

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation  
of Certain Real Property to the City of  
St. James from St. James Township  
(MBAU Docket OA-201-23)

**ORDER APPROVING  
ANNEXATION**

A joint resolution (Joint Resolution to Designate) for orderly annexation was adopted by the City of St. James (City) and St. James Township (Township) on August 15, 1989, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

Resolution No. 05-21-03 (Resolution Amending Joint Resolution), adopted by the City on May 18, 2021, and the Township on May 11, 2021, requests annexation of certain real property (Property) legally described as follows:

That part of the Southeast Quarter (SE1/4) of Section Fourteen (14), Township One Hundred Six (106) North, Range Thirty-two (32) West, Watonwan County, Minnesota, described as follows: Commencing at the Southeast corner of said Section Fourteen (14); thence on an assumed bearing of North 0 degrees 00 minutes 00 seconds East, along the East line of said section, a distance of 1830.54 feet to an iron monument, located on the North right-of-way line of the Minneapolis and St. Louis Railroad, said iron monument being the point of beginning of the tract to be described; thence continuing North 0 degrees 00 minutes 00 seconds East, along said East line, a distance of 188.00 feet to an iron monument; thence South 89 degrees 54 minutes 00 seconds West, a distance of 1356.00 feet to an iron monument; thence South 0 degrees 10 minutes 30 seconds East a distance of 1105.81 feet to an iron monument, located on the North right-of-way line of said Minneapolis and St. Louis Railroad; thence North 55 degrees 46 minutes 23 seconds East, along said North right-of-way line, a distance of 1635.94 feet to the point of beginning.

TOGETHER WITH:

Commencing at the southeast corner of Section 14, Township 106 North, Range 32 West of the Fifth Principle Meridian, Watonwan County, Minnesota; thence on an assumed bearing of North 0 degrees 00 minutes 00 seconds East, along the east line of said section, a distance of 439.09 feet to the north right of way line of a railroad; thence southwesterly on a bearing of South 79 degrees 05 minutes 00 seconds West, along said north right of way a distance of 1495.66 feet being the point of beginning of the tract to be described: thence North 10 degrees 55 minutes 00 seconds West a distance of 499.23 feet; thence Northeasterly on a bearing of North 55 degrees 46 minutes 23 seconds East for a distance of 1510.76 feet,

thence south on a bearing of South 0 degrees 00 minutes 00 seconds West for a distance of 86.84 feet; thence east on a bearing of North 90 degrees 00 minutes 00 seconds East for a distance of 67 feet; thence south on a bearing of South 0 degrees 00 minutes 00 seconds West for a distance of 113.00 feet; thence east on a bearing of North 90 degrees 00 minutes 00 seconds East for a distance of 214 feet to the West line of the Highway running North and South; thence south along the West line of said Highway on a bearing of South 0 degrees 00 minutes 00 seconds West for a distance of 459.9 feet; thence southwesterly on a bearing of South 79 degrees 05 minutes 00 seconds West for a distance of 823.82 feet; thence south on a bearing of South 10 degrees 55 minutes 00 seconds East for a distance of 396 feet; thence southwesterly on a bearing of South 79 degrees 05 minutes 00 seconds West for a distance of 714.60 feet to the point of beginning; all in Section 14, Township 106 North, Range 32 West, Watonwan County, Minnesota.

EXCEPTING THEREFROM the following:

All that part of the Southeast Quarter of Section 14, T106N, R23W, described as follows: Starting at a point 1,146 feet south and 314 feet west of the east quarter corner of Section 14; thence southerly 275 feet parallel with the centerline of County Road 55; thence westerly 397 feet; thence northeasterly N 55° 46' 23" E a distance of 483 feet along the South right-of-way line of the Chicago and North Western Transportation Company to the point of beginning.

AND ALSO EXCEPTING the following:

Commencing at the southeast corner of Section 14, Township 106 North, Range 32 West of the Fifth Principle Meridian, Watonwan County, Minnesota; thence on an assumed bearing of North 0 degrees 00 minutes 00 seconds East, along the east line of said section, a distance of 439.30 feet to the north right of way line of a railroad; thence southwesterly on a bearing of South 79 degrees 05 minutes 00 seconds West, along said north right of way a distance of 1495.66 feet thence North 10 degrees 55 minutes 00 seconds West a distance of 499.23 feet; thence Northeasterly on a bearing of North 55 degrees 46 minutes 23 seconds East for a distance of 1510.76 feet, thence south on a bearing of South 0 degrees 00 minutes 00 seconds West for a distance of 86.84 feet being the point of beginning of the tract to be described: thence east on a bearing of North 90 degrees 00 minutes 00 seconds East for a distance of 67 feet; thence south on a bearing of South 0 degrees 00 minutes 00 seconds West for a distance of 113.00 feet; thence east on a bearing of North 90 degrees 00 minutes 00 seconds East for a distance of 214 feet to the West line of the Highway running North and South; thence south along the West line of said Highway on a bearing of South 0 degrees 00 minutes 00 seconds West for a distance of 459.9 feet; thence southwesterly on a bearing of South 79 degrees 05 minutes 00 seconds West for a distance of 287 feet; thence Northerly a distance of 623 feet, more or less, to the point of beginning, being 3 acres, more or less, all in Section 14, Township 106 North, Range 23 West, Watonwan County, Minnesota.

AND ALSO EXCEPTING THEREFROM the following:  
Lots Seven (7) and Eight (8), of Hans Olson's Subdivision.

ALSO EXCEPTING THEREFROM the following:  
That part of the Southeast Quarter (SE1/4) of Section Fourteen (14), Township One Hundred Six (106) North, Range Thirty Two (32) West of the Fifth Principle Meridian in Watonwan County, Minnesota, described as follows:

Commencing at the Southeast corner of said Section Fourteen (14); Thence on an assumed bearing of North 00 degrees 00 minutes 00 seconds East, along the East line of said section, a distance of 439.30 feet to the north right of way line of a railroad; thence southwesterly on a bearing of South 79 degrees 05 minutes 00 seconds west, along said north right of way line a distance of 781.06 feet, to an existing iron monument with Survey Cap 13593; thence North 10 degrees 55 minutes 00 seconds West a distance of 396.00 feet to an existing iron monument with Survey Cap 13593; thence North 79 degrees 05 minutes 00 seconds East, parallel with the north right of way line of said railroad, a distance of 252.35 feet, to an iron monument set with Survey Cap 23008, this being the point of beginning; thence continuing North 79 degrees 05 minutes 00 seconds East, parallel with said railroad north right of way line, a distance of 284.47 feet, to an iron monument with Survey Cap 23008 at the Southwest corner of a tract of land conveyed to Kirby and Sara Loewen by Document No. 194293 as filed and recorded in the Watonwan County Records Office; thence North 00 degrees 06 minutes 19 seconds East, along the west line of said conveyed tract, a distance of 439.09 feet, to an iron monument with Survey Cap 23008 at the southeast corner of a tract of land conveyed to the County of Watonwan by Document No. 166878 as filed and recorded in the Watonwan County Records Office; thence North 89 degrees 31 minutes 22 seconds West, along the south line of said conveyed tract, a distance of 280.14 feet, to an iron monument set with Survey Cap 23008; thence South 00 degrees 00 minutes 00 seconds East, parallel with the east line of Section Fourteen (14), a distance of 495.30 feet, to the point of beginning.

TOGETHER WITH:

A Strip of land 100.00 feet in width over and across the South Half of Section 14 and the North Half of Section 23, Township 106 North, Range 32 West, Watonwan County Minnesota lying 50.00 feet on both sides of the following described Line A. All sidelines shall be shortened or extended to terminate on the northeast at the east line of said Section 14 and on the southwest at a line lying parallel with and 50.00 feet northerly of and parallel with the centerline of the main track of the Union Pacific Railroad (former Chicago and Northwestern Railroad)

Line A: Commencing at the Southeast corner of said Section 14 thence North 00 degrees 45 minutes 20 seconds West, (assumed bearing) along the east line of the Southeast Quarter of said Section 14, a distance of 1770.07 feet to the centerline of the former Minneapolis & St. Louis Railroad (now Union Pacific Railroad) and the point of beginning of Line A; thence South 55 degrees 01 minutes

03 seconds West, along said railroad centerline, a distance of 3302.21 feet to a point on said line lying 50.00 feet northwesterly of and parallel with the centerline of the main track of the Union Pacific Railroad (former Chicago and Northwestern Railroad).

TOGETHER WITH:

A tract of land in the Southeast Quarter of Section 14; Township 106 North, Range 32 West, Watonwan County, Minnesota described as follows: Beginning at the point of intersection of a line lying 50.00 feet northerly of and parallel with the centerline of the former Minneapolis & St. Louis Railroad, now Union Pacific Railroad (Line A described above) and the west line of the Southeast Quarter of said Section 14; thence northeasterly, parallel with said centerline, a distance of 350 feet; thence northwesterly, at right angles to said centerline, a distance of 75 feet; thence southwesterly, parallel with said centerline, a distance of 299 feet to the west line of the Southeast Quarter of said Section 14; thence south, along said west line, to the point of beginning:

TOGETHER WITH:

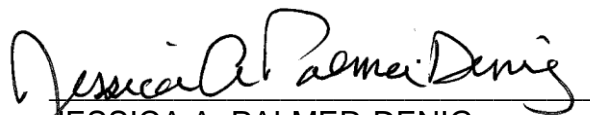
A tract of land in the Southwest Quarter of Section 14, Township 106 North, Range 32 West, Watonwan County, Minnesota bounded as follows:  
On the east by the east line of the Southwest Quarter of said Section 14; On the South by the south line of the Southwest Quarter of said Section 14; On the northwest by a line lying 75 feet northwesterly of and parallel with the centerline of the former Minneapolis & St. Louis Railroad, now Union Pacific Railroad (Line A described above).

Based upon a review of the Joint Resolution to Designate and the Resolution Amending Joint Resolution, the Administrative Law Judge makes the following:

**ORDER**

1. Pursuant to Minn. Stat. § 414.0325 (2020), the Resolution Amending Joint Resolution is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Joint Resolution to Designate, the Resolution Amending Joint Resolution, and this Order, the Property is **ANNEXED** to the City.
3. Pursuant to the agreement of the parties and as allowed by to Minn. Stat. § 414.036 (2020), the City will reimburse the Township as stated in the Joint Resolution to Designate.

Dated: July 6, 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 Watonwan 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.