

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Waconia from Waconia Township
(MBAU Docket OA-1794-1)

**ORDER APPROVING
ANNEXATION**

City of Waconia Resolution No. 2021-67/Township of Waconia Resolution No. 2-22-2021 (Joint Resolution) was adopted by the City of Waconia (City) on March 1, 2021, and Waconia Township (Township) on February 22, 2021, requesting the designation and immediate annexation of the certain real property (Property) legally described as follows:

Parcel 1:

The South Half of the Northeast Quarter of Section 26, Township 116, Range 25, Carver County, Minnesota, EXCEPT the following three parcels:

- a) All that part platted as WATERFORD, Carver County, Minnesota.
- b) That part of the Southwest Quarter of the Northeast Quarter of Section 26, Township 116, Range 25, Carver County, Minnesota, described as follows:

Commencing at the southwest corner of Outlot C, Waterford 4th Addition, according to the recorded plat thereof, said Carver County, thence on a bearing of East, assumed bearing along the south line of said Outlot C, a distance of 257.78 feet to the point of beginning; thence continuing on a bearing of East along the south line of Outlot A, said Waterford 4th Addition, a distance of 54.50 feet; thence South 35 degrees 42 minutes 55 seconds west, a distance of 30.77 feet; thence northwesterly along a non-tangential curve concave to the southwest, having a central angle of 2 degrees 42 minutes 27 seconds, a radius of 936.79 feet for an arc distance of 44.27 feet to said south line of Outlot C and the point of beginning, the cord of said curve bears North 55 degrees 38 minutes 18 seconds West, Carver County, Minnesota.

- c) That part of the Northeast Quarter of Section 26, Township 116, Range 25, Carver County, Minnesota, described as follows:

Commencing at the southeast corner of said Northeast Quarter, thence North 00 degrees 25 minutes 43 seconds West, assumed bearing, along the east line of said Northeast Quarter, a distance of 496.23 feet to the actual POINT OF BEGINNING of the land to be described; thence South 89 degrees 34 minutes 17 seconds West, a distance of 124.46 feet; thence North 88 degrees 20 minutes 39 seconds West, a distance of 58.20 feet; thence North 85 degrees 21 minutes 11 seconds West, a distance of 58.20 feet; thence South 87 degrees 16 minutes 19 seconds West, a distance of 18.71 feet; thence North 80 degrees 53 minutes 32 seconds West, a distance of 80.43 feet; thence North 71 degrees 13 minutes 43 seconds West, a distance of 122.57 feet; thence North 69 degrees 53 minutes 18 seconds West, a distance of 75.00 feet; thence North 67 degrees 15 minutes 11 seconds West, a distance of 52.32 feet; thence North 64 degrees 33 minutes 32 seconds West, a distance of 52 feet; thence North 61 degrees 31 minutes 03 seconds West, a distance of 63.64 feet; thence North 58 degrees 27 minutes 11 seconds West, a distance of 57.82 feet; thence North 55 degrees 29 minutes 53 seconds West, a distance of 57.82 feet; thence North 52 degrees 07 minutes 50 seconds West, a distance of 76.61 feet; thence North 48 degrees 41 minutes 26 seconds West, a distance of 50.00 feet; thence North 45 degrees 30 minutes 25 seconds West, a distance of 73.11 feet; thence North 42 degrees 12 minutes 09 seconds West, a distance of 56.81 feet; thence North 41 degrees 14 minutes 53 seconds West, a distance of 487.09 feet; thence southwesterly, along a non-tangential curve, concave to the southeast, having a central angle of 06 degrees 16 minutes 02 seconds, a radius of 2,742.33 feet and an arc distance of 299.97 feet, the chord of said curve bears South 42 degrees 18 minutes 56 seconds West; thence South 39 degrees 10 minutes 55 seconds West, tangent to said last curve, a distance of 336.11 feet; thence southwesterly, along a tangential curve, concave to the northwest, having a central angle of 01 degrees 58 minutes 51 seconds, a radius of 1181.08 feet, and an arc distance of 40.83 feet; thence North 64 degrees 20 minutes 13 seconds West, not tangent to said last curve, a distance of 62.39 feet; thence North 39 degrees 31 minutes 18 seconds West, a distance of 664.54 feet to the south line of said Outlot T; thence North 88 degrees 26 minutes 12 seconds East, along said south line and also the south line of the Park as dedicated on said plat of WATERFORD, a distance of 975.19 feet to the easterly right-of-way line of Ravencroft Road as dedicated on said plat of WATERFORD; thence northeasterly, along said easterly right-of-way line, along a non-tangential curve, concave to the southeast, having a central angle of 01 degrees 42 minutes 26 seconds, a radius of 2742.33 feet and an arc distance of 81.71 feet, the chord of said curve bears North 47 degrees 53 minutes 54 seconds East; thence Northeasterly,

continuing along said Easterly right-of-way line, along a tangential reverse curve, concave to the Northwest, having a central angle of 18 degrees 15 minutes 26 seconds, a radius of 504.33 feet and an arc distance of 160.71 feet; thence South 41 degrees 14 minutes 53 seconds east, not tangent to said last curve, a distance of 490.56 feet; thence south 41 degrees 27 minutes 16 seconds East, a distance of 55.26 feet; thence south 44 degrees 50 minutes 34 seconds east, a distance of 63.84 feet; thence South 48 degrees 57 minutes 42 seconds East, a distance of 50.01 feet; thence South 53 degrees 02 minutes 37 seconds East, a distance of 62.82 feet; thence South 57 degrees 15 minutes 40 seconds East, a distance of 53.76 feet; thence South 61 degrees 09 minutes 04 seconds East, a distance of 53.76 feet; thence South 65 degrees 02 minutes 28 seconds East, a distance of 53.76 feet; thence South 68 degrees 55 minutes 51 seconds East, a distance of 53.76 feet; thence South 72 degrees 49 minutes 15 seconds East, a distance of 53.76 feet; thence South 76 degrees 42 minutes 39 seconds East, a distance of 53.76 feet; thence South 80 degrees 36 minutes 03 seconds East, a distance of 53.76 feet; thence South 84 degrees 29 minutes 26 seconds East, a distance of 53.76 feet; thence south 88 degrees 22 minutes 42 seconds East, a distance of 60.69 feet; thence North 89 degrees 34 minutes 17 seconds East, a distance of 107.49 feet to the said East line of the Northeast Quarter; thence South 00 degrees 25 minutes 43 seconds East, along said East line, a distance of 322.69 feet to the point of beginning, Carver County, Minnesota.

Parcel 2:

That part of the Northeast Quarter of Section 26, Township 116, Range 25, Carver County, Minnesota, described as follows:

Commencing at the southeast corner of said Northeast Quarter, thence North 00 degrees 25 minutes 43 seconds West, assumed bearing, along the east line of said Northeast Quarter, a distance of 496.23 feet to the actual POINT OF BEGINNING of the land to be described; thence South 89 degrees 34 minutes 17 seconds West, a distance of 124.46 feet; thence North 88 degrees 20 minutes 39 seconds West, a distance of 58.20 feet; thence North 85 degrees 21 minutes 11 seconds West, a distance of 58.20 feet; thence South 87 degrees 16 minutes 19 seconds West, a distance of 18.71 feet; thence North 80 degrees 53 minutes 32 seconds West, a distance of 80.43 feet; thence North 71 degrees 13 minutes 43 seconds West, a distance of 122.57 feet; thence North 69 degrees 53 minutes 18 seconds West, a distance of 75.00 feet; thence North 67 degrees 15 minutes 11 seconds West, a distance of 52.32 feet; thence North 64 degrees 33 minutes 32 seconds West, a distance of 52 feet; thence North 61 degrees 31 minutes 03 seconds West, a distance of 63.64 feet; thence North 58 degrees 27 minutes 11 seconds West, a distance of 57.82 feet;

thence North 55 degrees 29 minutes 53 seconds West, a distance of 57.82 feet; thence North 52 degrees 07 minutes 50 seconds West, a distance of 76.61 feet; thence North 48 degrees 41 minutes 26 seconds West, a distance of 50.00 feet; thence North 45 degrees 30 minutes 25 seconds West, a distance of 73.11 feet; thence North 42 degrees 12 minutes 09 seconds West, a distance of 56.81 feet; thence North 41 degrees 14 minutes 53 seconds West, a distance of 487.09 feet; thence southwesterly, along a non-tangential curve, concave to the southeast, having a central angle of 06 degrees 16 minutes 02 seconds, a radius of 2,742.33 feet and an arc distance of 299.97 feet, the chord of said curve bears South 42 degrees 18 minutes 56 seconds West; thence South 39 degrees 10 minutes 55 seconds West, tangent to said last curve, a distance of 336.11 feet; thence southwesterly, along a tangential curve, concave to the northwest, having a central angle of 01 degrees 58 minutes 51 seconds, a radius of 1181.08 feet, and an arc distance of 40.83 feet; thence North 64 degrees 20 minutes 13 seconds West, not tangent to said last curve, a distance of 62.39 feet; thence North 39 degrees 31 minutes 18 seconds West, a distance of 664.54 feet to the south line of said Outlot T; thence North 88 degrees 26 minutes 12 seconds East, along said south line and also the south line of the Park as dedicated on said plat of WATERFORD, a distance of 975.19 feet to the easterly right-of-way line of Ravencroft Road as dedicated on said plat of WATERFORD; thence northeasterly, along said easterly right-of-way line, along a non-tangential curve, concave to the southeast, having a central angle of 01 degrees 42 minutes 26 seconds, a radius of 2742.33 feet and an arc distance of 81.71 feet, the chord of said curve bears North 47 degrees 53 minutes 54 seconds East; thence Northeasterly, continuing along said Easterly right-of-way line, along a tangential reverse curve, concave to the Northwest, having a central angle of 18 degrees 15 minutes 26 seconds, a radius of 504.33 feet and an arc distance of 160.71 feet; thence South 41 degrees 14 minutes 53 seconds east, not tangent to said last curve, a distance of 490.56 feet; thence south 41 degrees 27 minutes 16seconds East, a distance of 55.26 feet; thence south 44 degrees 50 minutes 34 seconds east, a distance of 63.84 feet; thence South 48 degrees 57 minutes 42 seconds East, a distance of 50.01 feet; thence South 53 degrees 02 minutes 37 seconds East, a distance of 62.82 feet; thence South 57 degrees 1 5 minutes 40 seconds East, a distance of 53.76 feet; thence South 61 degrees 09 minutes 04 seconds East, a distance of 53.76 feet; thence South 65 degrees 02 minutes 28 seconds East, a distance of 53.76 feet; thence South 68 degrees 55 minutes 51 seconds East, a distance of 53.76 feet; thence South 72 degrees 49 minutes 15 seconds East, a distance of 53.76 feet; thence South 76 degrees 42 minutes 39 seconds East, a distance of 53.76 feet; thence South 80 degrees 36 minutes 03 seconds East, a distance of 53.76 feet; thence South 84 degrees 29 minutes 26 seconds East, a distance of 53.76 feet; thence south 88 degrees 22 minutes 42 seconds East, a distance of 60.69 feet; thence North 89 degrees 34 minutes 17 seconds

East, a distance of 107.49 feet to the said East line of the Northeast Quarter; thence South 00 degrees 25 minutes 43 seconds East, along said East line, a distance of 322.69 feet to the point of beginning, Carver County, Minnesota.

Parcel 3:

The North Half of the Northeast Quarter of Section 26, Township 116, Range 25, Carver County, Minnesota, EXCEPT the following two parcels:

- a) All that part plat as WATERFORD, Carver County, Minnesota.
- b) That part of the Northeast Quarter of Section 26, Township 116, Range 25, Carver County, Minnesota, described as follows:

Commencing at the southeast corner of said Northeast Quarter, thence North 00 degrees 25 minutes 43 seconds West, assumed bearing, along the east line of said Northeast Quarter, a distance of 496.23 feet to the actual POINT OF BEGINNING of the land to be described; thence South 89 degrees 34 minutes 17 seconds West, a distance of 124.46 feet; thence North 88 degrees 20 minutes 39 seconds West, a distance of 58.20 feet; thence North 85 degrees 21 minutes 11 seconds West, a distance of 58.20 feet; thence South 87 degrees 16 minutes 19 seconds West, a distance of 18.71 feet; thence North 80 degrees 53 minutes 32 seconds West, a distance of 80.43 feet; thence North 71 degrees 13 minutes 43 seconds West, a distance of 122.57 feet; thence North 69 degrees 53 minutes 18 seconds West, a distance of 75.00 feet; thence North 67 degrees 15 minutes 11 seconds West, a distance of 52.32 feet; thence North 64 degrees 33 minutes 32 seconds West, a distance of 52 feet; thence North 61 degrees 31 minutes 03 seconds West, a distance of 63.64 feet; thence North 58 degrees 27 minutes 11 seconds West, a distance of 57.82 feet; thence North 55 degrees 29 minutes 53 seconds West, a distance of 57.82 feet; thence North 52 degrees 07 minutes 50 seconds West, a distance of 76.61 feet; thence North 48 degrees 41 minutes 26 seconds West, a distance of 50.00 feet; thence North 45 degrees 30 minutes 25 seconds West, a distance of 73.11 feet; thence North 42 degrees 12 minutes 09 seconds West, a distance of 56.81 feet; thence North 41 degrees 14 minutes 53 seconds West, a distance of 487.09 feet; thence southwesterly, along a non-tangential curve, concave to the southeast, having a central angle of 06 degrees 16 minutes 02 seconds, a radius of 2,742.33 feet and an arc distance of 299.97 feet, the chord of said curve bears South 42 degrees 18 minutes 56 seconds West; thence South 39 degrees 10 minutes 55 seconds West, tangent to said last curve, a distance of 336.11 feet; thence southwesterly, along a tangential curve, concave to the northwest, having a central angle of

01 degrees 58 minutes 51 seconds, a radius of 1181.08 feet, and an arc distance of 40.83 feet; thence North 64 degrees 20 minutes 13 seconds West, not tangent to said last curve, a distance of 62.39 feet; thence North 39 degrees 31 minutes 18 seconds West, a distance of 664.54 feet to the south line of said Outlot T; thence North 88 degrees 26 minutes 12 seconds East, along said south line and also the south line of the Park as dedicated on said plat of WATERFORD, a distance of 975.19 feet to the easterly right-of-way line of Ravencroft Road as dedicated on said plat of WATERFORD; thence northeasterly, along said easterly right-of-way line, along a non-tangential curve, concave to the southeast, having a central angle of 01 degrees 42 minutes 26 seconds, a radius of 2742.33 feet and an arc distance of 81.71 feet, the chord of said curve bears North 47 degrees 53 minutes 54 seconds East; thence Northeasterly, continuing along said Easterly right-of-way line, along a tangential reverse curve, concave to the Northwest, having a central angle of 18 degrees 15 minutes 26 seconds, a radius of 504.33 feet and an arc distance of 160.71 feet; thence South 41 degrees 14 minutes 53 seconds east, not tangent to said last curve, a distance of 490.56 feet; thence south 41 degrees 27 minutes 16 seconds East, a distance of 55.26 feet; thence south 44 degrees 50 minutes 34 seconds east, a distance of 63.84 feet; thence South 48 degrees 57 minutes 42 seconds East, a distance of 50.01 feet; thence South 53 degrees 02 minutes 37 seconds East, a distance of 62.82 feet; thence South 57 degrees 15 minutes 40 seconds East, a distance of 53.76 feet; thence South 61 degrees 09 minutes 04 seconds East, a distance of 53.76 feet; thence South 65 degrees 02 minutes 28 seconds East, a distance of 53.76 feet; thence South 68 degrees 55 minutes 51 seconds East, a distance of 53.76 feet; thence South 72 degrees 49 minutes 15 seconds East, a distance of 53.76 feet; thence South 76 degrees 42 minutes 39 seconds East, a distance of 53.76 feet; thence South 80 degrees 36 minutes 03 seconds East, a distance of 53.76 feet; thence South 84 degrees 29 minutes 26 seconds East, a distance of 53.76 feet; thence south 88 degrees 22 minutes 42 seconds East, a distance of 60.69 feet; thence North 89 degrees 34 minutes 17 seconds East, a distance of 107.49 feet to the said East line of the Northeast Quarter; thence South 00 degrees 25 minutes 43 seconds East, along said East line, a distance of 322.69 feet to the point of beginning, Carver County, Minnesota.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2020), 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 (2020), no reimbursement shall be made by the City to the Township in accordance with the terms of the Joint Resolution.

Dated: March 25, 2021


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 (2020). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Carver 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.