

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City
of Zimmerman from Livonia Township
(MBAU Docket OA-165-11)

**ORDER APPROVING
ANNEXATION**

City of Zimmerman Resolution No. 99-05-06/Township of Livonia Resolution No. 99-3 (Joint Resolution to Designate) was adopted by the City of Zimmerman (City) on May 3, 1999, and Livonia Township (Township) on March 22, 1999, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

City of Zimmerman Resolution No. 06-12-04/Livonia Township Resolution No. 07-01 (Amended Joint Resolution to Designate) was adopted by the City on December 4, 2006, and the Township on February 26, 2007, amending the Joint Resolution to Designate.

City of Zimmerman Resolution No. 2020-12-10/Township of Livonia Resolution No. 20-19 (Joint Resolution to Annex), filed with the Office of Administrative Hearings on January 11, 2021, requests annexation of certain real property (Property) legally described as follows:

30-007-1400

Northeast Quarter of Southeast Quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$), except that part of the right-of-way of 136th Street Northwest located within the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 7, Township 34, Range 26, Sherburne County, Minnesota, lying easterly of a line 33.00 feet westerly of and parallel with the centerline of said 136th Street Northwest, and lying southerly of the northerly right-of-way line, and its westerly extension, of Oakwood Road, as delineated and dedicated in PLEASANT HILLS, according to the recorded plat thereof, said Sherburne County.

AND

The South 330 feet of the Southeast Quarter of the Northeast (SE $\frac{1}{4}$ of NE $\frac{1}{4}$), Section 7, T34, R26, Sherburne County, Minnesota.

30-007-4405

The West 310 feet of the South 352 feet of the Southeast Quarter of the Southeast Quarter (SE¼ of SE¼), Section 7, T34, R26, Sherburne County, Minnesota.

30-007-4410

The North 200 feet of the East 544.50 feet of the Southeast Quarter of the Southeast Quarter (SE¼ of SE¼), Section 7, T34, R26, Sherburne County, Minnesota, except that part of the right-of-way of 136th Street Northwest located within the Southeast Quarter of the Southeast Quarter of Section 7, Township 34, Range 26, Sherburne County, Minnesota, lying easterly of a line 33.00 feet westerly of and parallel with the centerline of said 136th Street Northwest.

30-016-3105

The East One-Half of the Northeast Quarter of the Southwest Quarter (E½ of NE¼ of SW¼), of Section 16, T34, R26, Sherburne County, Minnesota, lying Westerly of the railroad right-of-way.

AND

The East Half of the Southeast Quarter of the Southwest Quarter (E½ of SE¼ of SW¼) lying Westerly of the railroad right-of-way, Section 16, T34, R26, according to the United States Government Survey thereof, and situate in Sherburne County, Minnesota.

AND

The East four (4) acres of the North One-Half of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (N½ of NW¼ of NE¼ of SW¼) of Section 16, Township 34, Range 26, Sherburne County, Minnesota.

30-016-4200

All that part of the Northwest Quarter of the Southeast Quarter (NW¼ of SE¼), Section 16, T 34, R26, lying westerly of the railroad right-of-way, Sherburne County, Minnesota.

30-017-3200

The West 425 feet of the South 1,025 feet of the Southeast Quarter of the Southwest Quarter (SE¼ of SW¼) of Section 17 T34, R26, Sherburne County, Minnesota.

30-017-4300

The Southwest Quarter of the Southeast Quarter (SW¼ of SE¼) of Section 17, T34, R26, Sherburne County, Minnesota.

30-017-4101

That part of the Northeast Quarter of the Southeast Quarter (NE¼ of SE¼) of Section 17, T34, R26, described as follows:

Commencing at the southeast corner of the Northeast Quarter of the Southeast Quarter (NE¼ of SE¼); thence west along the south line of said quarter a distance of 907.6 feet; thence north parallel to the east line of said quarter a distance of 240.00 feet; thence east parallel to the south line of said quarter a distance of 907.6 feet; thence south along the east line of said quarter a distance of 240 feet to the point of beginning.

30-017-4400

The Southeast Quarter of the Southeast Quarter (SE¼ of SE¼) of Section 17, T34, R26, LESS AND EXCEPT the following described parcel of land:

The South 940 feet of the West 350 feet of the East 785 feet of the Southeast Quarter of the Southeast Quarter (SE¼ of SE¼) of said Section 17, T 34, R26.

ALSO AND EXCEPT the following described parcel of land:

the East 435.00 feet of the South 400.45 feet of the Southeast Quarter of the Southeast Quarter (SE¼ of SE¼) of said Section 17, T34, R26, Sherburne County, Minnesota.

30-017-4401

East 435.00 feet of the South 400.45 feet of the Southeast Quarter of the Southeast Quarter (SE¼ of SE¼) of said Section 17, T34, R26, Sherburne County, Minnesota.

30-017-4405

The South 940 feet of the West 350 feet of the East 785 feet of the Southeast Quarter of the Southeast Quarter (SE¼ of SE¼) of said Section 17, T 34, R26, Sherburne County, Minnesota.

30-018-1101

The North 300 feet of the East 363 feet of the Northeast Quarter of the Northeast Quarter (NE¼ of NE¼), Section 18, T34, R26, Sherburne County, Minnesota.


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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2020), the Joint 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 Amended Joint Resolution to Designate, the Joint 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 to Minn. Stat. § 414.036 (2020), the City will reimburse the Township in accordance with the terms of the Joint Resolution to Annex.

Dated: January 15, 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 Sherburne 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.