

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
La Crescent from La Crescent Township
(MBAU Docket OA-1811-1)

**ORDER AMENDING THE
ORDER APPROVING ANNEXATION**

On November 18, 2021, an ORDER APPROVING ANNEXATION was issued for the annexation of certain real property to the City of La Crescent (City) from La Crescent Township (Township) pursuant to Minn. Stat. § 414.0325 (2020).

On April 11, 2022, the City and Township adopted an Amended Joint Resolution to correct errors in the legal description of the annexation area.

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

ORDER

1. The legal description in the November 18, 2021 ORDER APPROVING ANNEXATION is amended to read as follows:

DEBOER/1603 WEST LN/08.0460.000 AND 08.0124.003:

PARCEL A: LOT TWELVE (12), BLOCK ONE (1) CRESCENT VALLEY SUBDIVISION TO THE TOWN OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA; AND

PARCEL B: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE $\frac{1}{4}$ SW $\frac{1}{4}$) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, LA CRESCENT TOWNSHIP, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION NINE (9), THENCE WEST 169.58 FEET; THENCE ALONG THE WEST LINE EXTENDED OF CRESCENT VALLEY SUBDIVISION NORTH 3 DEGREES 23'31" WEST 836.56 FEET TO THE SOUTHEAST CORNER OF LOT TEN (10), BLOCK ONE (1) OF SAID CRESCENT VALLEY SUBDIVISION; THENCE ALONG THE SOUTH LINE EXTENDED OF SAID LOT TEN (10) WEST 326.41 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WEST 180.09 FEET; THENCE ALONG THE WEST LINE EXTENDED OF LOT TWELVE (12) , BLOCK ONE (1) NORTH 25 DEGREES 48'26" EAST 122.34 FEET TO THE SOUTHWEST CORNER OF SAID LOT TWELVE (12); THENCE ALONG THE

SOUTH LINE OF SAID LOT TWELVE (12) NORTH 84 DEGREES 25'58" EAST 173.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT TWELVE (12); THENCE ALONG THE EAST LINE EXTENDED OF SAID LOT TWELVE (12) SOUTH 19 DEGREES 40'26" WEST 134.74 FEET TO THE POINT OF BEGINNING.

HOTTOVY/1620 WEST LN/08.0463.000: LOT FIFTEEN (15), BLOCK ONE (1), CRESCENT VALLEY SUBDIVISION TO THE TOWN OF LA CRESCENT, ACCORDING TO THE PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER IN AND FOR HOUSTON COUNTY, MINNESOTA.

AND

THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE $\frac{1}{4}$ SW $\frac{1}{4}$) AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE $\frac{1}{4}$ SW $\frac{1}{4}$) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104), RANGE FOUR (4), HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 15, BLOCK ONE, CRESCENT VALLEY SUBDIVISION, HOUSTON COUNTY, MINNESOTA; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 15 A DISTANCE OF 45.00 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE NORTHWESTERLY DEFLECTING TO THE RIGHT 56 DEGREES 27 MINUTES 23 SECONDS, 344.68 FEET; THENCE SOUTHWESTERLY DEFLECTING TO THE LEFT 123 DEGREES 59 MINUTES 36 SECONDS, 281.02 FEET TO A POINT ON THE NORTHWESTERLY EXTENSION OF THE LOT LINE BETWEEN SAID LOT 15 AND LOT 14, SAID BLOCK ONE, DISTANT 130.13 FEET NORTHWESTERLY OF THE MOST WESTERLY CORNER OF SAID LOT 15; THENCE SOUTHEASTERLY 130.13 FEET ALONG THE NORTHWESTERLY EXTENSION OF THE LOT LINE BETWEEN SAID LOTS 15 AND 14 TO THE MOST WESTERLY CORNER OF SAID LOT 15; THENCE NORTH 55 DEGREES 55 MINUTES 09 SECONDS EAST 60.96 FEET; THENCE SOUTH 79 DEGREES 21 MINUTES 51 SECONDS EAST 145.12 FEET TO THE POINT OF BEGINNING.

STENCEL/1345 COUNTY 6/08.0537.000: PART OF THE NW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 9, TOWNSHIP 104 NORTH, RANGE 4 WEST, TOWN OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 9, THENCE SOUTH, ALONG THE QUARTER SECTION LINE, 424.40 FEET TO THE CENTER OF THE COUNTY HIGHWAY; THENCE SOUTH 58°32'00" EAST, ALONG THE CENTER OF THE HIGHWAY 433.75 FEET; THENCE CONTINUE ALONG THE CENTERLINE OF THE COUNTY HIGHWAY ON A CURVED LINE TO THE LEFT OF RADIUS 5,729.58 FEET, DELTA ANGLE OF 06°32' LEFT, A DISTANCE OF

653.3 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION: THENCE SOUTH 65°04'00" EAST, ALONG THE CENTERLINE OF SAID HIGHWAY, 126.0 FEET; THENCE SOUTH 41°16'00" WEST 52.10 FEET; THENCE SOUTH 24°56'00" WEST 258.50 FEET; THENCE NORTH 65°02" WEST 239.90 FEET; THENCE NORTH 27°19'00" EAST 68.6 FEET; THENCE NORTH 41°16'00" EAST 250.27 FEET TO THE CENTERLINE OF THE COUNTY HIGHWAY; THENCE ALONG SAID CENTERLINE ON A CURVED LINE TO THE LEFT OF RADIUS 5,729.58 FEET, A DISTANCE OF 55.50 FEET TO THE POINT OF BEGINNING.

OLIVER/1340 VALLEY LN/08.0482.003: LOT THREE (3), BLOCK ONE (1), CRESCENT VALLEY FIRST ADDITION, LA CRESCENT TOWNSHIP, HOUSTON COUNTY, MINNESOTA.

FOUST/1450 VALLEY LN/08.0482.001: LOT ONE (1), BLOCK ONE (1), CRESCENT VALLEY FIRST ADDITION, HOUSTON COUNTY, MINNESOTA.

MYHRE/1441 VALLEY LN/08.0482.009: LOT FOUR (4) IN BLOCK TWO (2) OF CRESCENT VALLEY FIRST ADDITION TO THE TOWN OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

GRANT/1463 VALLEY LN/08/0482.006: LOT ONE (1), BLOCK TWO (2), CRESCENT VALLEY FIRST ADDITION TO THE TOWNSHIP OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

OSTRANDER/95 CRESCENT AVE/08.0478.000: LOT FOUR (4), BLOCK TWO (2), CRESCENT VALLEY SUBDIVISION, LA CRESCENT TOWNSHIP, HOUSTON COUNTY, MINNESOTA.

KLINSKI/51 CRESCENT AVE/08.0476.000: LOT TWO (2), BLOCK TWO (2) CRESCENT VALLEY SUBDIVISION TO THE TOWNSHIP OF LA CRESCENT ACCORDING TO THE PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER IN AND FOR HOUSTON COUNTY, MINNESOTA.

THOMPSON/29 CRESCENT AVE/08.0475.000: LOT 1, BLOCK 2, CRESCENT VALLEY SUBDIVISION TO THE TOWNSHIP OF LA CRESCENT, ACCORDING TO THE PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER IN AND FOR HOUSTON COUNTY, MINNESOTA.

AND

AN AREA OF LAND BOUNDED BY THE RIGHT OF WAY OF COUNTY STATE AID HIGHWAY 25 AND LOT ONE (1), BLOCK TWO (2) OF CRESCENT VALLEY SUBDIVISION AND THE RIGHT OF WAY OF CRESCENT AVENUE.

EXCEPT THE FOLLOWING:

PART OF LOT 1, BLOCK 2, CRESCENT VALLEY SUBDIVISION, LA CRESCENT

TOWNSHIP, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 1 DEGREE 18 MINUTES 12 SECONDS EAST ALONG THE WEST LINE THEREOF 10 FEET; THENCE SOUTH 63 DEGREES 38 MINUTES 55 SECONDS EAST 43.19 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE NORTH 76 DEGREES 44 MINUTES 51 SECONDS WEST ALONG THE SOUTH LINE THEREOF 40 FEET TO THE POINT OF BEGINNING.

LA CRESCENT TOWNSHIP/08.0475.001: PART OF LOT 1, BLOCK 2, CRESCENT VALLEY SUBDIVISION, LA CRESCENT TOWNSHIP, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 1 DEGREE 18 MINUTES 12 SECONDS EAST ALONG THE WEST LINE THEREOF 10 FEET; THENCE SOUTH 63 DEGREES 38 MINUTES 55 SECONDS EAST 43.19 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE NORTH 76 DEGREES 44 MINUTES 51 SECONDS WEST ALONG THE SOUTH LINE THEREOF 40 FEET TO THE POINT OF BEGINNING.

DAVISON/30 JANELL AVE/08.0560.000: A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW $\frac{1}{4}$ SE $\frac{1}{4}$), SECTION NINE (9), TOWNSHIP 104 NORTH, RANGE FOUR (4) WEST, OF THE FIFTH PRINCIPAL MERIDIAN, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

WEST ON THE SECTION LINE FROM THE SOUTHEAST CORNER OF SAID SECTION NINE (9) A DISTANCE OF 2,247.5 FEET; THENCE NORTH 6°45' EAST A DISTANCE OF 33 FEET FOR A POINT OF BEGINNING; THENCE WESTERLY ON A LINE PARALLEL WITH THE SOUTH SECTION LINE A DISTANCE OF 156 FEET; THENCE NORTH 6°45' EAST A DISTANCE OF 202 FEET; THENCE EASTERLY ON A LINE PARALLEL WITH SAID SOUTH LINE OF SECTION NINE (9) A DISTANCE OF 156 FEET; THENCE SOUTHERLY 6°45' WEST A DISTANCE OF 202 FEET TO THE POINT OF BEGINNING.

VAN LIN/35 JANELL AVE/08.0559.000: A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW $\frac{1}{4}$ SE $\frac{1}{4}$) OF SECTION 9, TOWNSHIP 104, RANGE 4 WEST DESCRIBED AS FOLLOWS:

WEST ON THE SECTION LINE FROM THE SOUTHEAST CORNER OF SAID SECTION 9 A DISTANCE OF 2208.3 FEET; THENCE NORTH 6 DEGREES 45 MINUTES EAST A DISTANCE OF 33.23 FEET TO THE POINT OF BEGINNING; THENCE EAST PARALLEL TO THE SECTION LINE A DISTANCE OF 134.80 FEET, THENCE NORTH 6 DEGREES 45

MINUTES EAST A DISTANCE OF 209.62 FEET; THENCE NORTH 83 DEGREES 15 MINUTES WEST A DISTANCE OF 133.86 FEET, THENCE SOUTH 6 DEGREES 45 MINUTES WEST TO THE PLACE OF BEGINNING, HOUSTON COUNTY, MINNESOTA.

GARRISON/60 JANELL AVE/08.0565.000: A TRACT OF LAND IN THE SW¼ OF SECTION 9, TOWNSHIP 104 NORTH, RANGE 4 WEST, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

WEST ON THE SECTION LINE FROM THE SE CORNER OF SAID SECTION 9 A DISTANCE OF 2268.71 FEET, THENCE NORTH 6°45' EAST, 235.0 FEET TO THE POINT OF BEGINNING:

THENCE CONTINUE NORTH 6° 45' EAST, 105.0 FEET,

THENCE NORTH 83° 15' WEST, 133.85 FEET,

THENCE SOUTH 6° 45' WEST, 120.80 FEET,

THENCE EAST ON A LINE PARALLEL TO SAID SECTION LINE, 134.79 FEET TO THE POINT OF BEGINNING.

BEING SUBJECT TO A PUBLIC UTILITY AND DRAINAGE EASEMENT OVER THE WESTERLY 6 FEET AND A PUBLIC ROADWAY EASEMENT OVER THE EASTERLY 11 FEET OF THE ABOVE DESCRIBED TRACT.

TOGETHER WITH ALL RIGHTS CREATED BY VIRTUE OF AN EASEMENT DEED AND AGREEMENT FOR WATER DATED JUNE 9, 1972, FILED NOVEMBER 15, 1972 IN BOOK 242 OF MISC., PAGE 532.

NISSALKE/63 JANELL AVE/08.0562.000: THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW¼ SE¼) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION NINE (9); THENCE WEST ALONG THE SECTION LINE A DISTANCE OF 2073.5 FEET; THENCE NORTH 6°45' EAST A DISTANCE OF 242.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 6°45' EAST A DISTANCE OF 105 FEET; THENCE NORTH 83°15' WEST A DISTANCE OF 172.79 FEET; THENCE SOUTH 6°45' WEST A DISTANCE OF 105 FEET; THENCE SOUTH 83°15' EAST A DISTANCE OF 172.79 FEET TO THE POINT OF BEGINNING.

ANDERSON/88 JANELL AVE/08.0568.000: A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW¼ SE¼) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

WEST ON THE SECTION LINE FROM THE SOUTHEAST CORNER OF SAID SECTION NINE (9), A DISTANCE OF 2268.71 FEET, THENCE NORTH 6°45' EAST 340.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE NORTH 6°45' EAST 105.0 FEET, THENCE NORTH 83°15' WEST 133.85 FEET, THENCE SOUTH 6°45' WEST 105.0 FEET, THENCE SOUTH 83°15' EAST 133.85 FEET TO THE POINT OF BEGINNING.

AND BEING SUBJECT TO A PUBLIC UTILITY AND DRAINAGE EASEMENT OVER THE WESTERLY 6 FEET AND A PUBLIC ROADWAY EASEMENT OVER THE EASTERLY 11 FEET OF THE ABOVE DESCRIBED TRACT.

DEDICATED PARK (NO LA CRESCENT TOWNSHIP TAX ID ASSIGNED): THE LAND CONTAINED IN THE RECORDED PLAT OF CRESCENT VALLEY SUBDIVISION DEDICATED TO PUBLIC FOR PARK.

PLATTED ROAD RIGHT OF WAY (NO LA CRESCENT TOWNSHIP TAX ID ASSIGNED): VALLEY LANE FROM THE NORTH LINE OF LOT 4, BLOCK 1 CRESCENT VALLEY FIRST SUBDIVISION TO THE SOUTHERLY RIGHT OF WAY OF COUNTY ROAD 6 AND THERE TERMINATING.

AND ALL THAT PART OF CRESCENT AVENUE LYING SOUTH OF THE INTERSECTION OF VALLEY LANE NOT CURRENTLY IN THE CITY OF LA CRESCENT.

METES AND BOUNDS PARCEL I (NO LA CRESCENT TOWNSHIP TAX ID ASSIGNED): PART OF THE SE¼ OF THE SW¼ OF SECTION 9, TOWNSHIP 104, RANGE 4 WEST, TOWN OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 9; THENCE ALONG THE SOUTH LINE OF SAID SECTION 9, WEST 169.58 FEET; THENCE ALONG THE WEST LINE EXTENDED OF CRESCENT VALLEY SUBDIVISION NORTH 3 DEGREES 23 MINUTES 31 SECONDS WEST 836.56 FEET TO THE SOUTHEAST CORNER OF LOT 10, BLOCK 1 OF SAID CRESCENT VALLEY SUBDIVISION; THENCE ALONG THE SOUTH LINE OF SAID LOT 10 WEST 64.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WEST 262.25 FEET; THENCE ALONG THE WEST LINE EXTENDED OF LOT 11 BLOCK 1 NORTH 19 DEGREES 40 MINUTES 26 SECONDS EAST 134.74 FEET TO THE SOUTHWEST CORNER OF SAID LOT 11; THENCE ALONG THE SOUTH LINE OF SAID LOT 11, NORTH 84 DEGREES 26 MINUTES 58 SECONDS EAST 44.12 FEET AND SOUTH 80 DEGREES 38 MINUTES 06 SECONDS EAST 98.45 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11; THENCE ALONG THE WESTERLY LINE OF LOT 10 SOUTH 33 DEGREES 22 MINUTES 37 SECONDS EAST 137.86 FEET TO THE POINT OF BEGINNING.

METES AND BOUNDS PARCEL II (NO LA CRESCENT TOWNSHIP TAX ID ASSIGNED): THAT PART OF THE SOUTHEAST QUARTER OF THE

SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 104, RANGE 4,
HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 13, BLOCK ONE, CRESCENT VALLEY SUBDIVISION, HOUSTON COUNTY, MINNESOTA; THENCE SOUTHWESTERLY ALONG THE SOUTHWESTERLY EXTENSION OF THE EAST LINE OF SAID LOT 13 TO THE NORTH LINE OF THE PROPERTY DESCRIBED IN RECORD BOOK 259 OF DEEDS, PAGE 217, HOUSTON COUNTY, MINNESOTA; THENCE NORTHWESTERLY, DEFLECTING TO THE RIGHT, 92 DEGREES 44 MINUTES 30 SECONDS, 326.99 FEET TO A ONE HALF INCH IRON PIPE MONUMENT; THENCE NORTHWESTERLY DEFLECTING TO THE RIGHT 32 DEGREES 54 MINUTES 45 SECONDS TO A POINT ON THE SOUTHWESTERLY EXTENSION OF THE LOT LINE BETWEEN SAID LOT 13 AND LOT 14, SAID BLOCK ONE, DISTANT 136.54 FEET SOUTHWESTERLY OF THE MOST WESTERLY CORNER OF SAID LOT 13; THENCE NORTHEASTERLY 136.54 FEET ALONG THE SOUTHWESTERLY EXTENSION OF THE LOT LINE BETWEEN SAID LOTS 13 AND 14 TO THE MOST WESTERLY CORNER OF SAID LOT 13; THENCE SOUTH 73° 33' 46" EAST 230.3 FEET; THENCE SOUTH 22° 54' 55" EAST 120.94 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL LAND ALREADY WITHIN THE CITY.

Dated: May 5, 2022


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 Houston 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 (2021). However, no request for amendment shall extend the time of appeal from this Order.