

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Foley from Gilmanton Township
(MBAU Docket OA-1795-2)

**ORDER APPROVING
ANNEXATION**

City of Foley Resolution #2021-09/Gilmanton Township Resolution #2021-01 (Joint Resolution to Designate) was adopted by the City of Foley (City) on March 19, 2021, and the Gilmanton Town Board (Township) on March 17, 2021, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

City Resolution No. 2023-01 (City Resolution to Annex), adopted by the City on January 3, 2023, requests annexation of certain real property (Property) legally described as follows:

All that part of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter, all in Section 34, Township 37 North, Range 29 West, Benton County, Minnesota described as follows:

Beginning at the northeast corner of said Southwest Quarter of the Northeast Quarter; thence South 00 degrees 52 minutes 07 seconds West, assigned bearing along the east line of said Southwest Quarter of the Northeast Quarter, a distance of 1202.39 feet; thence North 89 degrees 08 minutes 11 seconds West, 177.13 feet; thence North 55 degrees 29 minutes 57 seconds West, 242.10 feet; thence South 61 degrees 40 minutes 59 seconds West, 491.68 feet; thence North 22 degrees 02 minutes 24 seconds West, 525.40 feet; thence northwesterly 103.72 feet along a tangential curve, concave to the southwest, with a radius of 260.00 feet and a central angle of 22 degrees 51 minutes 28 seconds; thence North 44 degrees 53 minutes 52 seconds West, tangent to last described curve, a distance of 419.12 feet to the centerline of Glen Street Northeast (former State Trunk Highway No. 23); thence North 45 degrees 06 minutes 08 seconds East, along said centerline, a distance of 66.93 feet to the west line of said Southwest Quarter of the Northeast Quarter, also being the west line of Tract "B" described in Doc. No. 206531; thence North 00 degrees 53 minutes 49 seconds East, along said west line, a distance of 46.66 feet; thence North 60 degrees 53 minutes 49 seconds East, along the north line of said Tract "B" of Document No. 206531, a distance of 119.53 feet to said centerline of Glen Street Northeast; thence North 45 degrees 06 minutes 08 seconds East, along said centerline, a distance of 395.90 feet to the north line of said Southwest Quarter of the Northeast Quarter; thence South

89 degrees 39 minutes 24 seconds East, along said north line, a distance of 944.51 feet to the point of beginning and terminating thereat.

Based upon a review of the Joint Resolution to Designate and the City Resolution to Annex, the Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2022), the City Resolution to Annex is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Joint Resolution to Designate, the City Resolution to Annex, and this Order, the Property is **ANNEXED** to the City.
3. Pursuant to the agreement of the parties and as allowed by to Minn. Stat. § 414.036 (2022), the City will reimburse the Township in accordance with the terms of the Joint Resolution to Designate.

Dated: December 14, 2023


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 (2022). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Benton 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 (2023). However, no request for amendment shall extend the time of appeal from this Order.