

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
La Crescent from La Crescent Township
(MBAU Docket OA-1605-1)

**ORDER APPROVING
ANNEXATION**



A joint resolution for orderly annexation (Joint Resolution) was adopted by the city of La Crescent (City) and La Crescent Township (Township) on April 13, 2015, requesting the designation and immediate annexation of the certain real property (Property) legally described as follows:

Parcel 08.0633.000:

THE SOUTH 100 FEET OF THE EAST 180 FEET OF THE NORTH 1419.2 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 104 NORTH OF RANGE 4 WEST, HOUSTON COUNTY, MINNESOTA, SUBJECT TO A PUBLIC UTILITY AND DRAINAGE EASEMENT IN AND OVER THE WEST 10 FEET AND THE PUBLIC ROADWAY EASEMENT OVER THE EAST 30 FEET OF SAID PROPERTY.

Parcel 08.0634.000:

THE SOUTH 80 FEET OF THE EAST 180 FEET OF THE NORTH 1519.2 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 104 NORTH, RANGE 4 WEST, HOUSTON COUNTY, MINNESOTA, SUBJECT TO A PUBLIC UTILITY AND DRAINAGE EASEMENT IN AND OVER THE WEST 10 FEET AND A PUBLIC ROADWAY EASEMENT OVER THE EAST 30 FEET OF SAID PROPERTY.

Parcel 08.0635.000:

THE SOUTH 120 FEET OF THE EAST 180 FEET OF THE NORTH 1639.2 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 104, RANGE 4 WEST, HOUSTON COUNTY, MINNESOTA, SUBJECT TO A PUBLIC UTILITY AND DRAINAGE EASEMENT IN AND OVER THE WEST 10 FEET AND A PUBLIC ROADWAY EASEMENT OVER THE EAST 30 FEET OF SAID PROPERTY.

Parcel 08.0639.000:

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW¼ NE¼) OF SECTION 16, TOWNSHIP 104 NORTH, RANGE 4, WEST, HOUSTON COUNTY, DESCRIBED AS COMMENCING AT A POINT 1027.6

FEET WEST AND 113.0 FEET SOUTH OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW¼ NE¼) OF SAID SECTION 16; THENCE NORTH TO THE NORTH LINE OF SAID SECTION 16 A DISTANCE OF 113.0 FEET; THENCE WEST ALONG THE SECTION LINE A DISTANCE OF 100.0 FEET; THENCE SOUTH A DISTANCE OF 163.0 FEET; THENCE EAST ON A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION 16 A DISTANCE OF 50.0 FEET; THENCE ALONG A CURVED LINE TO THE LEFT OF RADIUS 50.0 FEET A DISTANCE OF 78.54 FEET TO THE POINT OF BEGINNING.

Parcel 08.0638.000:

THE WEST 100.0 FEET OF THE EAST 1227.6 FEET OF THE NORTH 163 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW¼ NE¼), SECTION 16, TOWNSHIP 104 NORTH, RANGE 4 WEST, HOUSTON COUNTY, MINNESOTA, CONTAINING 0.37 ACRES MORE OR LESS INCLUSIVE OF HIGHWAY RIGHT OF WAY.

Parcel 08.0637.000:

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW¼ NE¼) OF SECTION 16, TOWNSHIP 104 NORTH, RANGE 4 WEST, DESCRIBED AS COMMENCING AT A POINT ON THE NORTH LINE OF SAID SECTION 16, 1227.6 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW¼ NE¼) OF SAID SECTION 16; THENCE SOUTH A DISTANCE OF 163 FEET TO THE NORTH LINE OF THE DEDICATED ROADWAY; THENCE WEST ALONG THE NORTH LINE OF SAID ROADWAY A DISTANCE OF 100.4 FEET MORE OR LESS TO THE QUARTER SECTION LINE; THENCE NORTH ALONG THE QUARTER SECTION LINE A DISTANCE OF 163 FEET TO THE NORTH LINE OF SAID SECTION 16; THENCE EAST ALONG THE SECTION LINE A DISTANCE OF 100.4 FEET MORE OR LESS TO THE POINT OF BEGINNING, HOUSTON COUNTY, MINNESOTA.

Parcel 08.0636.000:

PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE¼ NW¼) OF SECTION 16, TOWNSHIP 104 NORTH, RANGE 4 WEST, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW¼) OF SAID SECTION 16; THENCE SOUTH 163.0 FEET; THENCE SOUTH 6° WEST 40.0 FEET; THENCE WEST 326.8 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF THE EAST 1/8 OF THE NORTHWEST QUARTER (E1/8 NW¼) OF SAID SECTION 16; THENCE NORTH ALONG SAID WEST LINE 202.8 FEET MORE OR LESS TO A POINT ON THE QUARTER SECTION LINE; THENCE EAST ALONG THE QUARTER SECTION LINE 330 FEET MORE OR LESS TO THE PLACE OF BEGINNING.

Parcel 08.0648.000:

PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE $\frac{1}{4}$ NW $\frac{1}{4}$) OF SECTION 16, TOWNSHIP 104 NORTH, RANGE 4 WEST, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 16, THENCE SOUTH 163.0 FEET; THENCE SOUTH 6°W 40.0 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 6°W 82.0 FEET, THENCE WEST 237.25 FEET, THENCE NORTH 81.55 FEET, THENCE EAST 245.82 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.45 ACRES MORE OR LESS AND BEING SUBJECT TO A PUBLIC UTILITY AND DRAINAGE EASEMENT OVER THE WEST 10.0 FEET OF SAID PROPERTY.

Parcel 08.0649.000:

PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE $\frac{1}{4}$ NW $\frac{1}{4}$) OF SECTION 16, TOWNSHIP 104 NORTH, RANGE 4 WEST, HOUSTON COUNTY, DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SAID SECTION 16; THENCE SOUTH 163.00 FEET; THENCE SOUTH 06°00' WEST 122.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 06°00' WEST 100.00 FEET; THENCE WEST 142.80 FEET, MORE OR LESS TO A POINT ON THE WEST LINE OF THE EAST $\frac{1}{8}$ OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE $\frac{1}{4}$ NW $\frac{1}{4}$) OF SECTION 16; THENCE NORTH ALONG SAID WEST LINE 99.45 FEET; THENCE EAST 153.25 FEET MORE OR LESS TO THE POINT OF BEGINNING.

Parcel 08.0650.000:

PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE $\frac{1}{4}$ NW $\frac{1}{4}$) OF SECTION 16, TOWNSHIP 104 NORTH, RANGE 4 WEST, HOUSTON COUNTY, DESCRIBED AS COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 16, THENCE SOUTH 163.0 FEET; THENCE SOUTH 06° WEST 222.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 06° WEST 95.0 FEET; THENCE NORTH 84° WEST 218.05 FEET; THENCE NORTH 71.69 FEET; THENCE EAST 226.79 FEET TO THE POINT OF BEGINNING. AND BEING SUBJECT TO A PUBLIC UTILITY AND DRAINAGE EASEMENT OVER THE SOUTHERLY AND WEST 5 FEET.

Parcel 08.0652.000:

PART OF NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 104 NORTH, OF RANGE 4 WEST, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 16, THENCE SOUTH 163.0 FEET, THENCE SOUTH 06 DEGREES WEST 352.0 FEET, THENCE SOUTH 03 DEGREES 31 MINUTES 30 SECONDS EAST 32.94 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 76 DEGREES 57 MINUTES WEST 220.94 FEET, THENCE SOUTH 197.16 FEET, THENCE EAST 292.17 FEET, THENCE NORTH 172.03 FEET TO THE SOUTHERLY LINE OF THE PUBLIC ROADWAY, THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID ROADWAY LINE ON A CIRCULAR CURVED LINE TO THE RIGHT OF RADIUS 99.52 FEET A DISTANCE OF 113.51 FEET TO THE POINT OF BEGINNING, THE SUBTENDED CHORD OF SAID CURVED LINE BEARING NORTH 45 DEGREES 43 MINUTES 30 SECONDS WEST OF LENGTH 107.46 FEET, HOUSTON COUNTY, MINNESOTA.

THE ABOVE DESCRIBED PARCEL CONTAINS 1.45 ACRES MORE OR LESS AND BEING SUBJECT TO A PUBLIC UTILITY AND DRAINAGE EASEMENT OVER AND UNDER THE NORTHERLY, THE WEST AND THE SOUTH 7.5 FEET OF SAID PARCEL

EXCEPTING THEREFROM THE FOLLOWING PARCEL:

A PARCEL OF LAND BEING PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 104 NORTH, RANGE 4 WEST, HOUSTON COUNTY, MINNESOTA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN THE CERTAIN WARRANTY DEED DATED JULY 31, 1980, AND RECORDED NOVEMBER 6, 1980, IN BOOK 296 OF DEEDS, PAGE 331, IN THE OFFICE OF THE HOUSTON COUNTY RECORDER, THENCE NORTH 76 DEGREES 57 MINUTES EAST ALONG THE SOUTH LINE OF THE AFOREDESCRIBED PARCEL 220.94 FEET TO THE SOUTHEAST CORNER OF THE AFOREDESCRIBED PARCEL, SAID POINT BEING A POINT ON A CURVE ON THE WESTERLY RIGHT OF WAY OF CLAUDIA AVENUE HAVING A RADIUS OF 99.52 FEET, AND A CENTRAL ANGLE OF 6 DEGREES 54 MINUTES, THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND RIGHT OF WAY 11.99 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 16 DEGREES 30 MINUTES EAST 11.98 FEET, THENCE SOUTH 80 DEGREES 02 MINUTES 18 SECONDS WEST 221.98 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.03 ACRES MORE OR LESS.

Parcel 08.0653.000:

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW¼ NE¼) OF SECTION SIXTEEN (16), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION SIXTEEN (16), THENCE EAST ALONG THE SECTION LINE A DISTANCE OF 142.18 FEET, THENCE SOUTH 623.0 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH A DISTANCE OF 220.0 FEET, THENCE WEST A DISTANCE OF 100.0 FEET, THENCE NORTH A DISTANCE OF 222.03 FEET, THENCE IN A SOUTHEASTERLY DIRECTION ALONG A

CIRCULAR CURVE TO THE LEFT OF RADIUS 99.52 FEET A DISTANCE OF 20.15 FEET, THE SUBTENDED CHORD OF SAID CURVE BEING 20.10 FEET IN LENGTH ALONG A BEARING OF SOUTH 84°12' EAST, THENCE TANGENT TO SAID CURVE ON A BEARING OF EAST, A DISTANCE OF 80.0 FEET TO THE POINT OF BEGINNING.

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

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2014), 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 of La Crescent.
3. Pursuant to the agreement of the parties and as allowed by Minn. Stat. § 414.036 (2014), the City will reimburse the Township \$5,454.41 in the first year following the year the city could first levy on the annexed area; in the second year an amount equal to \$5,454.41; and in the third and final year an amount equal to \$5,454.41.

Dated: April 20, 2015



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 (2014). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Houston 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 Approving Annexation Ordinance within seven days from the date of the mailing of the Order pursuant to Minn. R. 6000.3100 (2013). However, no request for amendment shall extend the time of appeal from this Order.