

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
St. Peter from Traverse Township
(MBAU Docket A-8319)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On February 16, 2021, the City of St. Peter (City) adopted Ordinance No. 48 (Ordinance) annexing certain real property (Property) from Traverse Township (Township) legally described as follows:

All that part of the Southwest Quarter of the Southeast Quarter, Section 8, Township 110 North, Range 26 West, Nicollet County Minnesota described as follows:

Beginning at the center of the road at the southeast corner of the Northwest Quarter of the Northeast Quarter of Section No. Seventeen (17) in Township No. One Hundred Ten (110) North, of Range No. Twenty-six (26) West; thence northerly on the east line of said tract fifty (50) links to a stone; thence continuing said line nineteen (19) chains and fifty-two (52) links to a stone on the section line, it being the southeast corner of the Southwest Quarter of the Southeast Quarter of Section No. Eight (8); thence northerly on the east line of said tract nineteen (19) chains & ninety-five (95) links to a stone on the northeast corner of said tract; thence westerly on the north line of said tract twelve (12) chains & sixty-two & one-half (62 1/2) links to a stone; thence southerly through both of the aforesaid tracts about thirty-nine (39) chains to a stone on the north line of said road; thence continuing southerly along said line fifty (50) links to the center of the road; thence easterly along the south line of the first above mentioned tract and the center of said road twelve (12) chains and sixty-two & one-half (62 1/2) links to the place of beginning.

EXCEPTING THEREFROM: Part of the Southwest Quarter of the Southeast Quarter of Section 8, Township 110 North, Range 26 West, Nicollet County, Minnesota described as: Beginning at the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 8; thence South 89 degrees 30 minutes 33 seconds West (bearing based on Nicollet County Coordinate System NAD83, 2011 Adjustment) on the South line of the Southeast Quarter of said Section 8, a distance of 45.00 feet; thence North 00 degrees 03 minutes 42 seconds West, a distance of 650.00 feet; thence South 89 degrees 55 minutes 42

seconds East, a distance of 34.43 feet; thence northeasterly, a distance of 10.57 feet along a tangential curve to the left having a radius of 380.00 feet and a central angle of 01 degrees 35 minutes 39 seconds, to the Northwest corner of the Park, Standard Lumber Subdivision No. 5, according to the recorded plat thereof; thence South 00 degrees 03 minutes 42 seconds East, not tangent to said curve, on the East line of the Southwest Quarter of the Southeast Quarter of said Section 8, also being the West line of Standard Lumber Subdivision No. 5 and the West line of Standard Lumber Subdivision No. 3, according to the recorded plat thereof, a distance of 649.70 feet to the point of beginning.

And,

That part of the Northeast Quarter of the Southeast Quarter, Section 8, Township 110 North, Range 26 West, Nicollet County, Minnesota, described as: Commencing at the Southeast corner of the Northeast Quarter of the Southeast Quarter thence North 89 degrees 55 minutes 15 seconds West (assumed bearing) on the South line of the Northeast Quarter of the Southeast Quarter of Section 8, a distance of 430.00 feet to the point of beginning; thence continuing North 89 degrees 55 minutes 15 seconds West, 75.00 feet; thence North 00 degrees 32 minutes 09 seconds East, 898.47 feet to a point on the northerly right of way line of an abandoned railroad; thence South 58 degrees 07 minutes 50 seconds East, along the northerly right of way line of an abandoned railroad a distance of 87.81 feet; thence South 00 degrees 32 minutes 09 seconds West, 852.21 feet to the point of beginning.

And,

All that part of the below described Parcel lying northerly of the abandoned railroad:

That part of the Northeast Quarter of the Southeast Quarter, Section 8, Township 110 North, Range 26 West, Nicollet County, Minnesota, described as: Commencing at the Southeast corner of the Northeast Quarter of the Southeast Quarter of said Section 8; thence North 89 degrees 55 minutes 15 seconds West (assumed bearing) on the South line of the Northeast Quarter of the Southeast Quarter of Section 8, a distance of 80.00 feet to the point of beginning of the parcel to be described; thence continuing North 89 degrees 55 minutes 15 seconds West, 425.00 feet; thence North 00 degrees 32 minutes 09 seconds East, 898.47 feet to a point on the northerly right of way line of an abandoned railroad; thence North 71 degrees 40 minutes 43 seconds East, 175.74 feet to a point on the northerly right of way line of abandoned Minnesota Trunk Highway No. 22 also being a point on the southerly right of way line of Washington Avenue; thence South 21 degrees 09 minutes 37 seconds East, along the southerly right of way line of Washington Avenue, 228.72 feet to a point on a 1909.86 foot radius curve to the right, having a central angle of 06 degrees 35 minutes 49 seconds and a 219.78 foot chord which bears South 51 degrees 52 minutes 01 seconds East; thence on said curve 219.90 feet to a point on the west right of way line of Sunrise Drive; thence South

00 degrees 32 minutes 09 seconds West, along said line, 605.28 feet to the point of beginning.

And,

All that part of the Southwest Quarter of the Southeast Quarter of Section 8, Township 110 North, Range 26, Nicollet County, Minnesota described as follows:

Commencing at the center of a certain road running east and west at the southeast corner of the North West Quarter of the North East Quarter of Section No. Seventeen (17), in Township One Hundred and Ten (110) North, of Range No. Twenty-six (26) West; thence running westerly along the center of said road twelve chains and sixty-two and one-half ($62 \frac{1}{2}$) links to the place of beginning; thence running northerly fifty (50) links to a stone on the northern line of said road; thence continuing north about thirty-nine (39) chains and forty-eight (48) links to a second stone on the northern line of the South West Quarter of the South East Quarter of Section No. Eight (8), situated twelve (12) chains and sixty-two and one-half ($62 \frac{1}{2}$) links westerly from the northeast corner of the South West Quarter of the South East Quarter of Section No. Eight (8); thence running westerly along the north line of the South West Quarter of the South East Quarter and the South East Quarter of the South West Quarter of Section No. Eight (8), thirteen (13) chains and thirty-seven and one-half ($37 \frac{1}{2}$) links to a third stone; thence at right angles southerly thru the South East Quarter of the South West Quarter of Section No. Eight (8), and the North East Quarter of the North West Quarter of Section No. Seventeen (17), about thirty-nine (39) chains and forty-nine (49) links to a fourth stone on the northern line of said road; thence southerly fifty (50) links to the center of the aforementioned road; thence at right angles easterly along the center of said road about thirteen (13) chains and thirty-seven and one-half ($37 \frac{1}{2}$) links to the place of beginning;

EXCEPT Parcel 2N2 of Nicollet County Right-of-Way Plat Number 18, on file and of record in the Office of the County Recorder, Nicollet County, Minnesota, more particularly described as: That part of the Southwest Quarter of the Southeast Quarter of Section 8, Township 110 North, Range 26 West, Nicollet County, Minnesota, described as follows: Commencing at the Southeast Corner of the Northwest Quarter of the Northeast Quarter of Section 17 Township 110 North Range 26 West, Nicollet County, Minnesota; thence North 00 degrees 25 minutes 31 seconds West, on the East line of the Northwest Quarter of the Northeast Quarter of said Section 17, a distance of 1316.95 feet to the Southeast Corner of the Southwest Quarter of the Southeast Quarter of said Section 8; thence North 00 degrees 03 minutes 45 seconds West, on the East line of the Southwest Quarter of the Southeast Quarter of said Section 8, a distance of 1318.13 feet to the Northeast Corner of the Southwest Quarter of the Southeast Quarter of said Section 8: thence South 89 degrees 29 minutes 19 seconds West, on the north line of the Southwest Quarter of the Southeast Quarter of said Section 8, a distance of 833.25 feet; thence South 00 degrees 14 minutes 39 seconds East, 2634.94 feet to a point on the South line of the Northwest Quarter of the

Northeast Quarter of said Section 17, said point being 833.25 feet West of the Southeast Corner of the Northwest Quarter of the Northeast Quarter of said Section 17, as measured along said South line; thence North 00 degrees 14 minutes 39 seconds West, 1428.76 feet to the point of beginning; thence continuing North 00 degrees 14 minutes 39 seconds West, 546.09 feet; thence North 89 degrees 55 minutes 42 seconds West, 488.57 feet to the West line of the Southwest Quarter of the Southeast Quarter of said Section 8; thence South 00 degrees 04 minutes 18 seconds East, on said West line, 546.08 feet; thence South 89 degrees 55 minutes 42 seconds East, 490.21 feet to the point of beginning.

AND EXCEPT Parcel 2N1 of Nicollet County Right-of-Way Plat Number 18, on file and of record in the Office of the County Recorder, Nicollet County, Minnesota.

And,

Part of the Northeast Quarter of the Southeast Quarter and part of the Northwest Quarter of the Southeast Quarter, Section 8, Township 110 North, Range 26 West, Nicollet County, Minnesota, described as: Commencing at the Northeast Corner of the Southeast Quarter of Section 8; thence North 89 degrees 56 minutes 44 seconds West (assumed bearing) on the North line of the Southeast Quarter of Section 8, a distance of 1185.62 feet to the intersection of said North line and the northerly right of way line of an abandoned railroad, said point being the point of beginning; thence continuing North 89 degrees 56 minutes 44 seconds West, on said North line, 1057.74 feet; thence South 00 degrees 31 minutes 13 seconds West, on the East line of the West 12 acres of the West half of the Northwest Quarter of the Southeast Quarter of Section 8, a distance of 1317.79 feet to the South line of the Northwest Quarter of the Southeast Quarter of Section 8; thence South 89 degrees 55 minutes 15 seconds East on said South line and the South line of the Northeast Quarter of the Southeast Quarter of Section 8, a distance of 1812.99 feet to a point 430.00 feet from the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section 8; thence North 00 degrees 32 minutes 09 seconds East and parallel with the East line of the Southeast Quarter of Section 8, a distance of 852.21 feet to said northerly right of way line of an abandoned railroad; thence North 58 degrees 07 minutes 50 seconds West, on said northerly right of way line 884.60 feet to the point of beginning.

Excepting Therefrom, That part of the Northeast Quarter of the Southeast Quarter, Section 8, Township 110 North, Range 26 West, Nicollet County, Minnesota, described as: Commencing at the Southeast corner of the Northeast Quarter of the Southeast Quarter thence North 89 degrees 55 minutes 15 seconds West (assumed bearing) on the South line of the Northeast Quarter of the Southeast Quarter of Section 8, a distance of 430.00 feet to the point of beginning; thence continuing North 89 degrees 55 minutes 15 seconds West, 75.00 feet; thence North 00 degrees 32 minutes 09 seconds East, 898.47 feet to a point on the northerly right of way line of an abandoned railroad; thence South 58 degrees 07 minutes 50 seconds East, along the northerly right of way line of an abandoned railroad a distance of 87.81 feet; thence South 00 degrees 32 minutes 09 seconds

West, 852.21 feet to the point of beginning.

And also excepting therefrom Parcel 10, Nicollet County Right of Way Plat No. 15, according to the recorded plat thereof, Nicollet County, Minnesota.

And,

That part of the Northeast Quarter of the Southeast Quarter, Section 8, Township 110 North, Range 26 West, Nicollet County, Minnesota, described as: Commencing at the Southeast corner of the Northeast Quarter of the Southeast Quarter thence North 89 degrees 55 minutes 15 seconds West (assumed bearing) on the South line of the Northeast Quarter of the Southeast Quarter of Section 8, a distance of 505.00 feet; thence North 00 degrees 32 minutes 09 seconds East, 898.47 feet to a point on the northerly right of way line of an abandoned railroad to the point of beginning; thence North 58 degrees 07 minutes 50 seconds West along the northerly right of way line of an abandoned railroad a distance of 796.80 feet to a point on the north line of the Southeast Quarter of Section 8; thence South 89 degrees 56 minutes 44 seconds East along said north line 256.08 feet to a point on the northerly right of way line of abandoned Minnesota Trunk Highway No. 22; thence South 58 degrees 07 minutes 50 seconds East along the northerly right of way line of abandoned Minnesota Trunk Highway No. 22, a distance of 62.60 feet; thence South 89 degrees 56 minutes 44 seconds East along the northerly right of way line of abandoned Minnesota Trunk Highway No. 22, a distance of 100.00 feet; thence South 15 degrees 57 minutes 43 seconds West along the northerly right of way line of abandoned Minnesota Trunk Highway No. 22, a distance of 54.82 feet; thence South 58 degrees 07 minutes 50 seconds East along the northerly right of way line of abandoned Minnesota Trunk Highway No. 22, a distance of 529.11 feet; thence South 71 degrees 40 minutes 43 seconds West, 175.74 feet to the point of beginning.

And,

That part of the Northeast Quarter of the Southeast Quarter (NE 1/4 of the SE 1/4) of Section Eight (8), Township One Hundred Ten (110) North, Range Twenty-six (26) West, lying Northeasterly of Trunk Highway No. 22, as the same is duly laid out in the County of Nicollet and State of Minnesota,

EXCEPTING THEREFROM, Commencing at the NE corner of the SE 1/4 of Section 8, Township 110 North of Range 26 West, thence South along the East line of said SE 1/4 a distance of 380.6 feet to the place of beginning, thence continuing South and along the East line of said SE 1/4 a distance of 193.0 feet to a point on the northerly Right-of-Way of Trunk Highway #22; thence North 58 degrees 38 minutes West and along the Northerly Right-of-Way line of said Highway a distance of 161.62 feet thence due North and parallel to the East line of said SE 1/4 a distance of 108.88 feet; thence due East a distance of 138.0 feet to the place of beginning.

And also Excepting Therefrom: All that part of the Northeast Quarter of the Southeast Quarter of Section 8, Township 110 North, Range 26 West, City of St. Peter, Nicollet County, Minnesota, described as: Commencing at the Northeast corner of the Southeast Quarter of Section 8; thence South 01 degrees 41 minutes 54 seconds West (assumed bearing), on the East line of the Southeast Quarter of Section 8, a distance of 50.01 feet to the southerly right of way line of Dodd Avenue and the point of beginning; thence North 87 degrees 30 minutes 00 seconds West on said southerly right of way line, 276.04 feet to the easterly right of way line of Washington Avenue; thence South 02 degrees 30 minutes 00 seconds West, on said easterly right of way line, 112.26 feet to the point of curvature of a 447.78 foot radius curve to the left having a central angle of 47 degrees 18 minutes 55 seconds; thence along the curve and said easterly right of way line, 369.78 feet to a point on a line parallel to and 138.00 feet West of the East line of the Southeast Quarter of Section 8; thence North 01 degrees 41 minutes 54 seconds East on said line, 108.95 feet; thence South 88 degrees 18 minutes 06 seconds East, 138.00 feet to the East line of the Southeast Quarter of Section 8; thence North 01 degrees 41 minutes 54 seconds East. 330.60 feet to the point of beginning.


And also excepting therefrom land already within the City of Saint Peter.

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. Pursuant to the agreement of the parties and as allowed by Minn. Stat. § 414.036 (2020), the City will reimburse the Township \$800 each year for three years as stated in the Agreement adopted by the Township on February 8, 2021, and the City on February 16, 2021.
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: February 26, 2021


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 Nicollet 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.