 14, Township 115 North, Range 23 West, Scott County, Minnesota, which is denoted and shown as Parcel 49 on Minnesota Department of Transportation Right of Way Plat No. 70-15, according to the record plat thereof, on file in the Office of the County Recorder, Scott County, Minnesota.

TOGETHER WITH

The East Half of the Northeast Quarter of Section 14, Township 115 North, Range 23 West, Scott County, Minnesota, described as follows: Beginning at a point on the east line of said Section 14, distant 1254 feet north of the east quarter corner thereof; thence West at right angles 150 feet; thence North at right angles 146 feet;

thence East at right angles 150 feet to the east line of said Section 14; thence South to the point of beginning; excepting therefrom the east 33 feet thereof.

TOGETHER WITH

That part of the East 33.00 feet of the Northeast Quarter, Section 14, Township 115 North, Range 23 West, Scott County, Minnesota, which lies north of the following described line:

Beginning at Right of Way Boundary Corner B513 as shown on Minnesota Department of Transportation Right of Way Plat No. 70-15, according to the record plat thereof, on file in the Office of the County Recorder, Scott County, Minnesota; thence on an azimuth of 268 degrees 29 minutes 48 seconds, along the boundary of said plat, a distance of 33.00 feet to Right of Way Boundary Corner B14, and said line there terminating.

EXCEPT that part of the Northeast Quarter of the Northeast Quarter of Section 14, Township 115 North, Range 23 West, Scott County, Minnesota, described as follows: Commencing at the northeast corner of said Section 14; thence due south along the east line of said Section 14, a distance of 16.5 feet to the point of beginning of Tract A to be described; thence due west parallel to the north line of said Section 14, a distance of 416 feet; thence due south parallel to the east line of said section, a distance of 208 feet; thence due east parallel to the north line of said section, a distance of 416 feet to a point on the east line of said section; thence due north along the east line of said section, a distance of 208 feet to the point of beginning.

TOGETHER WITH

The Northwest Quarter of the Northwest Quarter of Section 13, Township 115 North, Range 23 West, Scott County, Minnesota, excepting therefrom the south 7 rods thereof; also excepting therefrom that part described as follows: Beginning at a point on the west line of said Section 13, distant 685.6 feet south of the northwest corner thereof; thence run south along said west section line for 320 feet; thence east at right angles to said west line for 207.65 feet; thence north at right angles for 320 feet; thence west at right angles for 207.65 feet to the point of beginning; and also excepting therefrom that part of the Northwest Quarter of the Northwest Quarter of Section 13, Township 115 North, Range 23 West, Scott County, Minnesota, described as follows: Beginning at Right of Way Boundary Corner B27 as shown on Minnesota Department of Transportation Right of Way Plat Numbered 70-2 as the same is on file and of record in the Office of the County Recorder in and for said county; thence southerly on an azimuth of 179 degrees 05 minutes 21 seconds along the boundary of said Plat No. 70-2 for 702.84 feet to Right of Way Boundary Corner B28; thence on an azimuth of 273 degrees 02 minutes 06 seconds along the boundary of said plat for 1259.46 feet; thence northerly for 163.12 feet on a non-tangential curve, concave to the east, having a radius of 2764.80 feet, a delta angle of 03 degrees 22 minutes 49 seconds and a

chord azimuth of 04 degrees 15 minutes 44 seconds; thence on tangent to said curve on an azimuth of 05 degrees 57 minutes 09 seconds for 114.91 feet; thence on an azimuth of 95 degrees 57 minutes 10 seconds for 526.36 feet; thence on an azimuth of 59 degrees 22 minutes 42 seconds for 812.22 feet to the point of beginning.

TOGETHER WITH

That part contained within the following described tract: Beginning at a point on the west line of said Section 13, distant 685.6 feet south of the northwest corner thereof; thence run south along said west section line for 320 feet; thence east at right angles to said west line for 207.65 feet; thence north at right angles for 320 feet; thence west at right angles for 207.65 feet to the point of beginning.

TOGETHER WITH

That part of the Northeast Quarter of the Northwest Quarter, Section 13, Township 115 North, Range 23 West, Scott County, Minnesota, which is denoted and shown as Parcel 51B on Minnesota Department of Transportation Right of Way Plat No. 70-2, according to the record plat thereof, on file in the Office of the County Recorder, Scott County, Minnesota.

TOGETHER WITH

That part of the Northeast Quarter of the Northwest Quarter, Section 13, Township 115 North, Range 23 West, Scott County, Minnesota, which is denoted and shown as Parcel 52 on Minnesota Department of Transportation Right of Way Plat No. 70-2, according to the record plat thereof, on file in the Office of the County Recorder, Scott County, Minnesota.

TOGETHER WITH

That part of the East Half of the Northwest Quarter, Section 13, Township 115 North, Range 23 West, Scott County, Minnesota, which is denoted and shown as Parcel 52A on Minnesota Department of Transportation Right of Way Plat No. 70-2, according to the record plat thereof, on file in the Office of the County Recorder, Scott County, Minnesota.

TOGETHER WITH

The East 33.00 feet of the Northeast Quarter of the Northwest Quarter, Section 13, Township 115 North, Range 23 West, Scott County, Minnesota.

TOGETHER WITH

That part of the East 33.00 feet of the Southeast Quarter of the Northwest Quarter, Section 13, Township 115 North, Range 23 West, Scott County, Minnesota, which lies north of the following described line:

Beginning at Right of Way Boundary Corner B219 as shown on Minnesota Department of Transportation Right of Way Plat No. 70-2, according to the record plat thereof, on file in the Office of the County Recorder, Scott County, Minnesota; thence on an azimuth of 269 degrees 39 minutes 52 seconds, along the boundary of said plat, a distance of 33.00 feet to Right of Way Boundary Corner B20, and said line there terminating.

TOGETHER WITH

That part of the Northwest Quarter of the Northeast Quarter, Section 13, Township 115 North, Range 23 West, Scott County, Minnesota, which is denoted and shown as Parcel 51B on Minnesota Department of Transportation Right of Way Plat No. 70-3, according to the record plat thereof, on file in the Office of the County Recorder, Scott County, Minnesota.

TOGETHER WITH

That part of the Southwest Quarter of the Northeast Quarter, Section 13, Township 115 North, Range 23 West, Scott County, Minnesota, which is denoted and shown as Parcel 49 on Minnesota Department of Transportation Right of Way Plat No. 70-20, according to the record plat thereof, on file in the Office of the County Recorder, Scott County, Minnesota.

TOGETHER WITH

The West 33.00 feet of the Northwest Quarter of the Northeast Quarter, Section 13, Township 115 North, Range 23 West, Scott County, Minnesota.

TOGETHER WITH

That part of the West 33.00 feet of the Southwest Quarter of the Northeast Quarter, Section 13, Township 115 North, Range 23 West, Scott County, Minnesota, which lies north of the following described line:

Beginning at Right of Way Boundary Corner B219 as shown on Minnesota Department of Transportation Right of Way Plat No. 70-20, according to the record plat thereof, on file in the Office of the County Recorder, Scott County, Minnesota; thence on an azimuth of 89 degrees 39 minutes 52 seconds, along the boundary of said plat, a distance of 50.00 feet to Right of Way Boundary Corner B28, and said line there terminating.

TOGETHER WITH

That part of the Northeast Quarter of the Northeast Quarter, Section 13, Township 115 North, Range 23 West, Scott County, Minnesota, which is denoted and shown as Parcel 49 on Minnesota Department of Transportation Right of Way Plat No. 70-20, according to the record plat thereof, on file in the Office of the County

Recorder, Scott County, Minnesota, and which lies northerly, westerly, and northerly of the following described line:

Beginning at Right of Way Boundary Corner B23 as shown on Minnesota Department of Transportation Right of Way Plat No. 70-20, according to the record plat thereof, on file in the Office of the County Recorder, Scott County, Minnesota; thence westerly a distance of 861.14 feet along the boundary of said plat being a non-tangential curve concave to the north, having a radius of 11609.16 feet, a delta angle of 04 degrees 15 minutes 00 seconds and a chord azimuth of 266 degrees 11 minutes 52 seconds to Right of Way Boundary Corner B64; thence on an azimuth of 250 degrees 31 minutes 19 seconds, along the boundary of said plat, a distance of 160.29 feet to Right of Way Boundary Corner B65; thence on an azimuth of 179 degrees 04 minutes 22 seconds, along the boundary of said plat, a distance of 160.00 feet to Right of Way Boundary Corner B66; thence on an azimuth of 269 degrees 24 minutes 02 seconds, along the boundary of said plat, a distance of 135.24 feet to Right of Way Boundary Corner B67 and said line there terminating.

TOGETHER WITH

The West 33.00 feet of the following described property:

That part of the Southwest Quarter of the Northwest Quarter of Section 13, Township 115, Range 23, Scott County, Minnesota described as follows; Commencing at the Northwest corner of said Southwest Quarter of the Northwest Quarter, thence southerly along the west line thereof a distance of 207.26 feet to the point of beginning, thence easterly at right angles a distance of 350.00 feet; thence southerly at right angles a distance of 350.00 feet; thence westerly at right angles a distance of 350.00 feet to said west line; thence northerly along said west line a distance of 350.00 feet to the point of beginning.

TOGETHER WITH

The West 33.00 feet of the following described property:

That part of the Southwest Quarter of the Northwest Quarter of Section 13, Township 115, Range 23, Scott County, Minnesota described as follows; Beginning at a point on the west line of said Southwest Quarter of the Northwest Quarter 719.36 feet north of the southwest corner thereof; thence North 1 degree 1 minute 25 seconds West, assumed basis for bearings, along said West line, 63.64 feet; thence North 88 degrees 58 minutes 35 seconds East a distance of 350.00 feet; thence South 1 degree 1 minute 25 seconds East, parallel with said West line a distance of 65.54 feet; thence South 89 degrees 17 minutes 12 seconds West a distance of 350.01 feet to said West line.

Based upon a review of the Joint Resolution to Designate and the City Resolution to Annex, the Chief Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.0325, the City Resolution to Annex adopted on August 16, 2016, is deemed adequate in all legal respects and properly supports this Order.

2. Pursuant to the terms of the Joint Resolution to Designate, the City Resolution to Annex, and this Order, the Property is **ANNEXED** to the City.

3. As there is no taxable property with the Property, the provisions of Minn. Stat. § 414.036 (2016) are not applicable.

Dated: October 20, 2016



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 Scott 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.