

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Winsted from Winsted Township
(MBAU Docket A-8454)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On September 19, 2023, the City of Winsted (City) adopted Ordinance No. O-23-04 (Ordinance) annexing certain real property (Property) from Winsted Township (Township) legally described as follows:

PARCEL 1 – PID 140110350

That part of the Northwest Quarter of Southwest Quarter, Section 11, Township 117 North, Range 27 West, McLeod County, Minnesota:

Commencing at the West Quarter Corner of said Section 11; thence Southerly along the West line of said Section 11, a distance of 130.00 feet to the actual point of beginning of the tract to be described; thence continuing Southerly along the said West Section line a distance of 70.00 feet; thence Easterly parallel with the Southerly right-of-way of previous railroad property, a distance of 120.00 feet; thence Northerly parallel with the said West line of Section 11, a distance of 70.00 feet; thence Westerly parallel with the said Southerly railroad right-of-way, a distance of 120.00 feet to the point of beginning. This tract is subject to all easements of record.

PARCEL 2 – PID 140100600

That part of the Northeast Quarter of the Southeast Quarter of Section Ten (10) Township One Hundred Seventeen (117) North of Range Twenty-seven (27) West, described as follows, to-wit: Beginning at a point on the East line of the Northeast Quarter of the Southeast Quarter of said Section 10, Fourteen (14) rods South, as measured at a right angle, of the North line of said tract, thence South along said East line of said tract to the Southeast Corner thereof; thence West along the South line of said tract to the Southwest Corner thereof, thence North along the West line of said tract to the point 14 rods South, as measured at a right angle from the North line thereof, thence East on a line parallel with the North line of said tract to the point of beginning EXCEPTING THEREFROM those parts in the following six (6) described tracts:

1. Commencing at a point on the East line of said Southeast Quarter 1700.0 feet North of the Southeast Corner thereof; thence West at right angles to the West Right-Of-Way line of State Highway No. 261 to the

actual point of beginning of the land to be described; thence continue West 117.0 feet; thence North at right angles a distance of 75.0 feet; thence East at right angles to said West Right-Of-Way line; thence South at right angles a distance of 75.0 feet to the point of beginning.

2. The South 400 feet of the West One-Half of the Northeast Quarter of the Southeast Quarter of Section 10, Township 117 North, Range 27 West.
3. The North 300 feet of the South 700 feet of the East 400 feet of the Northeast Quarter of the Southeast Quarter of Section 10, Township 117 North, Range 27 West; but EXCEPTING THEREFROM the following described tract, to-wit: Beginning at a point on the South line of the above described tract, which said point is on the Westerly right-of-way line of State Highway No. 261; thence Westerly along said South line 117 feet; thence Northerly 55 feet; thence Easterly 117 feet to the said right-of-way line; and thence Southerly along said right-of-way line 55 feet to the point of beginning.
4. The North 250.00 feet of the South 700.00 feet of the West 522.72 feet of the East 922.72 feet of the Northeast Quarter of the Southeast Quarter of Section 10, Township 117 North, Range 27 West.
5. Beginning at the Southeast corner of said Northeast Quarter of the Southeast Quarter; thence Northerly along the East line of said Northeast Quarter of the Southeast Quarter to the North line of the South 400 feet of said Northeast Quarter of the Southeast Quarter; thence Westerly parallel with the South line of said Northeast Quarter of the Southeast Quarter to a line 400 feet West of the East line of said Northeast Quarter of the Southeast Quarter (as measured at right angles); thence Northerly parallel with the East line of said Northeast Quarter of the Southeast Quarter 50 feet to the North line of the South 450 feet of said Northeast Quarter of the Southeast Quarter; thence Westerly parallel with the South line of said Northeast Quarter of the Southeast Quarter to a line 100 feet East of the West line of said Northeast Quarter of the Southeast Quarter (as measured at right angles); thence Northerly parallel with the West line of said Northeast Quarter of the Southeast Quarter to the South line of the North 14 rods (231 Feet) of said Northeast Quarter of the Southeast Quarter; thence Westerly parallel with the North line of said Northeast Quarter of the Southeast Quarter to the West line of said Northeast Quarter of the Southeast Quarter; thence Southerly along the West line of said Northeast Quarter of the Southeast Quarter to the North line of the South 400 feet of said Northeast Quarter of the Southeast Quarter; thence Easterly parallel with the South line of said Northeast Quarter of the Southeast Quarter to the East line of the West Half of said Northeast Quarter of the Southeast Quarter; thence Southerly along the East line

of said West Half to the South line of said Northeast Quarter of the Southeast Quarter; thence Easterly along the South line of said Northeast Quarter of the Southeast Quarter to the point of beginning. EXCEPTING THEREFROM that part described as follows: Commencing at a point of the East line of the Southeast Quarter of said Section 10 a distance of 1700.0 feet North of the Southeast corner thereof; thence West at right angles to the West right-of-way line of former State Highway Number 261 to the point of beginning; thence continue West 117.0 feet; thence North at right angles 75.0 feet; thence East at right angles to said West right-of-way line; thence South at right angles 75.0 feet to the point of beginning.

6. That part of the Northeast Quarter of the Southeast Quarter of Section 10, Township 117, Range 27, McLeod County, Minnesota described as follows: Beginning at a point on the east line of said Northeast Quarter of the Southeast Quarter 231.00 southerly, as measured at a right angle, of the north line of said Northeast Quarter of the Southeast Quarter, thence on an assumed bearing of South 01 degree 20 minutes 37 seconds East along said east line, a distance of 293.50 feet; thence South 89 degrees 34 minutes 29 seconds West a distance of 157.04 feet; thence westerly a distance of 15.59 feet along a tangential curve, concave to the south having a radius of 105.00 feet and a central angle of 08 degrees 30 minutes 32 seconds; thence South 81 degrees 03 minutes 57 seconds West, tangent to said curve, a distance of 294.78 feet; thence westerly a distance of 12.66 feet along a tangential curve, concave to the north having a radius of 85.00 feet and a central angle of 08 degrees 31 minutes 51 seconds; thence South 89 degrees 35 minutes 48 seconds West, tangent to said curve, a distance of 743.77 feet to a line parallel with and 100.00 feet easterly, as measured at a right angle, of the west line of said Northeast Quarter of the Southeast Quarter; thence North 01 degree 01 minute 08 seconds West, along said parallel line, a distance of 342.03 feet to a line parallel with and 231.00 feet southerly, as measured at a right angle, of the north line of said Northeast Quarter of the Southeast Quarter; thence North 89 degrees 43 minutes 18 seconds East, along said parallel line, a distance of 1219.33 feet to the point of beginning.

PARCEL 4 – PID 140140900

The Northerly One (1) Rod of Lot Two (2) and the Northerly One (1) Rod of the Easterly 370 feet of the East One-Half of the Northwest One-Quarter (E-1/2 – NW ¼); all in Section 14, Township 117 North, Range 27 West.

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, and the Secretary of State as required by Minn. Stat. § 414.033, subd. 7.

Dated: November 15, 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 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 (2023). However, no request for amendment shall extend the time of appeal from this Order.