

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Goodview from Rollingstone Township
(MBAU Docket OA-1758-1)

**ORDER APPROVING
ANNEXATION**

Resolution No. 1112 (Joint Resolution) was adopted by the City of Goodview (City) on October 7, 2019, and Rollingstone Township (Township) on October 14, 2019, requesting the designation and immediate annexation of the certain real property (Property) legally described as follows:

That part of Government Lot 4, Section 13, Township 107, Range 8, Winona County, Minnesota, described as follows:

Commencing at the south quarter corner of said Section 13; thence North 00 degrees 20 minutes 39 seconds East, oriented with the Winona County Coordinate System, NAD 1983, 1996 adjustment (HARN), along the north-south quarter line of said Section 13, a distance of 1358.81 feet; thence South 89 degrees 39 minutes 21 seconds East, 2142.76 feet to an iron pipe; thence North 66 degrees 30 minutes 20 seconds East, 283.48 feet to the southerly line of U.S. Highway No. 61 and the point of beginning of the land to be described; thence South 66 degrees 30 minutes 20 seconds West, 283.48 feet to said hereinabove described iron pipe; thence continue South 66 degrees 30 minutes 20 seconds West, 29.10 feet; thence North 55 degrees 17 minutes 34 seconds West, 151.30 feet to an iron rod; thence North 55 degrees 36 minutes 22 seconds West, 184.33 feet to an iron pipe; thence South 56 degrees 14 minutes 18 seconds West, 96.35 feet to the easterly line of Winona County Highway Right of Way Plat No. 3129, according to the recorded plat thereof, said Winona County; thence northerly along said easterly line, 224.18 feet along the arc of a non-tangential curve, concave westerly, having a radius of 2003.00 feet, a central angle of 06 degrees 24 minutes 58 seconds and a chord which bears North 25 degrees 33 minutes 11 seconds West and measures 224.18 feet; thence North 28 degrees 45 minutes 40 seconds West, along said easterly line, 257.87 feet; thence North 87 degrees 36 minutes 45 seconds East, 34.22 feet to an iron pipe; thence southeasterly 768.68 feet along the arc of a non-tangential curve, concave northeasterly, having a radius of 1960.08 feet, a central angle of 22 degrees 28 minutes 10 seconds, and a chord which bears South 60 degrees 16 minutes 12 seconds East and measures 763.76 feet to an iron pipe; thence North 18 degrees 29 minutes 43 seconds

East, 11.92 feet to said southerly line of U.S. Highway No. 61; thence southeasterly along said southerly line, 179.02 feet to the point of beginning.

EXCEPT the following described parcel:

Property Description of Record, Doc. No. 593481:

That part of Government Lot Four (4), Section Thirteen (13), Township One Hundred Seven (107) North, of Range Eight (8), West of the Fifth Principal Meridian, Winona County, Minnesota, and more particularly described as follows:

Commencing at the Southeast corner of Section Thirteen (13), Township One Hundred Seven (107) North, Range Eight (8); thence North along the East line of said Section Thirteen (13) a distance of One Thousand Four Hundred Thirty-seven and Nine Tenths (1,437.9) feet to the center line of the Eastbound lane of U.S. Highway No. 61; thence Northwesterly along the center line of the Eastbound lane of U.S. Highway No. 61, a distance of One Hundred Fifty-nine and Two Tenths (159.2) feet; thence at a deflection angle to the left forty-seven degrees fifty-eight minutes ($47^{\circ}58'$) a distance of One Hundred and Four Tenths (100.4) feet to the place of beginning; this point also being the South right of way line of U.S. Highway No. 61; thence continuing Southwesterly and along the last described line a distance of Two Hundred Eighty-four and Six Tenths (284.6) feet; thence at a deflection angle to the right of fifty-eight degrees nine minutes ($58^{\circ}09'$) a distance of Three Hundred Forty-one and Five Tenths (341.5) feet; thence at a deflection angle to the right of eighty-two degrees fifty-seven minutes ($82^{\circ}57'$) a distance of One Hundred Eighty-six (186) feet to the South right of way line of U.S. Highway No. 61; thence Southeasterly along the South right of way line of U.S. Highway No. 61 a distance of Five Hundred Eighteen (518) feet more or less to the place of beginning; subject, however, to an easement in favor of the State of Minnesota as granted by instrument dated February 27, 1948, and recorded in Book 205 of Deeds at Page 547 in the office of the Register of Deeds in and for said county, and further, subject to that certain right of way 35 feet in width along the southeasterly side of said land from the northeasterly line of said land to the southwesterly line thereof, as reserved to the Grantors in that Deed from Fred W. Krage and Louise Marie Krage, husband and wife, Grantors, to Andrew T. Buggs and Joyce Buggs, husband and wife, Grantees, dated December 31, 1959, filed for record January 2, 1960 in the office of the Register of Deeds at Book 242 of Deeds, Page 504.

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 \$400 as stated in the Joint Resolution.

Dated: November 18, 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 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 (2019). However, no request for amendment shall extend the time of appeal from this Order.