

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Faribault from Cannon City Township
(MBAU Docket A-8413)

**CORRECTED
ORDER APPROVING
ANNEXATION ORDINANCE**

On July 26, 2022, the City of Faribault (City) adopted Ordinance No. 2022-22 (Ordinance) annexing certain real property (Property) from Cannon City Township (Township) legally described as follows:

All that area within the east half of the NE $\frac{1}{4}$ of section ~~20~~19, Township 110 North, Range 20 West of the 5th P.M., Rice County, MN of the proposed highway, as set forth in that certain Final Certificate, recorded in Book 225 of Deeds, on pages 48-62, in the office of the County Recorder, Rice County, Minnesota, lying south of the southerly right-of-way of Faribault Blvd, excepting land already within the city and located within the following real property:

Part of the East One-half of Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Faribault, Rice County, Minnesota, described as follows: Beginning at a point in the South line of the Northeast Quarter of said Section 19 (for purposes of this description bearings are assumed and based on said South line being South $89^{\circ}34'24''$ East), a distance of 264.00 feet easterly from the Southwest corner of said Northeast Quarter; thence North $0^{\circ}31'10''$ East, along a line 264.00 feet easterly from and parallel with the West line of the South One-half of said Northeast Quarter, 1089.00 feet; thence North $89^{\circ}34'24''$ West, 264.00 feet to a point in said West line; thence North $0^{\circ}31'10''$ East, along said West line 222.40 feet to the Northwest corner of said South One-half of Northeast Quarter; thence South $89^{\circ}30'45''$ East, along the North line of said South One-half of Northeast Quarter, 1556.69 feet to a point in the northwesterly right of way line of the Chicago Great Western Railway Company (now abandoned); thence South $25^{\circ}44'12''$ West, along said northwesterly right of way line of abandoned railway, 596.02 feet; thence North $89^{\circ}35'38''$ West, 707.68 feet to a point in the southeasterly line of an easement for Trunk Highway construction and maintenance acquired by the State of Minnesota, as stated in the final certificate, filed and of record in the County Recorder's Office in Book 225 of Deeds, pages 48 to 62; thence southwesterly, along said highway easement line, on a curve, concave easterly (curve data; radius = 3729.72 feet; delta angle = $3^{\circ}40'32''$; chord bearing and distance = South $10^{\circ}00'22''$ West, 239.23 feet), an arc distance of 239.27 feet; thence


southwesterly, along a offset spiral curve of increasing radius (center line of spiral curve data: degree of curve = 1°07'30"; length of curve = 150.00 feet; spiral offset = 90.00 feet) chord bearing and distance = 7°24'58" West, 148.23 feet; thence South 7°02'36" West, 720.50 feet to a point in the South line of the North One-fourth of the North One-half of the Southeast Quarter of said Section 19; thence North 89°35'38" West, along the South line of said North One-fourth of the North One-half of Southeast Quarter, 32.15 feet; to a point in the center line of First Avenue N.W. as said road is built and traveled; thence North 6°39'37" East, along said center line of First Avenue N.W. as traveled, 164.02 feet; thence North 89°34'24" West, 177.34 feet to a point in a line 264.00 feet easterly from and parallel with the West line of the Southeast Quarter of said Section 19; thence North 0°30'28" East, along said parallel line, 165.00 feet to said point of beginning, subject to Minnesota Trunk Highway 3 over the Westerly side, 27th Street over the southerly side, First Avenue N.W. over the southeasterly side; and subject to an easement for Trunk Highway construction and maintenance through said above described parcel; EXCEPT parcel numbered 202 on the plat designated as Minnesota Department of Transportation Right of Way Plat Numbered 66-4 in the office of the County Recorder.

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

ORDER

1. Pursuant to Minn. Stat. § 414.033 (2022), 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 (2022) 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: September 21, 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 (2022). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Rice 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.