

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Fosston from Rosebud Township
(MBAU Docket A-8093)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On October 9, 2017, the City of Fosston (City) adopted Ordinance Number 4.29 (Ordinance) annexing certain real city-owned property (Property) from Rosebud Township (Township) legally described as follows:

Government Lot 4, of Section 3, Township 147 North, of Range 40 West of the Fifth Principal Meridian, EXCEPT the following described tracts:

Commencing at the Southwest Corner of said Government Lot 4; thence East along the South line of said Government Lot 4, a distance of 60 rods; thence North a distance of 13-1/3 rods; thence West a distance of 60 rods, to the West line of said Section 3; thence South along said section line to the point of beginning;

AND Except

Commencing at the southeast corner of said Government Lot 4; thence North along the East line of said Government Lot 4 a distance of 15 rods; thence West a distance of One (1) rod; thence South a distance of 15 rods to the South line of Government Lot 4; thence East along the South line of said Government Lot 4, to the point of beginning;

AND Except

That part of Government Lot 4 of Section 3, Township 147 North, Range 40, West of the Fifth Principal Meridian, described as follows: Commencing at the Northeast Corner of said Government Lot 4, thence West along the North line of said Government Lot 4 a distance of 500 feet, thence South and parallel to the East line of said Government Lot 4 a distance of 400 feet, thence East and parallel to the North line of said Government Lot 4 a distance of 300 feet, thence North and parallel to the East line of said Government Lot 4 a distance of 100 feet, thence in a Northeasterly direction in a straight line to the point of beginning.

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

ORDER

1. Pursuant to Minn. Stat. § 414.033 (2016), the Ordinance is deemed adequate in all legal respects and properly supports this Order.

2. Pursuant to the terms of the Ordinance and this Order, the Property is **ANNEXED** to the City.

3. Pursuant to Minn. Stat. § 414.036 (2016), the City will reimburse property taxes to the Township in the amount of \$58.27 each year for two years as stated in the Ordinance.

4. Pursuant to Minn. Stat. § 414.036 (2016), the City will reimburse special assessments to the Township in the amount of \$80 each year for two years as stated in the Ordinance.

Dated: October 20, 2017



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 (2016). 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 Polk 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.