

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of Certain  
Real Property to the City of Detroit Lakes  
from Detroit Township (MBAU Docket A-8213)

**ORDER APPROVING  
ANNEXATION ORDINANCE**

On June 11, 2019, the City of Detroit Lakes (City) adopted Ordinance Number 447 (Ordinance) annexing certain real property (Property) from Detroit Township (Township) legally described as follows:

PID #08-0611-000

That part of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 35, Township 139 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows: Beginning at a point which bears South 625.0 feet in the east line of the said Section 35 from the East Quarter Corner thereof; thence running by the following courses and distances, via: South 200.0 feet in the east line of said Section 35; South 87° 41' West 233.0 feet parallel with the east and west quarter line in said Section 35 to an iron stake; North 200.0 feet to an iron stake; and the North 87° 41' East 233.0 feet to the said point of beginning; contains 1.07 acres, AND

That part of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 35, Township 139 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows: Commencing at the East Quarter corner of said Section 35; thence South on an assumed bearing 610.00 feet along the East line of said Section 35 to the point of beginning of the tract to be described; thence continue South 15.00 feet; thence South 87° 41' West 233.00 feet; thence North 15.00 feet; thence North 87° 41' East 233.00 feet to the point of beginning. Subject to an easement in the public for road purposes over and across the Easterly 33.00 feet of the herein described tract. (Contains 0.08 of an acre.)

PID #08-0634-001

That part of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 36, Township 139 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows: Commencing at an iron monument which designates the southwest corner of said Northwest Quarter of the Southwest Quarter; thence North 01° 35' 34" East 330.00 feet on an assumed bearing along the west line of said Section 36 to an iron monument which designates the point of beginning; thence South 88° 24' East 26" East 33.00 feet

to an iron monument; thence continuing South 88° 24' 26" East 297.00 feet to an iron monument; thence North 01° 35' 34" East 330.00 feet to an iron monument; thence North 88° 24' 26" West 297.00 feet to an iron monument; thence continuing North 88° 24' 26" West 33.00 to an iron monument on the west line of said Section 36; thence South 01° 35' 34" West 330.00 along the west line of said Section 36 to the point of beginning. The above described tract contains 2.5 acres. SUBJECT to an existing 33.00 foot road easement along the westerly boundary thereof and reserving a 20.00 foot road easement along the southerly boundary thereof.

AND

That portion of the Northeast Quarter of the Southeast Quarter and Government Lot 1 of Section 35 and that portion of the Northwest Quarter of the Southwest Quarter of Section 36, Township 139 North, Range 41 West of the Fifth Principal Meridian described as follows:

AND the Road right of way described as follows:

Commencing at the East Quarter Corner of said Section 35, thence southerly along the east line of said Section 35, 610.00 feet to the point of beginning; thence east, 33.00 feet, more or less to the easterly right of way line of Highland Drive; thence south, along said right of way, 54.24; thence west 33.00, more or less to the east line of said Section 35; thence north, along said Section line, 53.24 feet more or less to the point of beginning.

AND also the Road right of way described as follows:

Commencing at the East Quarter Corner of said Section 35, thence southerly along the east line of said Section 35, 825.62 feet to the point of beginning; thence west, more or less to the westerly right of way line of Highland Drive, 33.00 feet; thence south, along said right of way line, 480.81 more or less to the northerly right of way line of Randolph Road; thence southeast, along said right of way line, 38.88, more or less to the east line of said Section 35; thence north, along said Section line, 501.43 feet more or less to the point of beginning.

Both Tracts contains 0.41 acres

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

### **ORDER**

1. Pursuant to Minn. Stat. § 414.033 (2018), 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 (2018), the City will reimburse the Township \$550.58 each year for five years as stated in Ordinance Number 447.

4. The City must file a copy of the Annexation Ordinance with the Township, the appropriate county auditor(s), and the Secretary of State as required by Minn. Stat. § 414.033, subd. 7.

Dated: August 5, 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 Becker 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.