

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Kasson from Mantorville Township
(MBAU Docket OA-1296-11)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the City of Kasson (City) and Mantorville Township (Township) on October 9, 2013, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

Joint Resolution No. 12.8-21 (Joint Resolution to Annex), adopted by the City and Township on December 8, 2021, requests annexation of certain real property (Property) legally described as follows:

13.032.0901: That part of the Northwest Quarter of the Southwest Quarter of Section 32, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence southerly on a Minnesota State Plane Grid Azimuth from north of 180 degrees 18 minutes 48 seconds along the west line of said Southwest Quarter 297.91 feet to the point of beginning; thence continue southerly 180 degrees 18 minutes 48 seconds azimuth along said west line 624.58 feet to the northerly right-of-way line of the Dakota, Minnesota, and Eastern Railroad; thence easterly 87 degrees 10 minutes 05 seconds azimuth along said northerly right-of-way line 1147.15 feet to the southwesterly right-of-way line of State Trunk Highway No. 14, as defined by State Highway Right-Of-Way Plat No. 20-9; thence northwesterly 318 degrees 24 minutes 22 seconds azimuth along said southwesterly right-of-way line 664.40 feet; thence northwesterly 652.39 feet along said southwesterly right-of-way line on a tangential curve concave southwesterly, having a radius of 879.93 feet, and a central angle of 42 degrees 28 minutes 47 seconds; thence southwesterly 226 degrees 30 minutes 20 seconds azimuth along said right-of-way line 138.37 feet; thence southerly 180 degrees 18 minutes 48 seconds azimuth along said right-of-way line 125.03 feet; thence westerly 270 degrees 18 minutes 48 seconds azimuth 33.00 feet to the point of beginning.

Said tract contains 14.38 acres more or less.

Said tract subject to a Township Road right-of-way easement over the westerly 33.00 feet.

AND

13.032.0902: That part of the North Half of the Southwest Quarter of Section 32, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest quarter; thence easterly on a Minnesota State Plane Grid Azimuth from north of 90 degrees 19 minutes 35 seconds azimuth along the north line of said Southwest Quarter 1078.25 feet to the point of beginning; thence continue easterly 90 degrees 19 minutes 35 seconds azimuth along said north line 1567.89 feet to the northeast corner of said Southwest Quarter; thence southerly 179 degrees 56 minutes 36 seconds azimuth along the east line of said Southwest Quarter 776.21 feet to the northerly right-of-way line of the Dakota, Minnesota, and Eastern Railroad; thence westerly 267 degrees 10 minutes 05 seconds azimuth along said northerly right-of-way line 1315.63 feet to the northeasterly right-of-way line of State Trunk Highway No. 14, as defined by State Highway Right-Of-Way Plat No. 20-9; thence northwesterly 318 degrees 24 minutes 23 seconds azimuth along said right-of-way line 388.35 feet; thence northerly 00 degrees 19 minutes 35 seconds azimuth 559.72 feet to the point of beginning.

Said tract contains 28.65 acres more or less.

Said tract subject to County Road No. 34 right-of-way easement.

AND

13.032.0904 - PARCEL B: A part of the North Half of the Southwest Quarter of Section 32, Township 107 North, Range 16 West, also being as part of Parcel 3 of Minnesota Department of Transportation Right of Way Plat No.20-9, all in Dodge County, Minnesota, and described as follows:

Commencing at the northwest corner of the Southwest-Quarter of said Section 32; thence South 89 degrees 40 minutes 25 seconds East (NOTE: all bearings are on the Dodge County NAD 83,96 adjustment) along the north line of said Southwest Quarter for a distance of 150.66 feet; thence South 00 degrees 19 minutes 35 seconds West for a distance of 60.00 feet; thence South 89 degrees 36 minutes 12 seconds East for a distance of 410.72 feet to a point known as M-14 on said Right of Way Plat No.20-9; thence: southeasterly along the northeasterly line of said Parcel 3 on Right of Way Plat.No.20-9; and along a Non-tangential curve, concave southwesterly, radius of 1029.93 feet, central angle of 18 degrees 07 minutes 05 seconds, chord bearing of South 50 degrees 39 minutes 09 seconds East, for an arc distance of 325.68 feet; thence tangent to last curve, South 41 degrees 35 minutes 37 seconds East, and along said northeasterly line of Pared 3 Right of Way Plat No.20-9, for a distance of 396.49 feet to a found 3/4" iron pipe, said point being the POINT OF BEGINNING of PARCEL B; thence continue South 41 degrees 35 minutes 37 seconds East along said northeasterly line for a distance

of 388.35 feet to the northerly line of the D.M.& E Railroad Right of Way, also being the southeasterly corner of Parcel 3 of Right of Way Plat No.20-9; thence South 87 degrees 10 minutes 05 seconds West along said northerly line for a distance of 192.37 feet to the southwesterly corner of said Parcel 3; thence North 41 degrees 35 minutes 37 seconds West along the southwesterly line of said Parcel 3 for a distance of 402.59 feet; thence South 89 degrees 40 minutes 25 seconds East for a distance of 201.59 feet to the POINT OF BEGINNING.

Containing 1.362 Acres, more or less.

AND

13.032.0905 - PARCEL C: A part of the North Half of the Southwest Quarter of Section 32, Township 107 North, Range 16 West, also being a part of Parcel 3 of Minnesota Department of Transportation Right of Way Plat No.20-9, all in Dodge County, Minnesota, described as follows:

Commencing at the northwest corner of the Southwest Quarter of said Section 32; thence South 89 degrees 40 minutes 25 seconds East(NOTE: all hearings are on the Dodge County NAD 1983,96 adjustment) along the north line of said Southwest Quarter for a distance of 150.66 feet; thence South 00 degrees 19 minutes 35 seconds West for a distance of 60.00 feet to the POINT OF BEGINNING of PARCEL C; thence South 89 degrees 36 minutes 12 seconds East for a distance of 410.72 feet to a point known as M-14 on said Right of Way Plat No.20-9; thence South 00 degrees 19 minutes 35 seconds West for a distance of 178.35 feet to a point in the southerly line of said Parcel 3 of Plat No.20-9: thence northwesterly along said southerly line of Parcel 3 and along a Non-tangential curve, concave southwesterly, radius of 879.93 feet, central angle of 30 degrees 10 minutes 16 seconds, chord bearing of North 68 degrees 59 minutes 15 seconds West, for an arc distance of 463.36 feet to a point known as M-19 on said Plat.No.20-9: thence North 46 degrees 30 minutes 20 seconds East along the extension of the Right of Way line as shown on Right of Way Plat 20-9, not tangent to last curve, for a distance of 24.64 feet to the POINT OF BEGINNING.

Containing 0.744 Acres, more or less.

Access crossing the north line of above described PARCEL C is to be controlled by the Dodge County Highway Department.

AND

13.032.0906: Together with that part of the East Half of the Southwest Quarter of Section 32, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest quarter; thence easterly on a Minnesota State Plane Grid Azimuth from north of 90 degrees 19 minutes 35 seconds azimuth along the north line of said Southwest Quarter 2646.14 feet to

the northeast corner of said Southwest Quarter; thence southerly 179 degrees 56 minutes 36 seconds azimuth along the east line of said Southwest Quarter 876.33 feet to the southerly right-of-way line of the Dakota, Minnesota, and Eastern Railroad and the point of beginning; thence continue southerly 179 degrees 56 minutes 36 seconds azimuth along said east line 820.21 feet to the northerly right-of-way line of State Trunk Highway No. 14, as defined by State Highway Right-Of-Way Plat No. 20-1; thence northwesterly 294 degrees 39 minutes 23 seconds azimuth along said right-of-way line 666.93 feet; thence northwesterly 548.15 feet along said right-of-way line on a tangential curve concave northeasterly, having a radius of 1322.39 feet, and a central angle of 23 degrees 45 minutes 00 seconds; thence northwesterly 318 degrees 24 minutes 23 seconds azimuth along said right-of-way line 213.19 feet to the southerly right-of-way line of the Dakota, Minnesota, and Eastern Railroad; thence easterly 87 degrees 10 minutes 05 seconds azimuth along said southerly right-of-way line 1185.60 feet to the point of beginning.


Said tract contains 13.17 acres more or less.

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 to Minn. Stat. § 414.036 (2020), the City will reimburse the Township in accordance with the terms of the Joint Resolution to Designate.

Dated: February 10, 2022


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 Dodge 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.