

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation of
Certain Real Property to the City of Avon from
Avon Township (MBAU Docket OA-1198-6)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the City of Avon (City) and Avon Township (Township) on August 17, 2005, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

In 2009, the City and Township adopted the Joint Resolution as to Orderly Annexation Area and Joint Resolution as to Annexation of Melton/Gertken/Mitchell Properties by and Between the City of Avon and the Town of Avon. In 2015, the City and Township adopted the Amendment to Joint Resolution as to Orderly Annexation Area and Joint Resolution as to Annexation of Melton/Gertken/Mitchell Properties by and Between the City of Avon and the Town of Avon (Joint Resolution Amendments).

Joint Resolution Number 2018-10 (Joint Resolution to Annex), adopted by the City on May 7, 2018, and the Township on May 16, 2018, requests annexation of certain real property (Property) legally described as follows:

The South 540 feet of the Southwest Quarter of the Southeast Quarter (SW¼ SE¼) of Section 27, Township 125, Range 30, less that part of the (SW¼ SE¼) of Section 27, Township 125, Range 30 described as follows: Beginning at the Southwest corner of said (SW¼ SE¼); thence North 00° 13' 04" East (assumed bearing) along the West line of said (SW¼ SE¼) a distance of 474.03 feet; thence South 88° 59' 34" East, parallel with the South line of said (SW¼ SE¼) a distance of 367.49 feet; thence South 00° 09' 05" West a distance of 474.05 feet to the said South line; thence North 88° 59' 34" West along said South line a distance of 368.04 feet to the point of beginning.

Based upon a review of the Joint Resolution to Designate, the Joint Resolution Amendments, and the Joint 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 Amendments, 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 to Minn. Stat. § 414.036 (2016), the City will reimburse the Township in accordance with the terms of the Joint Resolution to Designate, the Joint Resolution Amendments, and the Joint Resolution to Annex.

Dated: June 11, 2018

A handwritten signature in black ink, appearing to read 'TLP', 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 Stearns 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.