

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of  
Certain Real Property to the City of  
Rochester from Rochester Township  
(MBAU Docket A-8456)

**ORDER APPROVING  
ANNEXATION ORDINANCE**

On August 21, 2023, the City of Rochester (City) adopted Ordinance No. 4499 (Ordinance) annexing certain real property (Property) from Rochester Township (Township) legally described as follows:

That part of the North Half of the South Half of the Northeast Quarter of Section 33, Township 106 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southeast corner of said Northeast Quarter; thence North 00°14'19" East, along the east line of said Northeast Quarter, 658.65 feet to the southeast corner of said North Half of the South Half of the Northeast Quarter and to the point of beginning; thence continuing North 00°14'19" East, along said east line, 658.65 feet to the northeast corner of said North Half of the South Half of the Northeast Quarter; thence South 89°54'20" West, along the north line of said North Half of the South Half of the Northeast Quarter, 1407.34 feet; thence South 02°06'43" East 658.69 feet to the south line of said North Half of the South Half of the Northeast Quarter; thence North 89°55'13" East, along said south line, 1380.32 feet to the point of beginning.

AND

That part of the East Half of Section 33, Township 106 North, Range 14 West, Olmsted County, Minnesota, being described as follows:

Commencing at the northwest corner of the East Half of said Section 33; thence South 00 degrees 36 minutes 53 seconds East, assumed bearing, along the west line of said East Half, 1974.03 feet to the northwest corner of the South Half of the South Half of the Northeast Quarter of said Section 33; thence North 89 degrees 09 minutes 43 seconds East, along the north line of said South Half of the South Half of the Northeast Quarter, 1175.00 feet for the point of beginning; thence South 00 degrees 36 minutes 53 seconds East, parallel with the west line of the East Half of said Section 33, a distance of 1180.72 feet; thence North 89 degrees 09 minutes 43 seconds East, parallel with the north line of said South Half of the South Half of the

Northeast Quarter, 1470.49 feet to a point on the east line of the Southeast Quarter of said Section 33, distant 794.52 feet northerly of the southeast corner of the North Half of said Southeast Quarter; thence North 00 degrees 22 minutes 25 seconds West along said east line, 522.09 feet to the northeast corner of said Southeast Quarter; thence North 00 degrees 31 minutes 36 seconds West, along the east line of the Northeast Quarter of said Section 33, a distance of 658.65 feet to the northeast corner of the South Half of the South Half of said Northeast Quarter; thence South 89 degrees 09 minutes 43 seconds West, along the north line of said South Half of the South Half of said Northeast Quarter, 1473.70 feet to the point of beginning.

**EXCEPT**

The West 500.00 feet of the above described parcel.


The above described parcel contains 47.43 acres and is subject to any easements, covenants, and restrictions of record.

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. Pursuant to Minn. Stat. § 414.036 (2022), the City will reimburse the Township as stated in Ordinance No. 4499.
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: October 26, 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 Olmsted 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.