

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-108-61
Buffalo/Buffalo Township
Pursuant to Minnesota Statutes 414

AMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The joint resolution for orderly annexation submitted by the City of Buffalo and Buffalo Township 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 Buffalo and Buffalo 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 Buffalo and Buffalo Township, requests annexation of part of the designated area, which is correctly described as follows:

Lot 4 of the plat of the Northwest Quarter of Section 32, Township 32 120, Range 25, Wright County, Minnesota, by P.R. Fletcher as revised by E.B. McCord, on file and of record in Book No. 1 of Section Plats, page 392, in the office of the County Recorder for said Wright County.

AND

That part of Government Lot 2, Section 32, Township 120, Range 25, Wright County, Minnesota, which lies northeasterly of the northeast right of way line of County Road 147 (also known as Bradshaw Avenue NE).

AND

All that part of Lot 3, of the plat of the Northwest Quarter of Section 32, Township 120, Range 25, Wright County, Minnesota, by P.R. Fletcher as revised by E.B. McCord, on file and of record in Book No. 1 of Section Plats, page 392, in the office of the County Recorder of said Wright County, lying Easterly and Northerly of the following described line:

Commencing at the northwest corner of said Northwest Quarter; thence North 89 degrees 21 minutes 54 seconds East, assumed bearing, along the North line of said Northwest Quarter, a distance of 1860.86 feet, to the point of beginning of the line to be described; thence South 1 degree 49 minutes 02 seconds West, a distance of 1683.09 feet; thence South 88 degrees 06 minutes 43 seconds East, to the east line of said Lot 3 and there terminating.

3. This Amended Findings of Fact, Conclusions of Law, and Order corrects an error in the description of the designated area as set forth in Paragraph 2 of the Findings of Fact in the Office of Administrative Hearings, Municipal Boundary Adjustment Unit's September 11, 2012, Findings of Fact, Conclusions of Law, and Order.

4. 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.

5. 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.

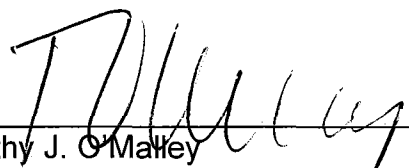
2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

ORDER

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

2. Pursuant to Minnesota Statutes § 414.036, Buffalo Township will be reimbursed by the City of Buffalo in accordance with the terms of the Joint Resolution signed by the City of Buffalo on September 6, 2011 and Buffalo Township on August 13, 2012 .

Dated: November 13, 2012



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