

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
La Crescent from La Crescent Township
(MBAU Docket OA-1633-1)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution) was adopted by the City of La Crescent (City) and La Crescent Township (Township) on January 11, 2016, requesting the designation and immediate annexation of the certain real property (Property) owned by Mark and Susan Miller and Diane Prey legally described as follows:

Parcel 08.0016.001:

Part of the Northwest ten (10) acres of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ of the SW $\frac{1}{4}$), Section Three (3), Township One Hundred Four (104), Range Four (4) West, described as commencing at the Northwest corner of said Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3), thence South forty (40) rods, thence East 100 feet to the point of beginning; thence West 70 feet, thence northeasterly on a straight line through a point 90 feet North of the point of beginning to the town road running in a northwesterly and southeasterly direction through said ten (10) acre tract, thence southeasterly along said town road 230 feet more or less to the South line of said ten (10) acre tract, thence West 195 feet more or less to the point of beginning, Houston County, Minnesota.

Parcel 08.0016.000:

The Northwest ten acres of the Northwest Quarter of the Southwest Quarter of Section 3, Township 104, Range 4 West, Houston County, Minnesota, said tract being bounded as follows:

Commencing at the Northwest corner of said Southwest Quarter of Section 3, running thence East 40 rods, thence South 40 rods, thence West 40 rods, thence North 40 rods to the place of beginning;

Except all that part of the said Northwest ten acres of land lying North and East of the town road running in a northwesterly and southeasterly direction through the said ten (10) acre tract, which road is commonly referred to as the North Ridge Road.

Also except that part of the Northwest 10 acres of the Northwest Quarter of the Southwest Quarter, Section 3, Township 104, Range 4 West, described as

commencing at the Northwest corner of said Southwest Quarter of Section 3, thence South 40 rods, thence East 100 feet to the point of beginning; thence West 70 feet, thence northeasterly on a straight line through a point 90 feet North of the point of beginning to the town road running in a northwesterly and southeasterly direction through said ten acre tract, thence southeasterly along said town road 230 feet more or less to the South line of said 10 acre tract, thence West 195 feet more or less to the point of beginning. Reserving to grantor, its heirs and assigns, an easement over and across the South 60 feet of said tract for road purposes, together with the right to plat and dedicate any part thereof as a public roadway.

Together with an undivided interest in and to that easement deed and water service agreement dated October 20, 1978, recorded October 23, 1978, in Book 283 of Miscellaneous at page 340, as Document No. 128292, in the office of the County Recorder, subject to the provisions of that agreement.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2014), the Joint Resolution is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Joint Resolution 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 (2014), the City will reimburse the Township \$821.63 each year for two years as stated in the Joint Resolution adopted by the City and Township on January 11, 2016.

Dated: January 15, 2016

s/Tammy L. Pust

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 Houston 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 (2015). However, no request for amendment shall extend the time of appeal from this Order.

For questions concerning this Order, please contact Star Holman at the Office of Administrative Hearings at star.holman@state.mn.us or 651-361-7909.