

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Windom from Great Bend Township
(MBAU Docket OA-1742-1)

**ORDER APPROVING
ANNEXATION**

Joint Resolution #2019-44 (Joint Resolution) was adopted by the City of Windom (City) on July 18, 2019, and Great Bend Township (Township) on June 8, 2019, requesting the designation and immediate annexation of the certain real property (Property) legally described as follows:

A tract of land in the South Half of the Southwest Quarter (S½ SW¼) of Section 24, Township 105 North, Range 36 West of the Fifth Principal Meridian in Cottonwood County, Minnesota, described as follows:

Commencing at the Southwest corner of said Section 24; thence North 89 degrees 38 minutes 20 seconds East along the South line of said Section, a distance of 993.40 feet; thence North 0 degrees 00 minutes 00 seconds East, a distance of 500.38 feet to a point on the centerline of Trunk Highway No. 71; thence North 31 degrees 26 minutes 00 seconds East, a distance of 75.00 feet to a point on the Northerly right-of-way of said highway; thence North 58 degrees 34 minutes 00 seconds West along said right-of-way line, a distance of 198.50 feet to the actual point of beginning of the tract to be described; thence continuing North 58 degrees 34 minutes 00 seconds West along said Northerly right-of-way line, a distance of 87.30 feet to the beginning of a spiral curve concave to the Northeast; thence continuing Northwesterly along said Northerly right-of-way line along said spiral curve, a distance of 171.66 feet, to a point on said Northeasterly right-of-way line, which is 515 feet South of the North linen of said South Half of the Southwest Quarter (S½ SW¼); thence North 88 degrees 57 minutes 30 seconds East, a distance of 654.24 feet; thence North 43 degrees 47 minutes 35 seconds East, a distance of 174.92 feet; thence South 39 degrees 46 minutes 00 seconds East, a distance of 627.80 feet; thence South 50 degrees 23 minutes 00 seconds West, a distance of 310.00 feet; thence South 7 degrees 16 minutes 41 seconds West, a distance of 161.95 feet to a point on said Northerly right-of-way line; thence Northwesterly along said Northerly right-of-way line along a 2 degree 53 minutes 12 second curve concave to the Southwest, having a radius of 1,984.86 feet, a distance of 507.39 feet; thence North 44 degrees 27 minutes 13 seconds East, a distance of 132.55 feet; thence North 55 degrees 09 minutes 13 seconds West, a distance of 150.16 feet; thence North 63 degrees 05 minutes 30 seconds West, a distance of 283.69 feet; thence South 26 degrees 33 minutes 50 seconds West, a

distance of 106.45 feet to a point on said Northerly right-of-way line, said point being the point of beginning, containing 7.10 acres, more or less, excepting therefrom all that part of the following-described real estate, which is located within the above-described 7.10-acre tract:

All that part of the South Half of the Southwest Quarter (S½ SW¼) of Section 24, Township 105 North, Range 36 West of the Fifth Principal Meridian in Cottonwood County, Minnesota, described as follows:

Beginning at a point marked by an iron stake on the Northeasterly right-of-way line of Trunk Highway No. 71, which is approximately 114 feet Northwestery, measured at right angles, from the intersection of the Northwestery right-of-way line of Trunk Highway No. 60 extended Westerly, and the Northeasterly right-of-way line of Trunk Highway No. 71, being the most Westerly point of the tract conveyed to Lloyd S. Johnson by Warranty Deed recorded in Book 86 of Deeds, Page 130; thence running

(1) North 7 degrees 16 minutes 41 seconds East on and along the Westerly line of said Lloyd Johnson tract, a distance of 161.95 feet to a point marked by an iron stake; thence running

(2) North 50 degrees 23 minutes East along a line parallel with the Northwestery right-of-way line of Trunk Highway No. 60, being the Northwestery line of said Lloyd Johnson tract, a distance of 314 feet to a point marked by an iron stake on the Southwestery line of the tract conveyed to Windom Hospital Association by Warranty Deed recorded in File 156, Card 106; thence running

(3) North 39 degrees 46 minutes West on and along the Southwestery line of said Windom Hospital Association tract, a distance of 70 feet; thence running

(4) South 50 degrees 23 minutes West and parallel with the Northwestery right-of-way line of Trunk Highway No. 60, a distance of 435 feet, more or less, to the point of intersection with the Northeasterly right-of-way line of Trunk Highway No. 71; thence running

(5) Southeasterly on and along the Northeasterly right-of-way line of Trunk Highway No. 71, a distance of 181 feet, more or less, to the point of beginning.

Based upon a review of the Joint Resolution, the 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 shall reimburse the Township as stated in the Joint Resolution.

Dated: August 22, 2019


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