

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-101-3
Ely/Morse Township
Pursuant to Minnesota Statutes 414

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The City of Ely and Morse Township entered into a joint resolution for orderly annexation. On March 21, 2013, the City of Ely and Morse Township submitted an amendment to the joint resolution which was reviewed for conformity with applicable law. By delegation, the Chief Administrative Law Judge hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. A joint resolution for orderly annexation was adopted by the City of Ely and Morse Township pursuant to Minnesota Statutes § 414.0325 and duly filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit.
2. A joint resolution adopted and submitted by the City of Ely and Morse Township, requests annexation of part of the designated area described as follows:

That part of the Northeast Quarter of the Northwest Quarter of Section 33, Township 63 North, Range 12 West, St. Louis County, Minnesota, described as follows: Beginning at the northeast corner of said Northeast Quarter of the Northwest Quarter South 01 degree 14 minutes 15 seconds East, assumed bearing, along the east line of said Northeast Quarter of the Northwest Quarter 293.77 feet to the northerly right of way line of Trunk Highway 169; thence southwesterly 100.52 feet, along said northerly right of way line and along a non-tangential curve concave 10 the southeast, having a radius of 756.20 feet and central angle of 07 degrees 36 minutes 59 seconds. The chord of said curve is 100.45 feet in length and bears South 79 degrees 21 minutes 07 seconds West; thence North 18 degrees 43 minutes 04 seconds West 277.71 feet; thence North

56 degrees 25 minutes 07 seconds East 90.77 feet to the north line of said Northeast Quarter of the Northwest Quarter; thence South 89 degrees 28 minutes 37 seconds East, along said north line 105.88 feet to the point of beginning.

3. Minnesota Statutes § 414.0325, subd. 1(h) states that in certain circumstances the Chief Administrative Law Judge may review and comment, but shall within 30 days order the annexation pursuant to the terms of a joint resolution for orderly annexation.

4. The joint resolution contains all the information required by Minnesota Statutes § 414.0325, subd. 1(h), including a provision that the Chief Administrative Law Judge may review and comment but shall order the annexation within 30 days in accordance with the terms of the joint resolution.

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 Chief Administrative Law Judge or authorized designee annexing the area described herein.

ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Ely, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes § 414.035, the tax rate of the City of Ely on the property herein ordered annexed shall be increased in substantially equal proportions over a period of five years to equality with the tax rate of the property already within the city.

3. Pursuant to Minnesota Statutes § 414.036, Morse Township will be

reimbursed by the City of Ely in accordance with the terms of the Joint Resolution signed by the City of Ely on November 20, 1973 and Morse Township on November 6, 1973.

Dated: April 9, 2013



Timothy J. O'Malley
Assistant Chief Administrative Law Judge
Municipal Boundary Adjustment Unit