

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Annexation of
Certain Real Property to the City of
Winsted from Winsted Township
(MBAU Docket A-8455)

**ORDER APPROVING
ANNEXATION ORDINANCES**

On September 19, 2023, the City of Winsted (City) adopted Ordinance No. O-23-05 (Ordinance) for annexation of certain real property from Winsted Township (Township). On March 19, 2024, the City adopted Ordinance No. O-24-01 amending the legal description in Ordinance No. O-23-05. The property proposed for annexation (Property) in Ordinance No. O-24-01 is legally described as follows:

ANNEXATION AREA 1: PARCEL 5 – PID 140100180, PARCEL 6 – 140100250 & PARCEL 7 – 140102100 except land already within the city.

That part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 10, Township 117 North, Range 27 West, McLeod County, Minnesota, described as follows:

Commencing at the northeast corner of said Section 10; thence South 89 degrees 47 minutes 13 seconds West, assumed bearing along the north line of said NE1/4NE1/4 for 215.71 feet to the point of beginning; thence continue South 89 degrees 47 minutes 13 seconds West, along the last described north line for 167.06 feet, more or less, to the point of intersection with the west line of the East 382.76 feet of said NE1/4NE1/4; thence South 00 degrees 38 minutes 26 seconds East, along the last described west line for 495.00 feet; thence North 89 degrees 47 minutes 13 seconds East, parallel with the north line of said NE1/4NE1/4 for 257.77 feet; thence North 00 degrees 38 minutes 26 seconds West for 75.00 feet; thence South 89 degrees 29 minutes 12 seconds West for 91.72 feet; thence North 00 degrees 38 minutes 26 seconds West, parallel with the east line of the Northeast Quarter (NE1/4) of said Section 10 for 421.61 feet to the point of beginning.

And

That part of the Northeast Quarter of the Northeast Quarter of Section 10, Township 117, Range 27, McLeod County, Minnesota, described as follows: Commencing at the northeast corner of said Section 10; thence on an assumed bearing of South 89 degrees 47 minutes 13 seconds West along the north line of said Northeast Quarter of Section 10 a distance 208.71 feet to the point of beginning of the tract to be described; thence continuing South 89 degrees 47

minutes 13 seconds West along said north line of the Northeast Quarter of Section 10 a distance of 7.00 feet; thence South 00 degrees 38 minutes 26 seconds East parallel to the east line of said Northeast Quarter 421.61 feet; thence North 89 degrees 21 minutes 34 seconds East 215.70 feet to the east line of said Northeast Quarter of Section 10; thence North 00 degrees 38 minutes 26 seconds West along said east line of the Northeast Quarter of Section 10 a distance of 106.94 feet to a point 313.06 feet south of said northeast corner of Section 10 as measured along said east line; thence South 89 degrees 47 minutes 13 seconds West parallel to the north line of said Northeast Quarter 208.71 feet; thence North 00 degrees 38 minutes 26 seconds West parallel to said east line of the Northeast Quarter 313.06 feet to the point of beginning.

This tract contains 0.58 acres of land and is subject to right-of-way in existing Main Avenue and C.S.A.H. No. 1, and any and all easements of record.

AND

That part of the East Ten (10) acres of Northeast Quarter of Northeast Quarter (NE1/4 NE1/4) of Section Ten (10), Township One Hundred Seventeen (117) North, Range Twenty-seven (27) West, described as follows, to-wit: Beginning at a point Four Hundred Twenty (420) feet South and Fifty (50) feet West of the Northeast corner of said Section, Township and Range, and running West seventy-five (75) feet; thence South Seventy-five (75) feet; thence East Seventy-five (75) feet; thence North Seventy-five (75) feet to the place of beginning.

ANNEXATION AREA 2: PARCEL 8 – PID 140102600

Beginning at a point 340 feet South and 240 feet West of the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 10, Township 117, Range 27, thence West on a line parallel with the North line of said tract to a point 834.8 feet East from the West line of said Southeast Quarter of Northeast Quarter; thence North on a line parallel with the East line of said tract, 170 feet; thence East on a line parallel with the North line of said tract to a point 240 feet West from the East line of said tract; thence South on a line parallel with the East line of said tract 170 feet to the point of beginning.

AND

All that part of the North Half of the Southeast Quarter of the Northeast Quarter of Section 10, Township 117 North, Range 27 West, McLeod County, Minnesota, described as follows:

Beginning at a point on the East line of said Southeast Quarter of the Northeast Quarter, 340 feet South from the Northeast corner thereof; thence West on a line parallel with the North line of said southeast Quarter of the Northeast Quarter, 200.00 feet; thence North on a line parallel with the East line of said Southeast Quarter of the Northeast Quarter, 20.00 feet; thence West, on a line parallel with the North line of said Southeast Quarter of the Northeast Quarter, 40.00 feet;

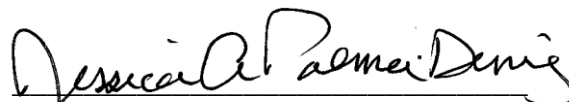
thence South on a line parallel with the East line of said Southeast Quarter of the Northeast Quarter, 20.00 feet; thence West on a line parallel with the North line of said Southeast Quarter of the Northeast Quarter to a point 834.8 feet East from the West line of said Southeast Quarter of the Northeast Quarter; thence South on a line parallel with the East line of said Southeast Quarter of the Northeast Quarter, 32.00 feet; thence East on a line parallel with the North line of said Southeast Quarter of the Northeast Quarter to the East line of said Southeast Quarter of the Northeast Quarter; thence North on said East line, 32.00 feet to the point of beginning.

Based upon a review of the Ordinances, the Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.033 (2022), the Ordinances are deemed adequate in all legal respects and properly support this Order.
2. Pursuant to the terms of the Ordinances and this Order, the Property is **ANNEXED** to the City.
3. Pursuant to Minn. Stat. § 414.036 (2022), the City will reimburse the Township \$377.53 each year for two years as stated in Ordinance No. O-23-05.
4. The City must file a copy of the Annexation Ordinances with the Township, the appropriate county auditor, and the Secretary of State as required by Minn. Stat. § 414.033, subd. 7.

Dated: March 21, 2024


JESSICA A. PALMER-DENIG
Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.033, .07, .09, .12 (2022). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to McLeod 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 (2023). However, no request for amendment shall extend the time of appeal from this Order.