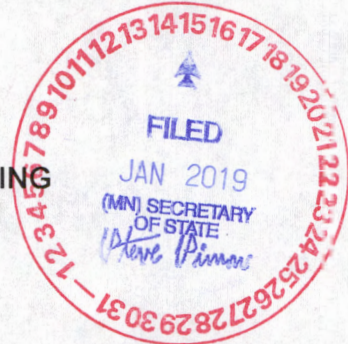


STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Pine Island from New Haven Township
(MBAU Docket OA-1396-4)

ORDER APPROVING
ANNEXATION



A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the City of Pine Island (City) on February 6, 2008, and New Haven Township (Township) on February 19, 2008, pursuant to Minn. Stat. § 414.0325, designating certain real property for annexation.

City Resolution Number 18-23 (City Resolution), adopted by the City on October 16, 2018, requests annexation of certain real property (Property) legally described as follows:

The West 660.00 feet of the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter, except the South 660.00 feet thereof, all in Section 3, Township 108 North, Range 15 West, Olmsted County, Minnesota.

AND

The South 660.00 feet of the Southwest Quarter of the Southwest Quarter of Section 3, Township 108 North, Range 15 West, Olmsted County, Minnesota, EXCEPT that part platted and dedicated to the public known as OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 213, according to the recorded map thereof on file at the office of the Olmsted County Recorder.

AND

That part of the Northwest Quarter of the Southwest Quarter and that part of the Northeast Quarter of the Southwest Quarter, all in Section 3, Township 108 North, Range 15 West, Olmsted County, Minnesota, described as follows:

Beginning at the southwest corner of said Northeast Quarter of the Southwest Quarter; thence on an assumed bearing of North 00°00'58" West, along the west line of said Northeast Quarter of the Southwest Quarter, 244.16 feet to a point 1574.03 feet north of the southwest corner of the Southeast Quarter of the Southwest Quarter; thence South 89°31'44" East, parallel with the south line of said Northeast Quarter of the Southwest Quarter, 840.05 feet; thence North 00°28'16" East 165.94 feet; thence North 66°19'08" East 145.67 feet; thence North 46°37'54" West 113.32 feet; thence North 23°40'52" West 145.65 feet; thence North 66°19'08" East 2.94 feet; thence North 20°52'20 West 60.07 feet; thence South 66°19'08" West

155.00 feet; thence North 23°40'52" West 95.00 feet; thence South 66°19'08" West 91.05 feet; thence South 89°49'08" West 1200.66 feet to the east line of the West 660.00 feet of said Northwest Quarter of the Southwest Quarter; thence South 00°11'00" East, along said east line, 709.28 feet to the south line of said Northwest Quarter of the Southwest Quarter; thence South 89°31'44" East, along said south line, 646.76 feet to the point of beginning.

EXCEPT (Previously annexed lands)

That part of the South Half of Section 3 and that part of the Southwest Quarter of the Southwest Quarter of Section 2, all in Township 108 North, Range 15 West, Olmsted County, Minnesota, described as follows:

Commencing at the northwest corner of said South Half of Section 3; thence on an assumed bearing of North 89°27'08" East along the north line of said South Half 245.00 feet to the point of beginning; thence South 00°53'10" East 165.23 feet; thence North 89°26'35" East 1402.89 feet; thence South 00°32'57" East 10.08 feet; thence southeasterly 284.52 feet along a non tangential curve concave to the northeast, said curve has a radius of 680.00 feet, a central angle of 23°58'25" and the chord of said curve bears South 12°32'09" East 282.45 feet; thence South 24°31'22" East tangent to said curve 748.61 feet; thence North 65°28'38" East 82.25 feet; thence North 24°31'22" West 6.00 feet; thence North 65°28'38" East 199.07 feet; thence northeasterly 103.86 feet along a tangential curve concave to the southeast said curve has a radius of 270.00 feet, a central angle of 22°02'24" and the chord of said curve bears North 76°29'50" East 103.22 feet; thence North 87°31'02" East tangent to said curve 238.83 feet; thence easterly 45.99 feet along a tangential curve concave to the south, said curve has a radius of 170.00 feet, a central angle of 15°29'56" and the chord of said curve bears South 84°43'59" East 45.85 feet; thence South 76°59'01" East tangent to said curve 30.24 feet; thence South 05°45'16" West 16.45 feet; thence South 84°14'44" East 6.03 feet; thence South 05°45'16" West 146.52 feet; thence southeasterly 187.15 feet along a tangential curve concave to the northeast, said curve has a radius of 280.00 feet, a central angle of 38°17'43" and the chord of said curve bears South 13°23'35" East 183.68 feet; thence South 32°32'27" East tangent to said curve 148.34 feet; thence North 57°27'33" East 75.73 feet; thence North 32°32'27" West 13.00 feet; thence North 57°27'33" East 87.41 feet; thence easterly 560.84 feet along a tangential curve concave to the south, said curve has a radius of 570.00 feet, a central angle of 56°22'29" and the chord of said curve bears North 85°38'47" East 538.49 feet; thence South 66°09'58" East tangent to said curve 205.86 feet; thence South 23°50'02" West 13.00 feet; thence South 66°09'58" East 68.34 feet; thence North 23°50'02" East 13.00 feet; thence South 66°09'58" East 243.47 feet; thence southeasterly 282.68 feet along a tangential curve concave to the northeast, said curve has a radius of

710.00 feet, a central angle of $22^{\circ}48'42''$ and the chord of said curve bears South $77^{\circ}34'19''$ East 280.81 feet; thence South $88^{\circ}58'40''$ East tangent to said curve 403.96 feet; thence South $01^{\circ}01'20''$ West 13.00 feet; thence South $88^{\circ}58'40''$ East 71.83 feet; thence North $01^{\circ}01'20''$ East 13.00 feet; thence South $88^{\circ}58'40''$ East 113.44 feet; thence southeasterly 440.99 feet along a tangential curve concave to the southwest, said curve has a radius of 570.00 feet, a central angle of $44^{\circ}19'42''$ and the chord of said curve bears South $66^{\circ}48'49''$ East 430.08 feet; thence South $44^{\circ}38'58''$ East tangent to said curve 129.75 feet; thence North $45^{\circ}21'02''$ East 86.23 feet; thence North $44^{\circ}38'58''$ West 6.00 feet; thence North $45^{\circ}21'02''$ East 97.81 feet; thence northeasterly 298.05 feet along a tangential curve concave to the southeast, said curve has a radius of 770.00 feet, a central angle of $22^{\circ}10'40''$ and the chord of said curve bears North $56^{\circ}26'22''$ East 296.19 feet; thence South $24^{\circ}41'21''$ East not tangent to said curve 6.26 feet; thence North $65^{\circ}18'39''$ East 20.00 feet; thence North $24^{\circ}41'21''$ West 5.22 feet; thence northeasterly 43.21 feet along a non tangential curve concave to the southeast, said curve has a radius of 770.00 feet, a central angle of $3^{\circ}12'55''$ and the chord of said curve bears North $70^{\circ}37'35''$ East 43.21 feet; thence North $17^{\circ}45'57''$ West not tangent to said curve 1.02 feet; thence North $80^{\circ}21'24''$ East 357.37 feet; thence North $88^{\circ}30'32''$ East 394.83 feet; thence North $75^{\circ}07'06''$ East 136.37 feet to the east line of said Southwest Quarter of the Southwest Quarter of Section 2; thence North $00^{\circ}48'00''$ West along said east line 41.24 feet; thence South $75^{\circ}07'06''$ West 141.71 feet; thence South $88^{\circ}30'32''$ West 392.98 feet; thence South $80^{\circ}21'24''$ West 365.93 feet; thence North $17^{\circ}45'57''$ West 18.57 feet; thence southwesterly 389.44 feet along a non tangential curve concave to the southeast, said curve has a radius of 830.00 feet, a central angle of $26^{\circ}53'01''$ and the chord of said curve bears South $58^{\circ}47'32''$ West 385.88 feet; thence South $45^{\circ}21'02''$ West tangent to said curve 124.04 feet; thence North $44^{\circ}38'58''$ West 63.75 feet; thence northwesterly 487.41 feet along a tangential curve concave to the southwest, said curve has a radius of 630.00 feet, a central angle of $44^{\circ}19'42''$ and the chord of said curve bears North $66^{\circ}48'49''$ West 475.35 feet; thence North $88^{\circ}58'40''$ West tangent to said curve 589.22 feet; thence northwesterly 258.79 feet along a tangential curve concave to the northeast, said curve has a radius of 650.00 feet, a central angle of $22^{\circ}48'42''$ and the chord of said curve bears North $77^{\circ}34'19''$ West 257.08 feet; thence North $66^{\circ}09'58''$ West tangent to said curve 517.67 feet; thence westerly 619.87 feet along a tangential curve concave to the south, said curve has a radius of 630.00 feet, a central angle of $56^{\circ}22'29''$ and the chord of said curve bears South $85^{\circ}38'47''$ West 595.17 feet; thence South $57^{\circ}27'33''$ West tangent to said curve 103.14 feet; thence North $32^{\circ}32'27''$ West 75.34 feet; thence northwesterly 147.04 feet along a tangential curve concave to the northeast, said curve has a radius of 220.00 feet, a central angle of $38^{\circ}17'43''$ and the chord of said curve bears North $13^{\circ}23'35''$ West 144.32 feet; thence North $05^{\circ}45'16''$ East tangent to said curve 150.40 feet; thence northeasterly 64.28 feet along a tangential curve concave to the

southeast, said curve has a radius of 270.00 feet, a central angle of 13°38'28" and the chord of said curve bears North 12°34'30" East 64.13 feet; thence North 76°59'01" West not tangent to said curve 96.84 feet; thence westerly 62.22 feet along a tangential curve concave to the south, said curve has a radius of 230.00 feet, a central angle of 15°29'56" and the chord of said curve bears North 84°43'59" West 62.03 feet; thence South 87°31'02" West tangent to said curve 238.84 feet; thence southwesterly 126.94 feet along a tangential curve concave to the southeast, said curve has a radius of 330.00 feet, a central angle of 22°02'24" and the chord of said curve bears South 76°29'50" West 126.16 feet; thence South 65°28'33" West tangent to said curve 221.32 feet; thence North 24°31'22" West 682.61 feet; thence northwesterly 259.42 feet along a tangential curve concave to the northeast, said curve has a radius of 620.00 feet, a central angle of 23°58'25" and the chord of said curve bears North 12°32'09" West 257.53 feet; thence North 00°32'57" West tangent to said curve 55.08 feet; thence South 89°27'03" West 60.00 feet; thence South 00°32'57" East 15.00 feet; thence South 89°26'35" West 1373.07 feet; thence North 00°53'10" West 135.22 feet to said north line of the South Half of Section 3 thence South 89°27'08" West along said north line of the South Half of Section 3 a distance of 30.00 feet to the point of beginning.

ALSO EXCEPT: The Douglas State Trail (formerly the Chicago Great Western Railroad Company Right of Way), a Minnesota recreational trail.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2018), the City 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 City 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 (2018), no reimbursement shall be made by the City to the Township in accordance with the terms of the Joint Resolution to Designate and the City Resolution.

Dated: January 15, 2019



TAMMY L. PUST

Chief Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.0325, .07, .09, .12 (2018). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Olmsted 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 (2017). However, no request for amendment shall extend the time of appeal from this Order.