

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City
of Carver from Dahlgren Township
(MBAU Docket OA-1428-13)

**ORDER APPROVING
ANNEXATION**

Dahlgren Township Resolution No. 61-09/City of Carver Resolution No. 102-09 (Joint Resolution to Designate) was adopted by the City of Carver (City) and Dahlgren Township (Township) on February 11, 2009, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

Dahlgren Township Resolution No. 9420/City of Carver Resolution No. 155-20 (Amended and Restated Joint Resolution to Designate) was adopted by the Township on November 9, 2020, and the City on December 7, 2020

City Resolution No. 105-1 (City Resolution to Annex), adopted by the City on January 19, 2021, requests annexation of certain real property (Property) legally described as follows:

The Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter, all in Section 13, Township 115, Range 24, Carver County, Minnesota.

EXCEPT that part described as lying easterly, southerly, easterly, southerly, easterly and southerly, respectively, of the following described line: Commencing at the southeast corner of the Southeast Quarter of the Southwest Quarter of said Section 13; thence South 88 degrees 30 minutes 00 seconds West, assumed bearing, along the southerly line of said Southeast Quarter of the Southwest Quarter a distance of 247.50 feet to the point of beginning of the line to be described; thence North 1 degree 13 minutes 03 seconds East, parallel with the easterly line of said Southeast Quarter of the Southwest Quarter a distance of 400.00 feet; thence North 2 degrees 26 minutes 43 seconds East a distance of 350.00 feet; thence North 1 degree 21 minutes 15 seconds East a distance of 1425.00 feet; thence North 89 degrees 24 minutes 40 seconds East a distance of 576.00 feet; thence North 1 degree 25 minutes 08 seconds East a distance of 264.00 feet; thence North 88 degrees 41 minutes 15 seconds East a distance of 964.00 feet; thence North 3 degrees 27 minutes 24 seconds East a distance of 361.95 feet to the westerly extension of the north line of

the south 148.17 feet of the Southeast Quarter of the Northeast Quarter of said Section 13; thence North 87 degrees 52 minutes 41 seconds East along the westerly extension of the north line of said south 148.17 feet a distance of 15.84 feet to the easterly line of the Southwest Quarter of the Northeast Quarter of said Section 13 and said line there terminating.

AND EXCEPT that part platted as BLACKBERRY RIDGE 2ND ADDITION and BLACKBERRY RIDGE 3RD ADDITION according to the plats on file and of record in the Office of the County Recorder, Carver County, Minnesota.

AND EXCEPT the East 421.03 feet of the West 821.03 feet of the south 816.86 feet of the Southwest Quarter of the Southwest Quarter of said Section 13.

AND EXCEPT that part platted as COPPER HILLS and COPPER HILLS 2ND ADDITION, as monumented, according to the plats on file and of record in the Office of the County Recorder, Carver County, Minnesota.

AND EXCEPT That part of the Southeast Quarter of the Northwest Quarter and that part of the Northeast Quarter of the Southwest Quarter, all in Section 13, Township 115, Range 24, Carver County, Minnesota, described as follows:

Beginning at the northwest corner of said Southeast Quarter of the Northwest Quarter; thence North 87 degrees 19 minutes 43 seconds East assumed bearing along the north line of said Southeast Quarter of the Northwest Quarter, a distance of 10.01 feet; thence South 00 degrees 25 minutes 17 seconds West, a distance of 974.28 feet; thence South 89 degrees 34 minutes 43 seconds East, a distance of 5.00 feet; thence South 00 degrees 25 minutes 17 seconds West, a distance of 261.65 feet; thence South 01 degrees 42 minutes 44 seconds West, a distance of 221.93 feet; thence South 03 degrees 34 minutes 58 seconds West, a distance of 134.19 feet to the west line of said Northeast Quarter of the Southwest Quarter; thence North 00 degrees 09 minutes 58 seconds West, along said west line of the Northeast Quarter of the Southwest Quarter, a distance of 253.62 feet; thence North 00 degree 25 minutes 17 seconds East, along the west line of said Southeast Quarter of the Northwest Quarter, a distance of 1337.65 feet to the point of beginning.

TOGETHER WITH that part of the Northeast Quarter of the Northwest Quarter of Section 24, Township 115, Range 24, Carver County, Minnesota described as commencing at the northeast corner of said Northeast Quarter of the Northwest Quarter; thence South 88 degrees 30 minutes 00 seconds West, assumed bearing, along the northerly line of said Northeast Quarter of the Northwest Quarter, a distance of 247.50 feet to the point of beginning of the parcel to be described;


thence South 1 degree 13 minutes 04 seconds West, parallel with the easterly line of said Northeast Quarter of the Northwest Quarter a distance of 205.08 feet to the point of intersection with the northerly line of Dahlgren Road as shown on the plat of BLACKBERRY RIDGE 2ND ADDITION according to the plat on file and of record in the Office of the County Recorder, Carver County, Minnesota; thence southwesterly a distance of 58.95 feet along a non-tangential curve concave to the south, along the northerly line of said Dahlgren Road, said curve having a radius of 576.28 feet and central angle of 5 degrees 51 minutes 39 seconds and the chord of said curve bears South 68 degrees 22 minutes 35 seconds West; thence continuing southwesterly along the northerly line of said Dahlgren Road South 65 degrees 26 minutes 46 seconds West, tangent to the last described curve, a distance of 189.76 feet to the southeasterly corner of Lot 1, Block 1; BLACKBERRY RIDGE 3RD ADDITION according to the plat on file and of record in the Office of the County Recorder, Carver County, Minnesota; thence North 3 degrees 00 minutes 46 seconds West, along the easterly line of said Lot 1, Block 1; BLACKBERRY RIDGE 3RD ADDITION a distance of 295.53 feet; thence continuing northerly along the easterly line of said Lot 1 a distance of 4.00 feet along a tangential curve concave to the east, having a radius of 383.00 feet and a central angle of 0 degrees 35 minutes 56 seconds to a point on the northerly line of said Northeast Quarter of the Northwest Quarter; thence North 88 degrees 30 minutes 00 seconds East along the northerly line of said Northeast Quarter of the Northwest Quarter a distance of 247.54 feet to the point of beginning.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2020), the City Resolution to Annex is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Amended and Restated Joint Resolution to Designate, the City 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 Minn. Stat. § 414.036 (2020), no reimbursement shall be made by the City to the Township in accordance with the terms of the Amended and Restated Joint Resolution to Designate and the City Resolution to Annex.

Dated: February 5, 2021


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 Carver 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 (2019). However, no request for amendment shall extend the time of appeal from this Order.