

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City
of Clearwater from Clearwater Township
(MBAU Docket OA-1812-2)

**ORDER APPROVING
ANNEXATION**

Clearwater Township Resolution No. 2021-010/City of Clearwater Resolution No. 2021-49 (Joint Resolution to Designate) was adopted by the City of Clearwater (City) on October 12, 2021, and Clearwater Township (Township) on October 4, 2021, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

City of Clearwater Resolution 2202-16 (City Resolution to Annex), adopted by the City on March 14, 2022, requests annexation of certain real property (Property) legally described as follows:

TRACT A:

That part of the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter, Section 1, Township 122, Range 27, Wright County, Minnesota, lying southwesterly of the centerline of County Road No. 75 and northeasterly and easterly of the following described line:

Commencing at the southwest corner of said Southwest Quarter of the Southwest Quarter; thence South 89 degrees 49 minutes 28 seconds East, assumed bearing, along the south line of said Southwest Quarter of the Southwest Quarter, a distance of 990.32 feet, to the northeasterly Right of Way Line of Interstate Highway No. 94, and the point of beginning of the line to be described; thence North 52 degrees 42 minutes 54 seconds West, along said northeasterly Right of Way Line of Interstate Highway No. 94, a distance of 111.31 feet; thence North 00 degrees 44 minutes 16 seconds West, 1738.50 feet, to said centerline of County Road No. 75, and said line there terminating.

AND

That part of Government Lot 2, Government Lot 3 and the Southeast Quarter of the Southwest Quarter, Section 1, Township 122, Range 27, Wright County, Minnesota, lying southwesterly of the northeasterly Right of Way Line of County Road No. 75.

LESS AND EXCEPT

That part of the Southeast Quarter of the Southwest Quarter, Section 1, Township 122, Range 27, Wright County, Minnesota, described as follows:

Commencing at the southeast corner of said Southeast Quarter of the Southwest Quarter; thence North 89 degrees 49 minutes 28 seconds West, assumed bearing, along the south line of said Southeast Quarter of the Southwest Quarter, a distance of 1336.13 feet, to the southwest corner of said Southeast Quarter of the Southwest Quarter; thence North 41 degrees 41 minutes 42 seconds East, 908.87 feet, to the point of beginning of the tract to be described; thence North 53 degrees 45 minutes 45 seconds West, 264.33 feet; thence North 21 degrees 02 minutes 11 seconds East, 278.71 feet, to the centerline of County Road No. 75; thence southeasterly 361.53 feet, along said centerline of County Road No. 75 and along a non-tangential curve concave to the southwest, having a radius of 7639.44 feet and a central angle of 02 degrees 42 minutes 41 seconds. The chord of said curve bears South 47 degrees 34 minutes 25 seconds East, with a chord length of 361.49 feet, to a line which bears North 41 degrees 41 minutes 42 seconds East, from the point of beginning; thence South 41 degrees 41 minutes 42 seconds West, 231.04 feet, to the point of beginning.

AND LESS AND EXCEPT

That part of the Southeast Quarter of the Southwest Quarter and Government Lot 2, Section 1, Township 122, Range 27, Wright County, Minnesota, and that part of the Northeast Quarter of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter, Section 12, said Township 122, Range 27, Wright County, Minnesota, described as follows:

Beginning at the most southwesterly corner of Lot 1, Block 1, WALNUT OAKS, according to the recorded plat thereof, Wright County, Minnesota; thence North 00 degrees 21 minutes 34 seconds East, assumed bearing, along the west line of said Lot 1 and the west line of Lot 2, said Block 1, a distance of 405.09 feet; thence North 53 degrees 56 minutes 38 seconds West, 447.10 feet; thence North 36 degrees 59 minutes 45 seconds East, 633.25 feet, to the center line of County Road No. 75; thence southeasterly 279.19 feet, along said center line of County Road No. 75 and along a non-tangential curve concave to the southwest, having a radius of 7639.44 feet and a central angle of 02 degrees 05 minutes 38 seconds. The chord of said curve bears South 38 degrees 37 minutes 41 seconds East, with a chord length of 279.17 feet, to the south line of said Government Lot 2; thence North 89 degrees 40 minutes 37 seconds West, non-tangent to last described curve, and along said south line of Government Lot 2, a distance of 95.34 feet, to the southwesterly Right of Way line of said County Road No. 75; thence southeasterly 277.41 feet, along said southwesterly Right of Way line of County Road No. 75 and along a non-tangential curve, concave to the southwest, having a radius of 7564.44 feet and a central angle of 02 degrees 06 minutes 04 seconds; the chord of said curve bears South 36 degrees 58 minutes 26 seconds East, and a chord length of 277.40; thence South 35 degrees 55 minutes 24 seconds East, along said southwesterly Right of Way line of County Road No. 75, tangent to last

described curve, 1347.01 feet, to the southeast corner of a tract of land described in Book 225 of Deeds Page 473; thence North 89 degrees 40 minutes 37 seconds West, along the south line of said tract of land described in Book 225 of Deeds Page 473, a distance of 282.54 feet, to the southwest corner of said tract of land described in Book 225 of Deeds Page 473; thence North 35 degrees 42 minutes 37 seconds West, along the westerly line of said tract of land described in Book 225 of Deeds, Page 473, a distance of 185.49 feet, to the northwest corner of said tract of land described in Book 225 of Deeds Page 473; thence North 89 degrees 40 minutes 37 seconds West, along the south line of a tract of land described in Book 223 of Deeds, Page 507, a distance of 145.20 feet, to the southwest corner of said tract of land described in Book 223 of Deeds, Page 507; thence North 35 degrees 43 minutes 37 seconds West, along the westerly line of said tract of land described in Book 223 of Deeds, Page 507 and the westerly line of a tract of land described in Book 225 of Deeds, Page 471, a distance of 247.39 feet, to the south line of said Lot 1, Block 1; thence North 89 degrees 40 minutes 37 seconds West, along said south line of Lot 1, Block 1, a distance of 377.78 feet, to the point of beginning.

AND

TRACT B:

That part of the Northwest Quarter of the Northwest Quarter, Northeast Quarter of the Northwest Quarter, the Northwest Quarter of the Northeast Quarter, and the Southwest Quarter of the Northeast Quarter, Section 12, Township 122, Range 27, Wright County, Minnesota, lying northeasterly of the northeasterly Right of Way line of Interstate Highway No. 94 and westerly and southerly of the following described line:

Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence South 89 degrees 40 minutes 37 seconds East, assumed bearing, along the north line of said Northwest Quarter of the Northeast Quarter, a distance of 95.09 feet, to the southwesterly Right of Way line of County Road No. 75 and the point of beginning of the line to be described; thence southeasterly 277.41 feet, along said southwesterly Right of Way line of County Road No. 75 and along a non-tangential curve, concave to the southwest, having a radius of 7564.44 feet and a central angle of 02 degrees 06 minutes 04 seconds; the chord of said curve bears South 36 degrees 58 minutes 26 seconds East, and a chord length of 277.40; thence South 35 degrees 55 minutes 24 seconds East, tangent to last described curve and along said southwesterly Right of Way line of County Road No. 75, a distance of 1347.01 feet, to the southeast corner of the tract of land described in Book 225 of Deeds, Page 473; thence South 89 degrees 40 minutes 37 seconds East, along the easterly extension of the south line of said tract of land described in Book 225 of Deeds, Page 473, a distance of 93.00 feet, to the centerline of said County Road No. 75; thence South 35 degrees 55 minutes 24 seconds East, along said centerline, 304.83 feet, to the east line of said Southwest Quarter of the Northeast Quarter; thence South 00 degrees 14 minutes 45 seconds West, along said east line of the southwest Quarter of the Northeast Quarter,

125.75 feet; thence South 44 degrees 10 minutes 38 seconds West, 478.50 feet, to said northeasterly Right of Way line of Interstate Highway No. 94, and said line there terminating.

LESS AND EXCEPT

That part of the Southeast Quarter of the Southwest Quarter and Government Lot 2, Section 1, Township 122, Range 27, Wright County, Minnesota, and that part of the Northeast Quarter of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter, Section 12, said Township 122, Range 27, Wright County, Minnesota, described as follows:

Beginning at the most southwesterly corner of Lot 1, Block 1, WALNUT OAKS, according to the recorded plat thereof, Wright County, Minnesota; thence North 00 degrees 21 minutes 34 seconds East, assumed bearing, along the west line of said Lot 1 and the west line of Lot 2, said Block 1, a distance of 405.09 feet; thence North 53 degrees 56 minutes 38 seconds West, 447.10 feet; thence North 36 degrees 59 minutes 45 seconds East, 633.25 feet, to the center line of County Road No. 75; thence southeasterly 279.19 feet, along said center line of County Road No. 75 and along a non-tangential curve concave to the southwest, having a radius of 7639.44 feet and a central angle of 02 degrees 05 minutes 38 seconds. The chord of said curve bears South 38 degrees 37 minutes 41 seconds East, with a chord length of 279.17 feet, to the south line of said Government Lot 2; thence North 89 degrees 40 minutes 37 seconds West, non-tangent to last described curve, and along said south line of Government Lot 2, a distance of 95.34 feet, to the southwesterly Right of Way line of said County Road No. 75; thence southeasterly 277.41 feet, along said southwesterly Right of Way line of County Road No. 75 and along a non-tangential curve, concave to the southwest, having a radius of 7564.44 feet and a central angle of 02 degrees 06 minutes 04 seconds; the chord of said curve bears South 36 degrees 58 minutes 26 seconds East, and a chord length of 277.40; thence South 35 degrees 55 minutes 24 seconds East, along said southwesterly Right of Way line of County Road No. 75, tangent to last described curve, 1347.01 feet, to the southeast corner of a tract of land described in Book 225 of Deeds Page 473; thence North 89 degrees 40 minutes 37 seconds West, along the south line of said tract of land described in Book 225 of Deeds Page 473, a distance of 282.54 feet, to the southwest corner of said tract of land described in Book 225 of Deeds Page 473; thence North 35 degrees 42 minutes 37 seconds West, along the westerly line of said tract of land described in Book 225 of Deeds, Page 473, a distance of 185.49 feet, to the northwest corner of said tract of land described in Book 225 of Deeds Page 473; thence North 89 degrees 40 minutes 37 seconds West, along the south line of a tract of land described in Book 223 of Deeds, Page 507, a distance of 145.20 feet, to the southwest corner of said tract of land described in Book 223 of Deeds, Page 507; thence North 35 degrees 43 minutes 37 seconds West, along the westerly line of said tract of land described in Book 223 of Deeds, Page 507 and the westerly line of a tract of land described in Book 225 of Deeds, Page 471, a distance of 247.39 feet, to the south line of said Lot 1, Block 1; thence North 89 degrees 40 minutes 37 seconds West,

along said south line of Lot 1, Block 1, a distance of 377.78 feet, to the point of beginning.

AND LESS AND EXCEPT:

That part of the Southeast Quarter of the Northeast Quarter, Section 12, Township 122, Range 27, Wright County, Minnesota, lying southwesterly of the centerline of County Road No. 75.

AND LESS AND EXCEPT:

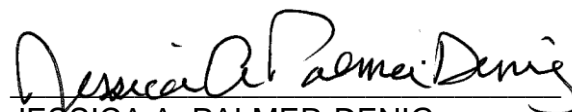
That part of the South One-half of the Northeast Quarter (S 1/2 NE 1/4) of Section Twelve (12), in Township One Hundred Twenty-two (122) North, of Range Twenty-seven (27) West, in Wright County, Minnesota, described as follows, to-wit: Commencing at the Southeast corner of said S 1/2 of the NE 1/4; thence West (assumed bearing of due West), along the South line of said S 1/2 of the NE 1/4 for 642.33 feet to the point of beginning of the land to be described; thence North 30 degrees 02 minutes 36 seconds West for 614.86 feet; thence deflect to the left along a tangential curve, having a radius of 3,819.71 feet and a central angle of 06 degrees 28 minutes 54 seconds for 432.11 feet; North 36 degrees 31 minutes 30 seconds West for 172.35 feet; thence South 43 degrees 35 minutes 06 seconds West for 554.23 feet to the Northeasterly right-of-way line of Interstate Highway Numbered 94; thence South 53 degrees 17 minutes 59 seconds East along said right-of-way line for 1,054.73 feet to the South line of said S 1/2 of the NE 1/4; thence East for 183.88 feet to the point of beginning, according to the recorded plat thereof, Wright County, Minnesota.

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 (2020), 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 Minn. Stat. § 414.036 (2020), the City will reimburse the Township as stated in the Joint Resolution to Designate and the City Resolution to Annex.

Dated: April 28, 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 Wright 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.