

A-7640 Faribault  
A-7641 Faribault

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE PETITIONS FOR )            ORDER ALLOWING  
THE ANNEXATION OF CERTAIN LAND TO )            WITHDRAWAL OF OBJECTION  
THE CITY OF FARIBAULT PURSUANT TO )            AND NOTICE OF  
MINNESOTA STATUTES 414 )            CANCELLATION OF HEARING  
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Two petitions for annexation submitted by the City of Faribault, and other pertinent documents in the files, were reviewed for conformity with applicable law. The undersigned Assistant Chief Administrative Law Judge, acting under a delegation from the Chief Administrative Law Judge, hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On August 7, 2008, two petitions requesting the annexation of certain property from Cannon City Township to the City of Faribault were filed with the Office of Administrative Hearings-Municipal Boundary Adjustments pursuant to Minnesota Statutes §414.033, Subd. 3.
2. Cannon City Township filed timely objections with this office on October 15, 2008 to both petitions.
3. On October 23, 2008, the Assistant Chief Administrative Law Judge, in his capacity as the Chief Administrative Law Judge, ordered the City and the Township to meet at least three times over a period of sixty days to address resolution of issues pursuant to Minnesota Statutes Section 414.01, subd. 16.
4. A first statutory hearing was convened on each of these petitions on December 3, 2008, after due and appropriate legal notice, and both hearings were continued to an indefinite

date to allow the parties time to complete the directed meetings.

5. On December 10, 2008, Cannon City Township notified the Executive Director of Municipal Boundary Adjustments that it had agreed to certain terms and conditions of annexation, and that it was requesting withdrawal of its earlier objections, and that there was no longer a need for contested hearings in these matters.

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has duly acquired and now has jurisdiction of the within proceeding.

2. An order should be issued by the Assistant Chief Administrative Law Judge allowing the withdrawal of objections and canceling of both continued hearings.

ORDER

1. The Chief Administrative Law Judge hereby grants Cannon City Township's request to withdraw its objections; and the continued hearings in these matters is cancelled.

2. The City of Faribault may now proceed to adopt its ordinances annexing the following properties:

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That part of the east 1163.00 feet of the South Half of the Northwest Quarter of Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Rice County, Minnesota, which lies southerly and easterly of the plat of COPACO ONE, according to the recorded plot thereof, Rice County, Minnesota.

And

The south 1089.00 feet of the west 264.00 feet of the Southwest Quarter of the Northeast Quarter of Section 19, Township 110 North, Range 20 West, of the Fifth Principal Meridian, Rice County, Minnesota.

And

That part of Second Avenue Northwest which lies in the Southwest Quarter of the Northeast Quarter of Section 19, Township 110 North, Range 20 West, of the Fifth

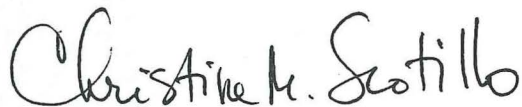
Principal Meridian, Rice County, Minnesota.

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That part of the South Half of the Northwest Quarter of Section 19, Township 110 North, Range 20 West, of the Fifth Principal Meridian, Rice County, Minnesota, which lies westerly of the east 1163.00 feet thereof and southerly of the plat of COPACO ONE, according to the recorded plat thereof, Rice County, Minnesota.

Dated this 18<sup>th</sup> day of December, 2008.

For the Assistant Chief Administrative Law Judge  
P. O. Box 64620  
St. Paul, Minnesota 55164-0620



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments