

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Albany from Albany Township
(MBAU Docket OA-1805-1)

**ORDER APPROVING
ANNEXATION**

Resolution No. 2021-18 (Joint Resolution) was adopted by the City of Albany (City) on June 16, 2021, and Albany Township (Township) on June 28, 2021, requesting the designation and immediate annexation of the certain real property (Property) legally described as follows:

TRACT A: All that part of the right of way of the railway of the Great Northern Railway Company in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section Twenty-two (22), in Township One Hundred Twenty-five (125) North, of Range Thirty-one (31) West, Stearns County, Minnesota, described as follows, to-wit: Beginning at a point distant 59 feet Northeasterly, measured at right angles, from the center line of the main track of the railway of said Railroad Company at a point therein distant 918.4 feet Southeasterly, measured along said center line of main track from its intersection with the West line of said NW1/4 of the NE1/4 of Section 22; thence Northeasterly at right angles to said center line of main track a distance of 91 feet; thence Northwesterly parallel with said center line to the North line of said Section 22; thence West along the North line of said Section 22 to a line drawn at right angles to said center line of main track at a point therein distant 579.4 feet Southeasterly, measured along said center line from the West line of said NW1/4 of the NE1/4; thence Southwesterly at right angles to said center line of main track to a point distant 59 feet Northeasterly from said centerline of main track; thence Southeasterly parallel with said center line of main track of the point of beginning.

TRACT B: That part of the former Burlington Northern Railroad Company's branch line right of way upon, over and across the North Half of the Northwest Quarter of the Northeast Quarter of Section 22, Township 125 North, Range 31 West, Stearns County, Minnesota; lying between two lines run parallel with and distant 25.0 feet and 59.0 feet northerly, measured at right angles from the main track centerline of said railroad and bounded between two lines run at right angles to said centerline, distance 579.4 feet and 918.4 feet southeasterly, measured along said centerline from the west line of said North Half of the Northwest Quarter of the Northeast Quarter.

TRACT C: All that part of the Southwest Quarter of the Southeast Quarter, Section 15, Township 125, Range 31, Stearns County, Minnesota, which lies southerly of


the southerly right of way line of County Road No. 54 and lies easterly of the most easterly line and its northerly extension of Lot 3, Block 3, RAILROAD RIDGE, Stearns County, Minnesota according to the recorded plat thereof.

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 as stated in the Joint Resolution.

Dated: July 28, 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 Stearns 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.