

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation  
of Certain Real Property to the City  
of Marshall from Fairview Township  
(MBAU Docket OA-142-33)

**ORDER APPROVING  
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the City of Marshall (City) on January 18, 1982, and the Fairview Town Board (Township) on August 10, 1981, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

Joint Resolution 22-067 (Joint Resolution to Annex), adopted by the City on September 13, 2022, and the Township on September 9, 2022, requests annexation of certain real property (Property) legally described as follows:

That part of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Thirty-three (33), Township 112 North, Range 41 West of the 5th P.M., Lyon County, Minnesota, lying South of the centerline of County State Aid Highway No. 33 (Erie Road) and lying East of the centerline of North 7th Street, more particularly described as follows:


Beginning at the East Quarter Corner of said Section 33; thence South 89°51'22" West on the south line of said NE $\frac{1}{4}$  for a distance of 2,291.81 feet to the centerline of said North 7th Street; thence North 29°28'28" East on said centerline for a distance of 2,249.95 feet to the centerline of said County State Aid Highway No. 33 (Erie Road); thence North 89°35'10" East on said centerline for a distance of 261.39 feet to the beginning of a curve, concave North, having a radius of 1,273.24 feet; thence Easterly on the arc of said curve to the left and on said centerline for an arc distance of 666.67 feet (said curve subtended by a chord which bears North 74°35'10" East with a chord distance of 659.08 feet); thence North 59°35'10" East on said centerline for a distance of 329.86 feet to the east line of said NE $\frac{1}{4}$ ; thence South 00°05'17" East on said east line for a distance of 2,297.05 feet to the Point of Beginning, containing 80.52 acres, inclusive of 3.41 acres of public road right-of-way on the north and west sides thereof. Together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: covenants, conditions, restrictions, declarations, easements, reservations of minerals or mineral rights of record and building, zoning and subdivision laws and regulations.

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 (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 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 \$275.25 each year for eight years in accordance with the terms of the Joint Resolution to Annex.

Dated: September 22, 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 (2022). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Lyon 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.