

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of  
Certain Real Property to the City of  
Rochester from Marion Township  
(MBAU Docket A-8211)

**ORDER APPROVING  
ANNEXATION ORDINANCES**

On May 6, 2019, the City of Rochester (City) adopted Ordinance Number 4376 annexing certain real property (Property) to the City from Marion Township (Township). On September 4, 2019, the City adopted Ordinance Number 4383 amending the legal description of the Property described in Ordinance Number 4376. The description of the Property, as amended, is legally described as follows:

That part of Lot 34, AUDITOR's PLAT "C", according to the recorded plat thereof, on file at the County Recorder, being a part of the Northwest Quarter of Section 21, Township 106 North, Range 13 West, all in Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said Southwest Quarter of the Northwest Quarter, thence on an assumed bearing of South 00 degrees 38' 06" East, along the west line of said Southeast Quarter of the Northwest Quarter, 316.82 feet to the point of beginning; thence South 89 degrees 47' 38" East, parallel with the north lines of said Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter, 73.85 feet; thence South 13 degrees 52' 47" East 259.81 feet; thence North 89 degrees 47' 38" West, parallel with said north lines of the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter, 426.39 feet; thence North 00 degrees 38' 06" West, parallel with the east line of said Southwest Quarter of the Northwest Quarter, 252.03 feet; thence South 89 degrees 47' 38" East, parallel with the north line of said Southwest Quarter of the Southeast Quarter, 293.00 feet to the point of beginning.

The above described parcel contains 2.29 acres and is subject to any easements, covenants, and restrictions of record.

Based upon a review of Ordinance Numbers 4376 and 4383, the Administrative Law Judge makes the following:

## ORDER

1. Pursuant to Minn. Stat. § 414.033 (2018), Ordinance Numbers 4376 and 4383 are deemed adequate in all legal respects and properly support this Order.
2. Pursuant to the terms of Ordinance Numbers 4376 and 4383, and this Order, the Property is **ANNEXED** to the City.
3. Pursuant to Minn. Stat. § 414.036 (2018), the City will reimburse the Township as stated in Ordinance Number 4376.
4. The City must file a copy of Ordinance Numbers 4376 and 4383 with the Township, the appropriate county auditor(s), and the Secretary of State as required by Minn. Stat. § 414.033, subd. 7

Dated: September 17, 2019

  
JESSICA A. PALMER-DENIG  
Administrative Law Judge

## NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.033, .07, .09, .12 (2018). 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 (2017). However, no request for amendment shall extend the time of appeal from this Order.