

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Elko New Market from New Market
Township (MBAU Docket OA-1737-1)

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution) was adopted by the City of Elko New Market (City) on June 13, 2019, and New Market Township (Township) on June 4, 2019, requesting the designation and immediate annexation of certain real property (Property) legally described as follows:

The West 453.00 feet of the South Half of the Northwest Quarter of the Northwest Quarter, Section 35, Township 113, Range 21, Scott County, Minnesota;

AND

That part of the East Half of the Northeast Quarter, Section 34, Township 113, Range 21, Scott County, Minnesota, lying Easterly of the center lines of Xerxes Avenue and Beard Avenue, except that part of the said East Half of the Northeast Quarter described as follows:

Commencing at the Southeast corner of said East Half of the Northeast Quarter thence South 89 degrees 00 minutes 40 seconds West (assumed bearing) along the South line of said East Half of the Northeast Quarter a distance of 271.17 feet to the point of beginning of the land to be described; thence continuing South 89 degrees 00 minutes 40 seconds West along said South line a distance of 750.00 feet; thence North 19 degrees 08 minutes 41 seconds West a distance of 33.00 feet; thence Northeasterly 369.86 feet along a nontangential curve concave to the Northwest, having a radius of 408.28 feet, central angle of 51 degrees 54 minutes 17 seconds and a chord that bears North 44 degrees 54 minutes 09 seconds East; thence North 18 degrees 57 minutes 02 seconds East, tangent to said curve a distance of 583.23 feet; thence South 71 degrees 21 minutes 43 seconds East a distance of 336.71 feet; thence on a bearing of South parallel with the East line of said East Half of the Northeast Quarter a distance of 715.35 feet to the point of beginning, Scott County, Minnesota.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2018), 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 (2018), the City will reimburse the Township \$7,614.30 as stated in the Joint Resolution.

Dated: June 20, 2019



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 (2018). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Scott 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.