

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Winona from Homer Township
(MBAU Docket OA-1686-1)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution) was adopted by the City of Winona (City) on December 4, 2017, and Homer Township (Township) on November 13, 2017, requesting the designation and immediate annexation of the certain real property (Property) legally described as follows:

That part of the Southwest Quarter (SW1/4) of Section Seven (7), described as follows, to wit: Beginning at a point on the West line of said Section Seven (7), 56 rods South of the West quarter post of said section; thence South 104 rods to the Southwest corner thereof; thence East to the Southeast corner of said Southwest Quarter (SW1/4) of said Section Seven (7); thence North along the East line of said quarter section 141 rods; thence South 78°15' West, along a line hereinafter referred to as Line A, 150.12 rods; thence South 1 rod; thence Southwesterly to the point of beginning; all in Township One Hundred Six (106), Range Six (6), Winona County, Minnesota.

Which lies westerly of the following described line and its extensions:

Commencing at the southwest corner of said Section 7; thence North 89 degrees 10 minutes 13 seconds East, oriented with the Winona County Coordinate System, NAD 1983 (1996 adjustment), along the south line of said Southwest Quarter of Section 7, a distance of 2330.00 feet to the point of beginning of the line to be herein described; thence North 00 degrees 11 minutes 37 seconds East 1100.00 feet; thence North 28 degrees 10 minutes 26 seconds West, 1175.65 feet, more or less, to its intersection with hereinabove described Line A, and said herein described line there terminating.

Excepting therefrom all that part thereof, being that part of the Southwest Quarter of the Southwest Quarter of said Section 7, described as follows:

Commencing at the Southwest corner of said Section 7; thence on an assumed bearing of North 00 degrees 11 minutes 37 seconds East, along the west line of the Southwest Quarter of said Section 7, a distance of 780.22 feet to the point of beginning of the land to be described; thence continue North 00 degrees 11

minutes 37 seconds East, along said west line of the Southwest Quarter, 389.78 feet; thence South 89 degrees 48 minutes 23 seconds East, 58.49 feet; thence South 08 degrees 43 minutes 42 Seconds West, 394.15 feet to the point of beginning.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2016), 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 (2016), the City will reimburse the Township \$918 each year for two years as stated in the Joint Resolution.

Dated: January 3, 2018



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 (2016). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Winona 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 (2017). However, no request for amendment shall extend the time of appeal from this Order.