

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of Certain
Real Property to the City of Worthington from
Worthington Township
(MBAU Docket A-8000)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On May 31, 2016, the City of Worthington (City) submitted Ordinance Number 1095 (Ordinance), adopted on May 23, 2016, for annexation of certain real property (Property) owned by Allen and Kimberly Drost pursuant to Minn. Stat. § 414.033 (2014).

The Minnesota Department of Transportation's Geographic Information Mapping Section discovered an error in the legal description and informed the Office of Administrative Hearings on June 1, 2016.

On July 15, 2016, the City filed with the Office of Administrative Hearings an amended Ordinance Number 1095 (Amended Ordinance) which contained a corrected legal description of the Property to be annexed.

Based upon a review of the Ordinance and the Amended Ordinance, the Chief Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.033 (2014), the Ordinance and Amended Ordinance are deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Ordinance, Amended Ordinance and this Order, the Property legally described as follows is hereby **ANNEXED** into the City:

That part of the Northeast Quarter of Section 34, Township 102 North, Range 40 West, lying Northwest of the right-of-way of the Chicago, St. Paul, Minneapolis and Omaha Railway Company, EXCEPT a tract beginning at the North Quarter Corner of said Section 34; thence Easterly along the North line of said Section 34, a distance of 115.00 feet; thence Southwesterly, a distance of 119.60 feet, more or less, to a point on the West line of the Northeast Quarter of said Section 34 distant 33.00 feet South of the North Quarter corner of said Section 34, a distance of 33.00 feet to the point of beginning.

ALSO EXCEPTING

That part of the Northwest Quarter of the Northeast Quarter of Section 34, Township 102 N01th, Range 40 West, Nobles County, Minnesota described as

follows:

Commencing at the North Quarter corner of said Section 34; thence on an assumed bearing of North 85 degrees 31 minutes 44 seconds East, along the north line of said section, a distance of 231.00 feet to an iron monument, said iron monument being the point of beginning of the tract to be described; thence South 0 degrees 54 minutes 01 seconds East a distance of 212.00 feet to an iron monument; thence North 85 degrees 31 minutes 44 seconds East a distance of 132.00 feet to an iron monument; thence North 50 degrees 08 minutes 05 seconds East a distance of 74.45 feet to an iron monument; thence North 0 degrees 54 minutes 01 West a distance of 168.79 feet to an iron monument located on the north line of said section; thence South 85 degrees 31 minutes 44 seconds West, a distance of 190.00 feet to the point of beginning.

3. Pursuant to Minn. Stat. § 414.036 (2014), the City will reimburse Worthington Township (Township) as stated in Ordinance Number 1095.

Dated: July 25, 2016



TAMMY L. PUST
Chief Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.033, .07, .09, .12 (2014). Minn. Stat. § 414.033, subd. 7 requires that a copy of the annexation ordinance be filed with the township, the appropriate county auditor(s), and the Secretary of State.

Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Nobles 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.