

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of Bena
from North Cass Unorganized Territory
(MBAU Docket A-8436)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On June 20, 2022, the City of Bena (City) adopted An Ordinance Extending the Corporate Limits of the City of Bena (Ordinance) annexing certain real property (Property) from the Unorganized Territory of North Cass. The description of the Property is legally described as follows:

That part of the East Half of the Southeast Quarter of the Northeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$), Section Twenty-seven (27), Township One Hundred Forty-five (145) North, Range Twenty-eight (28) West. Cass County, Minnesota, described as follows: Commencing at the Southwest corner of said East Half of the Southeast Quarter of the Northeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$); thence North 89 degrees 27 minutes 33 seconds East 222.76 feet to the centerline of County Road Number 140; thence North 15 degrees 47 minutes 28 seconds East along said centerline, 566.69 feet; thence North 07 degrees 33 minutes 49 seconds East, along said centerline, 40.40 feet to the intersection with the centerline of U.S. Government Dike Road and the point of beginning of the tract to be herein described; thence continue North 07 degrees 33 minutes 49 seconds East, along said centerline of County Road No. 140, a distance of 260.86 feet; thence North 89 degrees 51 minutes 17 seconds East 217.93 feet to the East line of said East Half of the Southeast Quarter of the Northeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$); thence South 00 degrees 08 minutes 43 seconds East, along said East line, 215.00 feet to said centerline of U.S. Government Dike Road; thence South 84 degrees 48 minutes 30 seconds West, along last said centerline, 175.15 feet; thence South 70 degrees 09 minutes 20 seconds West, along last said centerline, 83.33 feet to the point of beginning.


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. The City must file a copy of the Annexation Ordinance with the appropriate county auditor(s) and the Secretary of State as required by Minn. Stat. § 414.033, subd. 7.

Dated: April 6, 2023


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 Cass 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.