

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City
of Byron from Kalmar Township
(MBAU Docket OA-1073-9)

**ORDER APPROVING
ANNEXATION**

Resolution No. 2004-09 (Joint Resolution to Designate) was adopted by the City of Byron (City) and Kalmar Township (Township) on July 29, 2004, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

Byron Resolution 21-30/Kalmar Resolution 21-09 (Joint Resolution to Annex) adopted by the City on August 10, 2021, and the Township on August 16, 2021, requests annexation of certain real property (Property) legally described as follows:

That part of the Northwest Quarter of the Northeast Quarter, Section 29, Township 107 North, Range 15 West, Olmsted County, Minnesota, lying northerly of the following described line:

Commencing at the northwest corner of said Northeast Quarter; thence southerly on a Minnesota State Plane Grid Azimuth from north of 179 degrees 19 minutes 38 seconds along the west line of said Northeast Quarter 470.00, feet to the point of beginning; thence easterly 89 degrees 57 minutes 50 seconds azimuth 900.06 feet; thence northerly 359 degrees 19 minutes 38 seconds azimuth 105.00 feet; thence easterly 89 degrees 19 minutes 38 seconds azimuth 216.00 feet; thence southerly 179 degrees 19 minutes 38 seconds azimuth 140.81 feet; thence easterly 89 degrees 17 minutes 54 seconds azimuth 198.71 feet to the east line of said Northwest Quarter of the Northeast Quarter, and said line there terminating.

And

That part of Southwest Quarter of the Southeast Quarter of Section 20, Township 107, Range 15, Olmsted County, Minnesota, lying southeasterly of the following described line:

Commencing at the southeast corner of said Southwest Quarter of the Southeast Quarter; thence on an assumed bearing of South 89 degrees 51 minutes 07 seconds West, along the south line of said Southwest Quarter of the Southeast Quarter, a distance of 635.27 feet to the point of beginning of the line to be described; thence North 23 degrees 54 minutes 30 seconds East a distance of 337.79 feet; thence North 46 degrees 47 minutes 59

seconds East a distance of 680.91 feet to the east line of said Southwest Quarter of the Southeast Quarter and said line there terminating.

EXCEPT the east 30.00 feet of the south 675.00 feet thereof.

ALSO EXCEPT the west 60.00 feet thereof, being the right of way of 2nd Avenue NW.


AREA = 845,076 S.F. or 19.40 acres.

Based upon a review of the Joint Resolution to Designate and the Joint Resolution to Annex, the Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2020), the Joint Resolution to Annex is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Joint Resolution to Designate, the Joint Resolution to Annex, and this Order, the Property is **ANNEXED** to the City.
3. Pursuant to the agreement of the parties and as allowed by Minn. Stat. § 414.036 (2020), the City will reimburse the Township in accordance with the terms of the Joint Resolution to Designate.

Dated: August 31, 2021


JESSICA A. PALMER-DENIG
Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.0325, .07, .09, .12 (2020). 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 (2021). However, no request for amendment shall extend the time of appeal from this Order.