

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Rochester from Haverhill Township
(MBAU Docket A-8501)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On December 2, 2024, the City of Rochester (City) adopted Ordinance No. 4548 (Ordinance) annexing certain real property (Property) from Haverhill Township (Township) legally described as follows:

That part of Parcel 2 of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 116 lying within the Northwest Quarter of the Northeast Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota.

TOGETHER WITH:

That part of Parcel 2 of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 116 lying within the Northeast Quarter of the Northeast Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, lying west of the following described line:

Commencing at the northeast corner of said Northeast Quarter; thence southerly on a Minnesota State Plane Grid Azimuth from north of 179 degrees 03 minutes 15 seconds along the east line of said Northeast Quarter, 867.72 feet to the center line of CSAH No. 2; thence westerly 337.66 feet along said center line on a nontangential curve concave northerly, having a radius of 2864.79 feet, a central angle of 06 degrees 45 minutes 11 seconds and a chord azimuth of 265 degrees 56 minutes 58 seconds; thence westerly 269 degrees 19 minutes 37 seconds azimuth along said center line 371.66 feet to the point of beginning of the line to be described; thence southerly 179 degrees 19 minutes 32 seconds azimuth 395.01 feet and said line there terminating.

EXCEPTING therefrom any part of the above described Parcel 2 previously annexed to the City of Rochester, Minnesota.

ALSO:

Parcel 3 of AMENDED OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 116, Olmsted County, Minnesota, EXCEPTING therefrom that part of said Parcel 3 previously annexed to the City of Rochester, Minnesota, shown as Parcel 3 of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 45.

ALSO:

Parcel 1, Parcel 2, and Parcel 3 of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 46, Olmsted County, Minnesota.

ALSO:

That part of the Northwest Quarter of the Southeast Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, lying west of the westerly right of way line of CSAH No. 22 as shown on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 46.

ALSO:

Parcel 1, Parcel 2, Parcel 2a, and Parcel 2c of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47, Olmsted County, Minnesota, EXCEPTING therefrom that part of said Parcel 2 lying within the North Half of the Northeast Quarter of Section 31, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said Northeast Quarter; thence westerly on a Minnesota State Plane Grid Azimuth from north of 269 degrees 39 minutes 30 seconds along the north line of said Northeast Quarter, 1743.15 feet to the easterly right of way line of CSAH No. 22, as defined by OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47; thence southerly 261.78 feet along said easterly right of way line on a nontangential curve, concave easterly, having a radius of 4463.80 feet, a central angle of 03 degrees 21 minutes 37 seconds, and a chord azimuth of 159 degrees 01 minutes 30 seconds; thence southerly 160 degrees 17 minutes 45 seconds azimuth, along said easterly right of way line, 388.43 feet; thence southeasterly 157 degrees 20 minutes 40 seconds azimuth, along said easterly right of way line, 47.60 feet to the point of beginning; thence southeasterly 157 degrees 20 minutes 40 seconds azimuth, along said easterly right of way line, 615.49 feet to the northerly right of way line of Silver Creek Road; thence westerly 269 degrees 35 minutes 55 seconds azimuth, 21.61 feet; thence northwesterly 337 degrees 20 minutes 40 seconds azimuth, 605.28 feet; thence easterly 61 degrees 33 minutes 38 seconds azimuth, 20.10 feet to the point of beginning.

ALSO:

That part of the Southwest Quarter of the Southeast Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the Northeast corner of the Southwest Quarter of the Southeast Quarter of said Section 30; thence westerly on a bearing of South 89 degrees 34 minutes 29 seconds West (assumed bearing) along the north

line thereof for 687.16 feet for a point of beginning; thence continue on the last described course for 51.37 feet to the east right of way line of CSAH No. 22 as shown on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47; thence South 13 degrees 39 minutes 09 seconds East along said east right of way line for 511.75 feet; thence North 76 degrees 20 minutes 51 seconds East for 50.00 feet; thence North 13 degrees 39 minutes 09 seconds West, parallel with said east right of way line, 500.00 feet to the point of beginning.

ALSO:

Parcel 3 of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 117, Olmsted County, Minnesota, EXCEPTING therefrom any part of said Parcel 3 previously annexed to the City of Rochester, Minnesota.

Containing in all, 36.84 acres, more or less.

Based upon a review of the Ordinance, the Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.033 (2024), 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 (2024), the City shall reimburse the Township 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: February 5, 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 (2024). 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.