

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Tyler from Hope Township
(MBAU Docket OA-1744-1)

**ORDER APPROVING
ANNEXATION**

Joint Resolution No. 1 (Joint Resolution) was adopted by the City of Tyler (City) on May 6, 2019, and Hope Township (Township) on May 2, 2019, requesting the designation and immediate annexation of the certain real property (Property) legally described as follows:

All that part of the Northeast Quarter (NE¼) of Section Four (4) in Township One Hundred Nine (109) North of Range Forty-Four (44) West of the Fifth Principal Meridian, lying and being South of the Chicago and Northwestern Railroad right-of-way, containing 16 acres, more or less, according to the government survey thereof;

And;

The Southeast Quarter of Section Four in Township One Hundred Nine (109) North, Range Forty-Four (44) West of the 5th Principal Meridian, more particularly described as follows:

Government Lots Seven (7) and Eight (8) in Section Four (4), Township One Hundred Nine (109) North, Range forty-four (44) west of the Fifth Principal Meridian and the following described tract of land, to wit: commencing at the southwest meander corner of said Lot Eight (8) and running thence West along the south line of said Lot Eight (8) extended west to a point where said south line of said Lot Eight (8), so extended, intersects the east line of said Lot Five (5) of said Section Four (4) extended South; thence North to the center of said Section Four (4); thence East to the Northwest meander corner of said Lot Seven (7); thence in a Southerly direction, along the meander line forming the West boundary of lots Seven (7) and Eight (8) to the point of commencement, containing 160 acres, more or less,

and excepting therefrom, the following described tract:

All that part of registered land, Certificate of Title Number 660, located in

the Southeast Quarter of Section 4, Township 109 north, Range 44 West, City of Tyler, County of Lincoln, State of Minnesota, described as follows: commencing at the southeast corner of said Southeast Quarter; thence North 89 degrees 57 minutes 08 seconds West, assumed bearing, along the South line of said Southeast Quarter 1210.55 feet to the point of beginning; thence north 01 degrees 13 minutes 30 seconds West 479.42 feet; thence South 89 degrees 41 minutes 43 seconds East 181.48 feet; thence North 01 degrees 14 minutes 17 second West 842.92 feet; thence North 89 degrees 54 minutes 02 seconds West 390.72 feet; thence North 19 degrees 46 minutes 56 seconds East 141.09 feet; thence North 87 degrees 52 minutes 49 seconds West 354.37 feet; thence North 70 degrees 38 minutes 04 seconds West 163.35 feet; thence North 50 degrees 06 minutes 35 seconds West 144.09 feet; thence North 28 degrees 13 minutes 41 seconds West 254.74 feet; thence North 53 degrees 49 minutes 10 seconds West 163.28 feet; thence North 68 degrees 35 minutes 25 seconds West 217.80 feet; thence North 79 degrees 27 minutes 09 seconds West 212.39 feet to a point on the west line of said Southeast Quarter; thence South 01 degrees 41 minutes 13 seconds East along said West line of the Southeast Quarter 2053.12 feet to a point on said south line of the Southeast Quarter; thence South 89 degrees 57 minutes 08 seconds East along said South line 1412.16 feet to the point of beginning. Said tract of land contains 57.90 acres and is subject to any existing highways, roadways or easements.

and excepting therefrom, the following described tract:

All that parcel or tract of land lying east of the following described line: commencing at a point on the South line of the Southeast Quarter of Section Four, Township One Hundred Nine (109), North, Range Forty-Four (44) West of the Fifth p.m., which point is 400 feet West of the Southeast (SE) corner of said Southeast Quarter; thence northerly parallel to and 400 feet West of the East section line, a distance of 2040 feet; thence westerly, parallel to the South section line, a distance of 800 feet; thence northerly, parallel to and distance 1200 feet from the East section line to the south right-of-way line of the Chicago & Northwestern Railway.

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. As there is no taxable property within the Property, the provisions of Minn. Stat. § 414.036 (2018) are not applicable.

Dated: August 27, 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 Lincoln 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.