

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Benson from Torning Township
(MBAU Docket OA-1821-1)

**ORDER APPROVING
ANNEXATION**

A joint resolution (Joint Resolution) was adopted by the City of Benson (City) on February 7, 2022, and the Torning Town Board (Township) on January 17, 2022, requesting the designation and immediate annexation of the certain real property (Property) legally described as follows:

The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39), Swift County, Minnesota.

AND

Beginning at a point which is One thousand three hundred eighty-nine (1,389.0) feet South and Nine hundred fifty-three (953.0) feet South Sixty-seven (67) degrees Thirty (30) minutes East of the Northwest corner of Section Six (6), Township One Hundred Twenty-one (121), Range Thirty-nine (39), which point is Seventy-five (75) feet Northeasterly of the center line of the pavement on Minnesota Trunk Highway No. 9, thence Northeasterly at right angles to said pavement a distance of Three hundred fifteen (315.0) feet, thence Southeasterly and parallel with the pavement a distance of Three hundred (300.0) feet, thence Southwesterly and at right angles to the pavement a distance of Three hundred fifteen (315.0) feet to the North right-of-way line of Minnesota Trunk Highway No. 9, thence Northwesterly along said right-of-way line a distance of Three hundred (300.0) feet to the place of beginning, and being in the West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Six (6), Township One hundred twenty-one (121), Range Thirty-nine (39), Swift County, Minnesota.

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), no reimbursement shall be made by the City to the Township.

Dated: June 29, 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 Swift 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.