

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Lester Prairie from Bergen Township
(MBAU Docket A-8369)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On August 10, 2021, the City of Lester Prairie (City) adopted Ordinance No. 355 (Ordinance) annexing certain real property (Property) from Bergen Township (Township) legally described as follows:

That part of the Northwest Quarter of the Northeast Quarter of Section 2, Township 116, Range 27, McLeod County, Minnesota that lies east of a line described as follows: Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence on an assumed bearing of South 89 degrees 01 minutes 29 seconds East along the north line of said Northwest Quarter of the Northeast Quarter a distance of 1235.56 feet to the point of beginning of the line to be described; thence South 00 degrees 13 minutes 10 seconds West a distance of 1429.14 feet to the south line of said Northwest Quarter of the Northeast Quarter and said line there terminating. AND that part of the East Half of the Northeast Quarter of Section 2, Township 116, Range 27, McLeod County, Minnesota, that lies north of the north line of the Burlington Northern Railroad. EXCEPTING THEREFROM: Commencing at the southwest corner of said East Half of the Northeast Quarter; thence on an assumed bearing of North 00 degrees 04 minutes 15 seconds West along the west line of the said South Half of the Northeast Quarter a distance of 630.00 feet to the point of beginning: thence North 89 degrees 55 minutes 45 seconds East a distance of 100.00 feet; thence North 00 degrees 04 minutes 45 seconds West a distance of 152.00 feet; thence South 89 degrees 55 minutes 15 seconds West a distance of 100.00 feet to the west line of said East Half of the Northeast Quarter; thence South 00 degrees 04 minutes 15 seconds East a distance of 152.00 feet to the point of beginning; AND EXCEPTING THEREFROM: That part of the East Half of the Northeast Quarter of Section 2, Township 116 North, Range 27 West, described as follows: Commencing at the Southeast corner of said Northeast Quarter of Section 2; thence on an assumed bearing of North 0 degrees 07 minutes 19 seconds West along the East line of said Northeast Quarter a distance of 50.01 feet to the north line of the Burlington Northern Railroad and the point of beginning of land to be described; thence continuing North 0 degrees 07 minutes 19 seconds West, along said east line, a distance of 816.00 feet; thence North 89 degrees 03 minutes 19 seconds West a distance of 850.00 feet; thence South 0 degrees 07 minutes 19 seconds East a distance of 816.00 feet to the north line of a Burlington Northern Railroad; thence South 89 degrees 03 minutes 09 seconds East, along said north

line a distance of 850.00 feet to the point of beginning; this parcel being a part of Lot 47, Auditor's Plat of Section 2, Township 116, Range 27.

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: November 12, 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 McLeod 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.