

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Rochester from Haverhill Township
(MBAU Docket A-8224)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On July 24, 2019, the City of Rochester (City) adopted Ordinance Number 4381 (Ordinance) annexing certain real property (Property) from Haverhill Township (Township) legally described as follows:

That part of the Northwest Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the southeast corner of the Northwest Quarter of said Section 30; thence North 00 degrees 38 minutes 20 seconds West, assumed bearing, along the east line of said Northwest Quarter (said east line also being the westerly right of way line of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 46), a distance of 326.14 feet for the point of beginning; thence South 77 degrees 57 minutes 40 seconds West, 315.22 feet; thence North 71 degrees 44 minutes 05 seconds West, 162.73 feet; thence North 18 degrees 28 minutes 15 seconds East, 309.84 feet; thence North 27 degrees 19 minutes 53 seconds West, 116.56 feet; thence South 86 degrees 38 minutes 27 seconds West, 196.49 feet; thence North 49 degrees 07 minutes 59 seconds West, 36.99 feet; thence North 17 degrees 36 minutes 26 seconds West, 61.24 feet; thence North 19 degrees 31 minutes 28 seconds East, 61.24 feet; thence North 39 degrees 34 minutes 50 seconds East, 93.00 feet to a point on the southerly line of Lot 1, Block 1, VIOLA HEIGHTS, according to the recorded plat thereof (said point being 213.92 feet northeasterly of the most southerly corner of said Lot 1) (the next 2 courses are along the southerly line of said VIOLA HEIGHTS); thence North 52 degrees 36 minutes 38 seconds East, 115.98 feet; thence South 37 degrees 22 minutes 55 seconds East, 148.04 feet to the most southerly corner of Lot 2, Block 1, said VIOLA HEIGHTS; thence North 86 degrees 48 minutes 28 seconds East, 78.67 feet to the southerly extension of the westerly right of way line of Wheelock Drive NE as dedicated on the plat of said VIOLA HEIGHTS; thence North 03 degrees 11 minutes 32 seconds West, along said southerly extension, 53.52 feet to the southerly line of said VIOLA HEIGHTS; thence North 52 degrees 34 minutes 35 seconds East, along said southerly line, 175.00 feet to the south line of Lot 1, Block 1, VIOLA HEIGHTS SECOND, according to the recorded plat thereof; thence North 76 degrees 11 minutes 51 seconds East, along said south line, 87.52 feet to the westerly right of way line of said OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 46

(the next 2 courses are along said westerly right of way line); thence South 03 degrees 11 minutes 32 seconds East, 472.20 feet; thence South 16 degrees 21 minutes 28 seconds East, 260.03 feet to the point of beginning.

The above described parcel contains 6.53 acres and is subject to any easements, covenants, and restrictions of record.

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 as stated in Ordinance Number 4381.

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 28, 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.