

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Rochester from Cascade Township
(MBAU Docket A-8242)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On November 18, 2019, the City of Rochester (City) adopted Ordinance Number 4394 (Ordinance) annexing certain real property (Property) from Cascade Township (Township) legally described as follows:

Parcel 1 and Parcel 2 of Olmsted County Highway Right of Way Plat No. 75, lying within the Northeast Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota, EXCEPTING therefrom the following described parcel:

Beginning at the northwest corner of the Northeast Quarter of the Northeast Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota; thence on an assumed bearing of South 01°09'29" East, along the west line of said Northeast Quarter of the Northeast Quarter, 800.11 feet; thence North 88°40'14" East, 64.16 feet to the east line of said Right of Way Plat No. 75; thence North 01°09'29" West, along said east line, 656.16 feet; thence northerly 145.40 feet, along said east line and along a tangential curve, concave easterly, central angle of 00°29'15" and radius of 17088.73 feet to the north line of said Northeast Quarter of the Northeast Quarter; thence South 87°19'50" West, along said north line and not tangent to said curve, 62.34 feet to the point of beginning.

ALSO:

Parcel 1, Parcel 2 and Parcel 3 of Olmsted County Highway Right of Way Plat No. 79, lying within the Southeast Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota, EXCEPT that part thereof lying within CIRCLE DRIVE BUSINESS CENTER SIXTH, according to the recorded plat thereof.

ALSO:

That part of the East 330.86 feet of the Northeast Quarter of the Southeast Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota, including those parts of Outlot A and Lots 1 through 6 of VALLEYHIGH INDUSTRIAL PARK, all lying westerly of the East Quarter of the Northeast Quarter of the Southeast Quarter of said Section 20.

ALSO:

Parcel 1 and Parcel 3 of Olmsted County Highway Right of Way Plat No. 80, lying within the Northeast Quarter of Section 29, Township 107 North, Range 14 West, Olmsted County, Minnesota, EXCEPT that part thereof lying within the South 60.00 feet of the Northeast Quarter of said Section 29.

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 the Ordinance.
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: December 4, 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 (2019). However, no request for amendment shall extend the time of appeal from this Order.