

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of  
Certain Real Property to the City  
of Byron from Kalmar Township  
(MBAU Docket A-8276)

**ORDER APPROVING  
ANNEXATION ORDINANCE**

On July 14, 2020, the City of Byron (City) adopted Ordinance No. 2020-01 (Ordinance) annexing certain real city-owned property (Property) from Kalmar Township (Township) legally described as follows:

That part of the Southwest Quarter of Section 33, Township 107 North, Range 15 West, Olmsted County, Minnesota, more particularly described:

Commencing at the southeast corner of the Southwest Quarter of said Section 33; thence North 00 degrees 24 minutes 19 seconds West (Note: All bearings are based on the Olmsted County Coordinate System, NAD'83, Adjusted 1996) along the east line of said Southwest Quarter, 1017.97 feet; thence North 60 degrees 48 minutes 21 seconds West, 46.00 feet to a point on the west right-of-way line of 10th Avenue SE and also being the point of beginning; thence North 60 degrees 48 minutes 21 seconds West, along the south right-of-way line of Country Club Road, 452.04 feet to a point of the extension of the east line of WOELFEL ESTATES ; thence North 00 degrees 24 minutes 11 seconds West, along said extended east line, 115.01 feet to the southeast corner of said WOELFEL ESTATES and also being a point on the north right of way of said Country Club Road; thence South 60 degrees 48 minutes 21 seconds East, along said north right-of-way line, 452.04 feet to a point on the west right-of-way line of said 10th Avenue SE; thence South 00 degrees 24 minutes 19 seconds East, 115.01 feet to the point of beginning. Containing 1.04 acres more or less.

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


**ORDER**

1. Pursuant to Minn. Stat. § 414.033 (2020), 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. As there is no taxable property within the Property, the provisions of Minn. Stat. § 414.036 (2020) are not applicable.

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 7, 2020

  
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 (2020). 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.