

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Fergus Falls from Buse Township
(MBAU Docket OA-1801-1)

**ORDER APPROVING
ANNEXATION**

A joint resolution (Joint Resolution) was adopted by the City of Fergus Falls (City) on March 15, 2021, and Buse Township (Township) on April 28, 2021, requesting the designation and immediate annexation of the certain real property (Property) legally described as follows:

Parcel Number 06000010001000 - Northeast Quarter of Northwest Quarter, Northwest Quarter of Northeast Quarter & West Half of the Northeast Quarter of Northeast Quarter; All in Section 1, Township 132 North, Range 43 West, according to the United States Government Survey thereof and situate in Otter Tail County, Minnesota. Subject to an easement for township road purposes along the North line thereof; also subject to easements of record if any.

Except the Following Described Tract: That part of the Northeast Quarter of the Northwest Quarter and that part of the Northwest Quarter of the Northeast Quarter of Section 1, Township 132 North, Range 43 West, Otter Tail County, Minnesota. Described as Follows:

Commencing at the Northwest corner of said Northeast Quarter of the Northwest Quarter; Thence South 89 degrees 55 minutes 44 seconds East (bearing based on the Otter Tail County Coordinates – 2011 Adjustment) along the North line of said Northeast Quarter of the Northwest Quarter a distance of 1099.41 feet to the Point of Beginning; Thence continuing South 89 degrees 55 minutes 44 seconds East along the North line of said Section 1 a distance of 268.56 feet to the Southwest corner of Section 31, Township 133 North, Range 43 West; Thence South 01 degrees 26 minutes 18 seconds West a 872.77 feet; Thence South 84 degrees 08 minutes 30 seconds East a distance of 213.80 feet; Thence South 02 degrees 38 minutes 05 seconds West a distance of 443.97 feet to the South line of said Northwest Quarter of the Northeast Quarter; Thence North 88 degrees 39 minutes 35 seconds West along the South line of said Northwest Quarter of the Northeast Quarter a distance of 210.57 feet to the Southwest corner of said Northwest Quarter of the Northeast Quarter; Thence North 88 degree 38 minutes 40 seconds West along the South line of said Northeast Quarter of the Northwest Quarter a distance of 773.50 feet; Thence North 04 degrees 24 minutes 37 seconds East a distance of 319.57'; Thence North 56 degrees 25 minutes 52

seconds East a distance of 125.30'; Thence North 01 degrees 04 minutes 32 seconds West a distance of 395.74 feet; Thence North 88 degrees 14 minutes 31 seconds East a distance of 409.01 feet; Thence North 01 degrees 36 minutes 09 seconds East a distance of 519.01 feet to the Point of Beginning. Subject to an easement for township road purposes along the North line thereof; also subject to easements of record if any.

Containing 83.78 Acres

Parcel Number 06000010003003 – The Southwest Quarter of the Northeast Quarter

Except the South half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter in Section 1, Township 132 North, Range 43 West, Otter Tail County, Minnesota

Containing 35.73 Acres

Tract 3 – Parcel Number 0600010004003 – That part of the Northwest Quarter of Southwest Quarter and Northeast of Southwest Quarter lying North of the right-of-way of T.H. 210 East in Section 1, Township 132 North Range 43 West, Otter Tail County, Minnesota.

Containing 17.56 Acres

Parcel Number 06000010008000 - The South Half of the Northwest Quarter of Section 1, Township 132 North, Range 43 West, Otter Tail County, Minnesota

Containing 81.50 Acres

Parcel Number 06000010009000 - Northwest Quarter of Northwest Quarter of Section 1, Township 132 North, Range 43 West, Otter Tail County, Minnesota.

Containing 39.43 Acres

All the adjacent T.H. 210 East right-of-way in Section 1, Township 133 North, Range 43 West, adjacent to adjacent annexed property.

Together With

All that part of the adjacent T.H. 210 East right-of-way in Section 2, Township 133 North, Range 43 West not presently within the City of Fergus Falls Municipal Boundary

Containing 22.99 Acres

And all the adjacent Main Street road right-of-way within the present annexation tracts of land.

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), the City will reimburse the Township \$13,500.22 as stated in the Joint Resolution.

Dated: May 20, 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 Otter Tail 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.