

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City
of Becker from Becker Township
(MBAU Docket OA-1364-4)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (2007 Joint Resolution to Designate) was adopted by the City of Becker (City) on October 16, 2007, and the Becker Town Board (Township) on October 15, 2007, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation. A joint resolution (2017 Joint Resolution to Designate) was adopted by the City on September 5, 2017, and the Township on August 22, 2017, replacing the 2007 Joint Resolution to Designate.

Resolution 23-115 (Joint Resolution to Annex), adopted by the City on November 7, 2023, and the Township on November 20, 2023, requests annexation of certain real property (Property) legally described as follows:

The North Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$); the West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) which lies Southwesterly of the railroad right-of-way, all being in Section 26, Township 34 North, Range 29 West, Sherburne County, Minnesota.

Except the southerly 550.00 feet of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 26, Township 34 N, Range 29 W, in Sherburne County, Minnesota, lying westerly of and abutting the westerly right-of-way line of County Highway No. 52 (125 Av. SE).

Also, the South Half of the Southwest Quarter (S $\frac{1}{2}$ of SW $\frac{1}{4}$) and the South Half of the Southeast Quarter (S $\frac{1}{2}$ of SE $\frac{1}{4}$) of Section Twenty-six (26) in Township Thirty-four (34), Range Twenty-nine (29), according to the Government Survey thereof now on file and of record in the office of the County Recorder, Sherburne County, Minnesota.


Also, part of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$), of Section Twenty-six (26), Township Thirty-four (34), Range Twenty-nine (29), lying southerly and westerly of the railroad right-of-way.

Based upon a review of the 2017 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 (2022), the Joint Resolution to Annex is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the 2017 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 (2022), the City will reimburse the Township in accordance with the terms of the 2017 Joint Resolution to Designate and the Joint Resolution to Annex.

Dated: January 31, 2024


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 (2022). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Sherburne 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.