

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Detroit Lakes from Burlington Township
(MBAU Docket A-8480)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On April 9, 2024, the City of Detroit Lakes (City) adopted Ordinance No. 522 (Ordinance) annexing certain real property (Property) from Burlington Township (Township) legally described as follows:

Parcel 03-0074-000: All That part of Government Lots 3 and 4 of Section 7, Township 138 North, Range 40 West of the Fifth Principal Meridian described as follows, to-wit:

Beginning at a point (iron stake) on the South line of said Section 7, which bears North 89 degrees 12 minutes East 150.00 feet from the Southwest corner (iron stake) thereof; thence running by the following six courses, viz: North 89 degrees 12 minutes East 459.0 feet in the South line of said Section 7, to an iron stake; North 02 degrees 06 minutes East 687.1 feet to an iron stake in the Southwesterly right-of-way line of State Federal Highway No. 10; North 33 degrees 29 minutes West 1153.8 feet in the said Southwesterly right-of-way line of Highway No. 10 to an intersection (iron stake) with the East line of a Township Road; which is the point of beginning of the tract to be conveyed; thence South 01 degrees 14 minutes East 334.0 feet in the said East line of the Township Road, to an iron stake; South 89 degrees 46 minutes East 121.0 feet to an iron stake; thence continuing South 89 degrees 46 minutes East to the intersection of the Southwesterly right-of-way line of State Federal Highway No. 10; thence Northwesterly in the Southwesterly line of said State Federal Highway No. 10 to the point of beginning and there terminating; containing 1.17 acres. Subject to any easements in the Public for road purposes and also subject to any mineral reservations of record.

Parcel 03-0075-000: All that part of Government Lots Three (3) and Four (4) of SECTION 7, TOWNSHIP 138 NORTH, RANGE 40 WEST OF THE FIFTH PRINCIPAL MERIDIAN in Becker County, Minnesota, described as follow, to-wit: Beginning at a point (iron stake) on the south line of said Section 7 which bears North 89° 12' East 150.0 feet from the Southwest corner (iron stake) thereof; thence running by the following six courses, viz: North 89° 12' East 459.0 feet in the south line of said Section 7 to an iron stake; North 02° 06' East 687.1 feet to an iron stake in the southwesterly right of way line of State Federal Highway No. 10; North 33° 29' West 1153.8 feet in the said southwesterly right of way line of Highway No. 10 to an intersection (iron stake) with the east line of a township road;

South 01° 14' East 334.0 feet in the said east lien of the Township road, to an iron stake; South 89° 46' East 121.0 feet to an iron stake; and South 01° 03' East 1321.0 feet to the point of beginning and there terminating, contains 12.82 acres. Together with that certain easement across the West 150 feet of said Government Lot Four (4) along a presently established private drive which lies about 500 feet south of the most northerly part of the above described property.

LESS THE FOLLOWING DESCRIBED TRACT:


Commencing at a point (iron stake) on the South line of said Section 7 which bears North 89° 12' East 150.0 feet from the Southwest corner (iron stake) thereof; thence running by the following six courses, viz: North 89° 12' East 459.0 feet in the south line of said Section 7 to an iron stake; North 02° 06' East 687.1 feet to an iron stake in the southwesterly right of way line of State Federal Highway No. 10; North 33° 29' West 1153.8 feet in the said Southwesterly right of way line of Highway No. 10 to an intersection (iron stake) with the east line of a Township Road, which is the point of beginning of the tract to be conveyed; thence South 01° 14' East 334.0 feet in the said East line of the Township Road, to an iron stake; South 89° 46' East 121.0 feet to an iron stake; thence continuing South 89° 46' East to the intersection of the Southwesterly right of way line of State Federal Highway No. 10; thence Northwesterly in the Southwesterly line of said State Federal Highway No. 10 to the point of beginning and there terminating, containing 1.17 acres. SUBJECT to any easements in the public for road purposes.

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 \$609.67 each year for five years as stated in Ordinance No. 522.
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: April 17, 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 Becker 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.