

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Detroit Lakes from Lake View Township
(MBAU Docket OA-1695-3)

**ORDER APPROVING
ANNEXATION**

Joint Resolution 2018-0213 (Joint Resolution to Designate) was adopted by the City of Detroit Lakes (City) on February 13, 2018, and the Lake View Town Board (Township) on April 18, 2018, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

The City adopted Resolution No. 2023-0214B (City Resolution to Annex) on February 14, 2023, requesting annexation of certain real property (Property) legally described as follows:

That part of Government Lot 2, that part of Government Lot 3 and that part of the West Half of the Southwest Quarter of the Northeast Quarter in Section 1, Township 138 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota as shown on Meadowland Surveying, Inc.'s Certificate of Survey 10203-15 dated August 12, 2022, described as follows:

Commencing at an iron monument which designates the north quarter corner of said Section 1; thence South 00 degrees 13 minutes 04 seconds East 1145.37 feet on an assumed bearing along the east line of said Government Lot 3 to an iron monument on the northeasterly line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 03-34 (hereinafter referred to as RIGHT OF WAY PLAT); thence South 80 degrees 18 minutes 52 seconds East 45.62 feet along the northeasterly line of said RIGHT OF WAY PLAT to an iron monument, said point is the point of beginning, thence North 11 degrees 39 minutes 52 seconds East 19.91 feet to an iron monument; thence continuing North 11 degrees 39 minutes 52 seconds East 329.26 feet to an iron monument; thence North 77 degrees 07 minutes 56 seconds West 174.98 feet to an iron monument; thence South 81 degrees 47 minutes 33 seconds West 281.53 feet to an iron monument; thence continuing South 81 degrees 47 minutes 33 seconds West 64.32 feet to the easterly line of the BNSF Railway; thence North 26 degrees 48 seconds 02 seconds West 227.44 feet along the easterly line of said BNSF Railway; thence northwesterly continuing along the easterly line of said BNSF Railway on a curve concave to the southwest, having a central angle of 02 degrees 00 minutes 03 seconds and a radius of 5829.65 feet, for a distance of 203.57 feet (chord bearing North 27 degrees 48 minutes 04 seconds West); thence northwesterly continuing along the easterly line of said BNSF Railway on a curve

concave to the southwest, having a central angle of 10 degrees 50 minutes 15 seconds and a radius of 2744.58 feet, for a distance of 519.14 feet (chord bearing North 34 degrees 13 minutes 12 seconds West); thence northwesterly continuing along the easterly line of said BNSF Railway on a curve concave to the southwest, having a central angle of 00 degrees 29 minutes 24 seconds and a radius of 3225.36 feet, for a distance of 27.58 feet (chord bearing North 39 degrees 53 minutes 02 seconds West) to the north line of said Section 1; thence South 89 degrees 16 minutes 29 seconds East 95.96 feet along the north line of said Section 1 to an iron monument; thence continuing South 89 degrees 16 minutes 29 seconds East 803.79 feet along the north line of said Section 1 to an iron monument at said north quarter corner; thence continuing South 89 degrees 16 minutes 29 seconds East 1326.28 feet along the north line of said Section 1 to an iron monument at the northeast corner of said Government Lot 2; thence South 00 degrees 18 minutes 40 seconds East 1331.89 feet along the east line of said Government Lot 2 to an iron monument at the southeast corner of said Government Lot 2; thence North 89 degrees 27 minutes 36 seconds West 664.19 feet along the south line of said Government Lot 2 to an iron monument at the northeast corner of said West Half of the Southwest Quarter of the Northeast Quarter; thence South 00 degrees 15 minutes 52 seconds East 125.12 feet along the east line of said West Half of the Southwest Quarter of the Northeast Quarter to an iron monument; thence continuing South 00 degrees 15 minutes 52 seconds East 76.38 feet along the east line of said West Half of the Southwest Quarter of the Northeast Quarter to the centerline of County State Aid Highway No. 54; thence northwesterly along the centerline of said County State Aid Highway No. 54 on a curve concave to the southwest, having a central angle of 07 degrees 04 minutes 37 seconds and a radius of 769.36 feet, for a distance of 95.03 feet (chord bearing North 47 degrees 56 minutes 20 seconds West) to the northeasterly line of said RIGHT OF WAY PLAT; thence North 38 degrees 22 minutes 19 seconds East 33.00 feet along the northeasterly line of said RIGHT OF WAY PLAT to an iron monument; thence North 51 degrees 28 minutes 14 seconds West 125.00 feet continuing along the northeasterly line of said RIGHT OF WAY PLAT to an iron monument; thence North 25 degrees 39 minutes 56 seconds West 235.00 feet continuing along the northeasterly line of said RIGHT OF WAY PLAT to an iron monument; thence South 86 degrees 54 minutes 38 seconds West 230.35 feet continuing along the northeasterly line of said RIGHT OF WAY PLAT to an iron monument; thence North 80 degrees 18 minutes 52 seconds West 143.30 feet continuing along the northeasterly line of said RIGHT OF WAY PLAT to the point of beginning. The above tract contains 50.11 acres. Except any land already within the City.

Based upon a review of the 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 (2022), the City 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 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 (2022), the City will reimburse the Township in accordance with the terms of the Joint Resolution to Designate and the City Resolution to Annex.

Dated: April 5, 2023


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 Becker 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.