

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of  
Certain Real Property to the City of  
Dakota from New Hartland Township  
(MBAU Docket A-8474)

**ORDER APPROVING  
ANNEXATION ORDINANCE**

On February 12, 2024, the City of Dakota (City) adopted Ordinance No. 24-3 (Ordinance) annexing certain real property (Property) from New Hartford Township (Township) legally described as follows:

Lots 17 and 18, Subdivision of Section 12, Township 105, of Range 5, being more particularly described as follows: Commencing at the East Quarter corner of said Section 12, running thence West on the Quarter line 20 chains; thence South on the East line of the NW 1/4 of the SE 1/4 of said Section 12, 2.07 chains to the southerly right of way of the public road for the point of beginning; running thence South on the East line of said NW 1/4 of SE 1/4, 17.93 chains to the southeast corner of Lot 18, thence West on the South line of said NW 1/4 of SE 1/4 9.37 chains; thence north 20 degrees 40 minutes West 8.53 chains to the southerly right-of-way of the public road; thence Northeasterly along the southerly right of way of the public road 15.24 chains to the point of beginning.

Excepting from the above a tract of land conveyed to George Stritch by Deed dated February 25, 1911, filed for record in the Office of the Register of Deeds, Winona County, Minnesota on June 2, 1911 and recorded in Book 117 of Deeds, Page 232, described as follows: Commencing at the Southwesterly corner of Lot 18; running thence 100 feet East to the point of beginning; thence as follows: Thence North 20 rods, thence East 209.2 feet; thence South 20 rods; thence West 209.2 feet to the place of beginning. Said above land bounded on the East by the East line of said Lot 18, and on the South by the South line of Lot 18.

Also, excepting from the above a tract of land conveyed to Jon E. Nicholson and Anne K. Morse, by a Warranty Deed dated July 17, 1991, filed for record in the office of the County Recorder, Winona County, Minnesota on July 17, 1991, and recorded on microfilm as Document No. 343369, described as follows:

That part of Lots Seventeen (17) and Eighteen (18), Subdivision of Section Twelve (12), Township One Hundred Five (105) North of Range Five (5), West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:

Beginning at the intersection of the Southerly right of way line of C.S.A.H. No. 12 and the Westerly line of said Lot 17; thence along said Southerly right of way line

North 49 degrees 18 minutes East, 485 feet; thence South 36 degrees 45 minutes East, 228 feet; thence South 40 degrees 45 minutes West, 396 feet; thence South 72 degrees 45 minutes West, 160 feet, more or less to the Westerly line of said Lot 17; thence Northwesterly along said Westerly line, 234 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. Pursuant to Minn. Stat. § 414.036 (2022), the City will reimburse the Township \$522 each year for two years as stated in the Ordinance.
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: March 20, 2024

  
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 Winona 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.