

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-8502)

**ORDER APPROVING
ANNEXATION ORDINANCE**

On December 2, 2024, the City of Rochester (City) adopted Ordinance No. 4549 annexing certain real property (Property) from Haverhill Township (Township). On April 7, 2025, the City adopted Ordinance No. 4560 (Ordinance), which corrected an error in the legal description of the Property. The City filed the Ordinance with the Office of Administrative Hearings on April 14, 2025, requesting approval of the Ordinance under Minn. Stat. § 414.033 (2024).

The Property is legally described as follows:

The North 526.95 feet of that part of the Southwest Quarter of the Southeast Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, which lies westerly of the westerly line of CSAH No. 22 as defined on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47. (PID 73.30.43.061962)

ALSO:

That part of the Southwest Quarter of the Southeast Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, which lies westerly of the westerly line of CSAH No. 22 as defined on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47, EXCEPT the North 526.95 feet thereof. (PID 73.30.43.064080)

ALSO:

That part of the Northwest Quarter of the Northeast Quarter of Section 31, Township 107 North, Range 13 West, Olmsted County, Minnesota, which lies westerly of the westerly line of CSAH No. 22 as defined on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47, EXCEPT the South 825.00 feet thereof. (PID 73.31.12.064082)

ALSO:

That part of the South 825.00 feet of the Northwest Quarter of the Northeast Quarter of Section 31, Township 107 North, Range 13 West, Olmsted County, Minnesota, which lies West of the westerly right of way line of CSAH No. 22 as

shown on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47 dated August 14, 1986, recorded August 20, 1986, in Book W-4 of Miscellaneous Records on Page 93. EXCEPT that part of the above- described tract shown as Parcel 2a and Parcel 2c on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47. (PID 73.31.12.057643)

ALSO:

That part of the Northwest Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, lying east of the following described line, and except any land already within the City of Rochester, described as follows:

Beginning at the southeast corner of the Northwest Quarter of said Section 30; thence North 89 degrees 44 minutes 51 seconds West, assumed bearing, along the south line of said Northwest Quarter, 659.52 feet; thence North 00 degrees 39 minutes 18 seconds West, 112.15 feet; thence North 45 degrees 39 minutes 09 seconds West, 97.78 feet; thence North 15 degrees 44 minutes 39 seconds West, 105.27 feet; thence North 11 degrees 57 minutes 32 seconds West, 152.01 feet to the southeasterly line of the property described in that certain Warranty Deed recorded as Document No. 456724 on July 14, 1983 in the office of the Olmsted County Recorder (the next two courses are along the southeasterly and northeasterly lines of said property); thence North 42 degrees 12 minutes 05 seconds East, 242.56 feet; thence North 37 degrees 20 minutes 42 seconds West, 209.11 feet to the most southerly corner of Lot 1, Block 1, VIOLA HEIGHTS, according to the recorded plat thereof; thence North 52 degrees 36 minutes 38 seconds East, along the southeasterly line of said Lot 1, a distance of 291.80 feet and there terminating.

Containing in all, 49.90 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, 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 Ordinance with the Township, the appropriate county auditor, and the Secretary of State as required by Minn. Stat. § 414.033, subd. 7.

Dated: April 24, 2025


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.