

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1159-24  
Winona/Wilson Township  
Pursuant to Minnesota Statutes 414

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW  
AND ORDER**

The joint resolution for orderly annexation submitted by the City of Winona and Wilson 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 Winona and Wilson Township pursuant to Minnesota Statutes § 414.0325 and filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit.

2. The city resolution adopted and submitted by the City of Winona requests annexation of part of the designated area described as follows:

Commencing at the Northwest corner of the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section One (1), Township One Hundred Six (106) North, of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota; thence East along the North line of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  and of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section One (1), a distance of 2,324 feet to the point of beginning of the land herein described; thence South a distance of 188 feet; thence North 71° 42' East a distance of 295 feet to the Westerly line of the Pleasant Valley Road; thence Northerly along the Westerly line of the Pleasant Valley Road to the North Line of the Southeast quarter of the Southwest quarter (SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of said Section One (1); thence West along the North line of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section One (1) to the point of beginning.

Also, that part of the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section One (1), Township One Hundred Six (106) North, of Range

Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota, more particularly described as follows:

Commencing at the Northwest corner of the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of said Section One (1); thence in an Easterly direction and along the Southerly line of the North half of the Southwest quarter (N $\frac{1}{2}$  of SW $\frac{1}{4}$ ) a distance of 2,473.4 feet to the point of beginning; thence deflect to the left 90° 07' a distance of 66.3 feet to a point; thence deflect to the right 70° 13 $\frac{1}{2}$ ' a distance of 82.3 feet to a point, which point is on the center line of the road; thence deflect to the right 87° 03' and along the center line of the road a distance of 102.3 feet to a point, which point is on the South line of the Northeast quarter of the Southwest quarter (NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ); thence in a Westerly direction and along the South line of the Northeast quarter of the Southwest quarter (NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) a distance of 117 feet, more or less, to the point of beginning.

There to excepting a strip of land extending over and across the following described tract:

That part of the East Half of the Southwest Quarter (E $\frac{1}{2}$  of SW $\frac{1}{4}$ ) of Section One (1), Township One Hundred Six (106), North of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota, as shown as Parcel #26 on the Plat designated as Winona County Highway Right-of-Way Plat No. 1017 on file and of record in the Office of the County Recorder in and for Winona County, Minnesota, containing 0.15 acres more or less of which 0.12 acres is encumbered by existing roadway.

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).

### **CONCLUSIONS OF LAW**

1. The Office of Administrative Hearings has jurisdiction of the within proceeding.

2. An order should be issued by the Chief Administrative Law Judge or

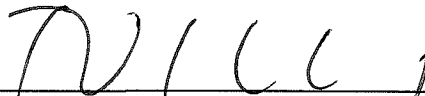
authorized designee annexing the area described herein.

**ORDER**

1. The property described in Findings of Fact 2 is annexed to the City of Winona.

2. Pursuant to Minnesota Statutes § 414.036, Wilson Township will be reimbursed by the City of Winona in accordance with the terms of the Joint Resolution signed by the City of Winona on May 23, 2005 and Wilson Township on May 18, 2005; and City Resolution No. 14-60.

Dated: July 28, 2014

  
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TIMOTHY J. O'MALLEY  
Deputy Chief Administrative Law Judge  
Municipal Boundary Adjustment Unit