

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of  
Certain Real Property to the City of  
Austin from Lansing and Red Rock  
Townships (MBAU Docket A-8356)

**ORDER APPROVING  
ANNEXATION ORDINANCES**

On August 16, 2021, the City of Austin (City) adopted Ordinance No. 693 annexing certain real property (Property) to the City from Lansing and Red Rock Townships (Townships). On December 20, 2021, the City adopted Ordinance No. 698 amending the legal description of the Property in Ordinance No. 693. The description of the Property, as amended, is legally described as follows:

Parcel A (08.026.0110) - 5.3 Acres, Lansing Township, Exempt

All that part of the Southeast Quarter of the Southwest Quarter of Section 26, in Township 103, Range 18, lying east of the right of way of the Chicago, Milwaukee, and St. Paul Railway, Mower County, Minnesota, excepting therefrom all that part thereof lying East of the West right of way line of County State Aid Highway No. 16 (CSAH 16), and further excepting therefrom all that part thereof included within the following described tract of land, to wit:

Beginning at the S.E. corner of the S.W. 1/4 of Section 26 Twp. 103 N. Range 18 W. Mower County, Minnesota; thence west along the south line of the S.W. 1/4 of said Section 26, 231.4 feet to the east right of way line of the C.M. St. P.&P.R.R. thence north along the east right of way line of said R.R. 395.8 feet; thence S.84 23' E. 237.35 feet to the east line of the S.W. 1/4 of said Section 26; thence south 370.5 feet to the place of beginning.

Parcel B (08.036.0016) – 62.4 Acres, Lansing Township, Exempt

The Northeast Quarter of Section 36, Township 103 North, Range 18 West, subject to all easements and reservations of record, and excepting therefrom the following described parcel:

Commencing at the Southwest corner of the Northeast Quarter of Section 36, Township 103 North, Range 18 West; thence Easterly 1558.5 feet on the South line of said Quarter Section; thence North on a line parallel with the West line of said Northeast Quarter to the North line of said Northeast Quarter; thence West along the North line of said Northeast Quarter to the Northwest corner thereof; thence South along the West line of the Northeast Quarter to the point of beginning.

AND

The South 49.5 feet of the West 1558.5 feet of the Northeast Quarter of Section 36, Township 103 North, Range 18 West, Mower County, Minnesota, except land already within the city.

Parcel C (08.036.0010) – 11.0 Acres, Lansing Township, Exempt

All that part of the South Half of the Northeast Quarter of Section 36, Township 103 North, Range 18 West, Mower County, Minnesota described as follows:

Commencing at the Southwest corner of said Northeast Quarter of Section 36; thence North 00 degrees 16 minutes 22 seconds East a distance of 49.5 feet, on an assumed bearing on the West line of said Northeast Quarter of Section 36, to the point of beginning; thence South 89 degrees 45 minutes 17 seconds East a distance of 1558.5 feet, on a line 49.5 feet North of and parallel with the South line of said Northeast Quarter of Section 36; thence North 00 degrees 14 minutes 43 seconds East a distance of 308.5 feet; thence North 89 degrees 45 minutes 17 seconds West a distance of 1558.33 feet, on a line parallel with and 308.5 feet North of the South line of the Northeast Quarter, to a point on the West line thereof; thence South 00 degrees 16 minutes 22 seconds West a distance of 308.5 feet, on the West line of said Northeast Quarter of Section 36, to the point of beginning.

Parcel D (16.040.0010) – 0.53 Acres, Red Rock, Exempt  
and Parcel E (16.040.0011) – 1.10 Acres, Red Rock, Exempt

Outlot L, Outlot 1A, Outlot E, and that portion of Outlot C lying North of the extended Southeasterly line of Outlot E in Auditor's Plat of Outlots in the West Half of West Half of Section 31, Township 103 North, Range 17 West, and the East Half of the East Half of the Southeast Quarter of Section 36, Township 103 North, Range 18 West, Mower County, Minnesota, recorded in Book 8 of Plats, page 3 in the office of the County Recorder of said County.

Parcel F (16.031.0155) – 8.7 Acres, Red Rock, Exempt

All that part of the NW<sup>1</sup>/<sub>4</sub> Section 31-T103N-R17W, Mower County, Minnesota; described as follows:

Commencing at the northeast corner of the NW<sup>1</sup>/<sub>4</sub> of said Section 31; thence South 89° 16'49" West a distance of 1980.00 feet, on an assumed bearing on the north line of said NW <sup>1</sup>/<sub>4</sub>; thence South 00°52'40" East a distance of 1623.14 feet, parallel with the east line of said NW<sup>1</sup>/<sub>4</sub> to the point of beginning;

thence South 00°52' 40" East a distance of 512.81 feet, on a line parallel with the east line of said NW<sup>1</sup>/<sub>4</sub>;

thence North 55°23'22" East a distance of 173.55 feet;

thence North 18°27'36" East a distance of 155.97 feet;

thence North 58°47'32" East a distance of 211.25 feet;

thence North 70°04'51" East a distance of 248.34 feet;

thence North 02°28'50" West a distance of 104.88 feet;

thence South 86°56' 14" West a distance of 610.57 feet to the point of beginning.

And also

Tract A: All that part of the Northwest Quarter, Section 31, Township 103 North, Range 17 West, Mower County, Minnesota; described as follows:


Commencing at the northeast corner of the Northwest Quarter of said Section 31; thence South 89°16'49" West a distance of 1980.00 feet, on an assumed bearing on the north line of said Northwest Quarter; thence South 00°52'40" East a distance of 1262.96 feet, parallel with the east line of said Northwest Quarter, to a point 1391.50 feet north of the south line of said Northwest Quarter, measured along a continuation of the previously described line, said point being the point of beginning; thence South 00°52'40" East a distance of 360.18 feet, on a line parallel with the east line of said Northwest Quarter; thence North 86°56'14" East a distance of 610.57 feet; thence North 02°28'50" West a distance of 359.94 feet; thence South 86°56'14" West a distance of 600.50 feet, to the point of beginning.

Based upon a review of Ordinance Nos. 693 and 698, the Administrative Law Judge makes the following:

### ORDER

1. Pursuant to Minn. Stat. § 414.033 (2020), Ordinance Nos. 693 and 698 are deemed adequate in all legal respects and properly support this Order.
2. Pursuant to the terms of Ordinance Nos. 693 and 698, 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 copies of Ordinance Nos. 693 and 698 with the Townships, the appropriate county auditor(s), and the Secretary of State as required by Minn. Stat. § 414.033, subd. 7.

Dated: January 7, 2022

  
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 Mower 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 (2021). However, no request for amendment shall extend the time of appeal from this Order.