

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Luverne from Luverne Township
(MBAU Docket OA-116-8)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the City of Luverne (City) on May 13, 1975, and Luverne Township (Township) on June 11, 1975, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

City of Luverne Resolution No. 22-18/Luverne Township Resolution, amending the Joint Resolution to Designate (Joint Resolution to Annex) was adopted by the City on April 10, 2018, and the Township on March 28, 2018, requesting annexation of certain real property (Property) legally described as follows:

Parcel 1: Tract 1 in the NE $\frac{1}{4}$ - NW $\frac{1}{4}$ Section 15-102-45. That part of the Tract in Warranty Deed recorded as Document Number 170513 in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ - NW $\frac{1}{4}$) of Section Fifteen (15), Township 102 North, Range 45 West of the 5th P.M., Rock County, Minnesota, described as follows:

Commencing at the North Quarter Corner of said Section 15; thence South 00°00'00" West on the east line of said NW $\frac{1}{4}$ for a distance of 33.00 feet to the Northeast Corner of said Tract and to the Point of Beginning; thence continuing South 0°00'00" West on the east line of said NW $\frac{1}{4}$ and on the east line of said Tract for a distance of 315.00 feet; thence South 89°35'18" West for a distance of 283.16 feet to the west line of said Tract; thence North 0°00'00" East on said west line for a distance of 315.00 feet to the Northwest Corner of said Tract; thence North 89°35'18" East on the north line of said Tract for a distance of 283. 16 feet to the Point of Beginning, containing 2.05 acres, inclusive of 0.24 acres of public road right-of-way on the east side thereof. Subject to easements, if any, of record or apparent.

Parcel 2: Tract 2 in the NE $\frac{1}{4}$ - NW $\frac{1}{4}$ Section 15-102-45. That part of the Tract in Warranty Deed recorded as Document Number 170513 in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ - NW $\frac{1}{4}$) of Section Fifteen (15), Township 102 North, Range 45 West of the 5th P.M., Rock County, Minnesota, described as follows:

Commencing at the North Quarter Corner of said Section 15; thence South 00°00'00" West on the east line of said NW ¼ for a distance of 348.00 feet to the Point of Beginning; thence continuing South 00°00'00" East on said east line and on the east line of said Tract for a distance of 237.05 feet to the Southeast Corner of said Tract; thence North 90°00'00" West on the perimeter of said Tract for a distance of 133.00 feet to an angle point of said Tract; thence North 00°00'00" East on said perimeter for a distance of 43.00 feet to an angle point of said Tract; thence North 90°00'00" West on said perimeter for a distance of 150.15 feet to an angle point of said Tract; thence North 00°00'00" East on the west line of said Tract for a distance of 192.02 feet; thence North 89°35' 18" East for a distance of 283.16 feet to the Point of Beginning, containing 1.38 acres, inclusive of 0.18 acres of public road right-of-way on the east side thereof. Subject to easements, if any, of record or apparent.

Parcel 3: A tract of land out of the Northwest Quarter (NW¼) of Section Fifteen(15), Township One Hundred Two (102) North, Range Forty-five (45) West, more particularly described as follows: Commencing at the Northeast corner of said Section 15, thence West 2635.2 feet to a point, thence South with an inside angle of 90° 31' a distance of 585.05 feet, thence West 33 feet for the point of beginning; thence south along the West right-of-way line of the road a distance of 75 feet; thence West 100 feet; thence North 75 feet; thence East 100 feet to the point of beginning.

Parcel 4: A tract of land of land out of the Northwest Quarter (NW¼) of Section Fifteen (15), Township One Hundred Two (102) North, Range Forty-Five (45) West, more particularly described as follows: Commencing at the Northeast corner of said Section 15, thence West 2635.2 feet to a point, thence South with an inside angle of 90° 31' a distance of 585.05 feet, thence West 33 feet for the point of beginning; thence South along the West right-of-way line of the road a distance of 25 feet; thence West 100 feet; thence North 25 feet; thence East 100 feet to the point of beginning.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2016), 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 (2016), the City will reimburse the Township \$785 as stated in the Joint Resolution to Annex.

Dated: April 25, 2018

A handwritten signature in black ink, appearing to read 'T. Pust', is written over a horizontal line.

TAMMY L. PUST
Chief Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.0325, .07, .09, .12 (2016). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Rock 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 (2017). However, no request for amendment shall extend the time of appeal from this Order.