

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Jackson from Des Moines Township
(MBAU Docket OA-1406-2)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the city of Jackson (City) on April 1, 2008, and Des Moines Township (Township) on March 11, 2008, pursuant to Minn. Stat. § 414.0325 (2014) designating certain real property for annexation.

Joint Resolution 06-15/23-615 (Joint Resolution to Annex) adopted by the City on June 18, 2015, and the Township on June 16, 2015, requests annexation of certain real property (Property) legally described as follows:

In Section 25: All that part of the SW¼ lying Westerly of the centerline of the Des Moines River and not already within the corporate limits of the City, comprised of the following:

Jackson Cemetery Association (JCA): Tax parcel 05.025.1100 (containing 16.5 acres)

City of Jackson (City): Tax parcel 05.025.0313 (containing 0.07 acres)

Southwestern Rural Renovations LLC (SWRR): Tax parcel 05.025.1500 (containing 6.66 acres)

Willett Gravel Company (Willett): Tax parcel 05.025.0300 (containing 2 acres)

Josephine A. Fertig (Fertig): Tax parcel 05.025.0315 (containing 1.3 acres)

Michael T. & LeAnn K. Gruhlke (Gruhlke): Tax parcels 05.025.0301, 05.025.0302, 05.025.0305, 05.025.0325, & 05.025.0335 (containing 66.14 acres)

Troy W. & Jadee J. Menke (Menke): Tax parcels 05.025.0310 & 05.025.0500 (containing 3.5 acres)

Federated Rural Electric Association (FREA): Tax parcels 05.025.0350, 05.025.0400, 05.025.0800, 05.025.0900, & 05.025.1000 (containing 7.68 acres)

Great River Energy (GRE): Tax parcels 05.025.0600 & 05.025.0700 (containing 3.10 acres)

In Section 26: That part of the E½SE¼ not already within the corporate limits of the City, comprised of the following:

Jackson Cemetery Association (JCA): Tax parcel 05.026.0600 (containing 13 acres)

Clayton C., Bette J., Steven, & Diana Williams (Williams): Tax parcels 05.026.0400 & 05.026.0500 (containing 58.59 acres)

Jackson Congregation of Jehovah's Witnesses (JCJW): Tax parcel 05.026.0550 (containing 2.5 acres)

Enterprise Products Operating LLC (EPO): Tax parcel 05.026.0800 (containing 5.91 acres)

In Section 35:

Ag Forte LLC (Ag Forte): Commencing on the east line of the NE¼ 1319.51 feet South of the northeast corner of Section 35, thence Southerly 1843.51 feet along the east lines of the NE¼ and SE¼ of said Section 35; thence Westerly 945.20 feet; thence Northerly 1842.91 to a point 945.20 feet Westerly of the point of commencement; thence Easterly 945.20 feet to the point of commencement (tax parcel 05.035.0100; containing 40 acres).

Douglas Lucht (D. Lucht): The E½NE¼, except the Ag-Forte tract (tax parcel 05.035.0100; containing 51 acres).

In Section 36:

Nasby Family Farms LLP (Nasby): The W½NW¼ and the North 524.00 feet of the NW¼SW¼ (tax parcel 05.36.0100; containing 95.88 acres).


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

ORDER

1. Pursuant to Minn. Stat. § 414.0325, 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 of Jackson.

3. Pursuant to the agreement of the parties as stated in the Joint Resolution to Annex, and as allowed by Minn. Stat. § 414.036 (2014), the City shall not be required to make any reimbursement to the Township after the City can first levy on the annexation area.

Dated: July 1, 2015



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 (2014). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Jackson 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 Approving Annexation within seven days from the date of the mailing of the Order pursuant to Minn. R. 6000.3100 (2013). However, no request for amendment shall extend the time of appeal from this Order.