

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Kilkenny from Kilkenny Township
(MBAU Docket A-8368)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On October 14, 2021, the City of Kilkenny (City) adopted Ordinance No. 2021-1 (Ordinance) annexing certain real property (Property) from Kilkenny Township (Township) legally described as follows:

That part of Government Lot 7 of Section 22, Township 110 North, Range 23 West, Le Sueur County, Minnesota, described as follows: Commencing at the Southeast corner of Block 4, CORRECTED PLAT OF KILKENNY, according to the recorded plat thereof; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing), on the East line of said Block 4 a distance of 120.00 feet to the Northeast corner of said Block 4 also being the point of beginning; thence North 89 degrees 42 minutes 06 seconds West on the North line of said Block 4 a distance of 180.00 feet to the Northwest corner of said Block 4; thence North 89 degrees 55 minutes 00 seconds West 20.00 feet to the East right-of-way line of the former Chicago Northwestern Railway; thence North 00 degrees 00 minutes 00 seconds East on said right-of-way line 153.00 feet; thence North 89 degrees 55 minutes 00 second East 310.00 feet; thence South 00 degrees 00 minutes 00 seconds East 154.20 feet to the North line of the Southwest Quarter of the Southeast Quarter of said Section 22; thence Westerly on said North line 110.00 feet to the point of beginning. Containing 1.08 acres and being subject to and together with any and all easements of record.

AND

Part of the Southwest Quarter of the Southeast Quarter of Section 22, Township 110 North, Range 23 West, Le Sueur County Minnesota, described as follows: Beginning at the Southeast Corner of Block 4, CORRECTED PLAT OF KIKLENNY, according to the recorded plan thereof; thence South 00 degrees 00 minutes 00 seconds East (assumed bearing), on the Southerly extension of the East line of said Block 4, a distance of 33.00 feet; thence North 89 degrees 55 minutes 00 seconds East, 110.00 feet; thence North 00 degrees 00 minutes 00 seconds East, 153 feet, more or less, to the North line of said Southwest Quarter of the Southeast Quarter; thence Westerly, along said North line of the Southwest Quarter of the Southeast Quarter 110 feet, more or less, to the Northeast corner of said Block 4; thence South 00 degrees 00 minutes 00 second East, on said East

line of said Block 4, a distance of 120.00 feet to the point of beginning. Contains 0.39 acres, more or less, and is subject to and together with any and all easements of record.

AND


Part of the Southwest Quarter of the Southeast Quarter of Section 22, Township 110 North, Range 23 West, Le Sueur County, Minnesota, described as follows: Commencing at the Southeast Corner of Block 4, CORRECTED PLAT OF KILKENNY, according to the recorded plat thereof; thence South 00 degree 00 minutes 00 seconds East (assumed bearing), on the Southerly extension of the East line of said Block 4, a distance of 33.00 feet to the point of beginning; thence continuing South 00 degrees 00 minutes 00 second East, on said Southerly extension of the East line of Block 3, CORRECTED PLAT OF KILKENNY, a distance of 183.00 feet to the Southeast Corner of Lot 6 of said Block 3; thence North 89 degrees 55 minutes 00 seconds East, 110.00 feet; thence North 00 degrees 00 minutes 00 seconds East 183.00 feet; thence South 89 degrees 55 minutes 00 seconds West, 110.00 feet to the point of beginning. Contains 0.46 acres, more or less, and is subject to and together with any and all easements of record.

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 a lump sum of \$75 as stated in Ordinance No. 2021-1.
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: November 3, 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 Le Sueur 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.