

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Clearwater from Lynden Township
(MBAU Docket A-8438)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On November 14, 2022, the City of Clearwater (City) adopted Ordinance No. 2022-08 (Ordinance) annexing certain real property (Property) from Lynden Township (Township) legally described as follows:

Block 94, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota;

AND

That part of the Northeast Quarter of the Northeast Quarter of Section 34, Township 123, Range 27, Stearns County, Minnesota, lying southerly of the right of way of the St. Paul, Minneapolis and Manitoba Railway Company, lying southeasterly of the centerline of Hazel Street, as dedicated and delineated on the plat of CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and lying northerly of a line run parallel with and distant 100 feet southerly of the following described line:

From a point on the East line of said Section 34, distant 422.70 feet south of the northeast corner thereof; run southeasterly at an angle of 64 degrees 28 minutes with said east section line for a distance of 418.8 feet, to the point of beginning of line to be described; thence run northwesterly along last described course a distance of 100 feet; thence deflect to the left on a 2 degree 00 minutes curve, delta angle 30 degrees 59 minutes, for a distance of 1549.20 feet; thence on tangent to said curve for a distance of 200 feet and there terminating.

AND

That part of the Southwest Quarter of the Northwest Quarter of Section 35, Township 123, Range 27, Stearns County, Minnesota, lying northerly and northwesterly of the Clearwater River, and lying southeasterly of the south line of Block 108 and its northeasterly extension to the southwest corner of Block 109, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and lying westerly of a line being the southwesterly line of said Block 109 extended southeasterly to the centerline of said river.

AND

Lots 1 and 2, Block 109, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and the southwesterly half of High Street being adjacent to the northeast line of said Block 109, as dedicated and delineated on said plat of CLEARWATER, and the southeasterly half of Mill Street being adjacent to the northwest line of said Block 109, as dedicated and delineated on said plat of CLEARWATER.

AND

That part of Government Lot 5 of Section 35, Township 123, Range 27, Stearns County, Minnesota, lying southerly of the right of way of the St. Paul, Minneapolis and Manitoba Railway Company, lying southwesterly of the center line of High Street, as dedicated and delineated on the plat of CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and lying northwesterly of the centerline of Mill Street, as dedicated and delineated on said plat of CLEARWATER.

AND


The Northwesterly half of Mill Street being adjacent to the southwest lines of Blocks 87 and 88, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, within the Southwest Quarter of the Northwest Quarter of Section 35, Township 123, Range 27, Stearns County, Minnesota.

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: April 19, 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 Stearns 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.