

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF BLUE EARTH) FINDINGS OF FACT
AND BLUE EARTH CITY TOWNSHIP PURSUANT TO) CONCLUSIONS OF LAW
MINNESOTA STATUTES 414) AND ORDER

The joint resolution for orderly annexation submitted by the City of Blue Earth and Blue Earth City Township was 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. A joint resolution for orderly annexation was adopted by the City of Blue Earth and Blue Earth City Township pursuant to Minnesota Statutes § 414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments.

2. A joint resolution adopted and submitted by the City of Blue Earth and Blue Earth City Township, requests annexation of part of the designated area described as follows:

Commencing at the Southeast corner of the Northeast Quarter (NE 1/4) of Section Eight (8), Township One Hundred Two (102) North, Range Twenty Seven (27) West in Faribault County, Minnesota; thence South 88 degrees 53 minutes 23 seconds West along the South line of the Northeast Quarter a distance of 363.41 feet to the point of beginning, thence continuing South 88 degrees 53 minutes 23 seconds East along the South line of the Northeast Quarter a distance of 435.60 feet; thence North 1 degree 06 minutes 37 seconds East a distance of 325.00 feet to an iron pipe survey marker; thence North 88 degrees 53 minutes 23 seconds East a distance of 435.60 feet to an iron pipe survey marker; thence South 1 degree 06 minutes 37 seconds East a distance of 325.00 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 Assistant Chief Administrative Law Judge annexing the area described herein.

ORDER

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

2. Pursuant to Minnesota Statutes §414.036, in accordance with the terms of Joint Resolution No. 09-45 signed by the City and the Township on December 22, 2009, the City of Blue Earth will reimburse Blue Earth City Township for all taxable property annexed over a period of five (5) years. The City shall further reimburse the Township for all special assessments assigned by the Township to the annexed property, and any portion of the debt incurred by the Township prior to annexation and attributable to the property to be annexed for which no special assessments are outstanding in substantially equal payments over a period of eight (8) years.

3. Pursuant to Minnesota Statutes §414.035, the tax rate of the City of Blue Earth 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.

Dated this 26th day of February, 2010.

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

A handwritten signature in cursive script that reads "Christine M. Scotillo".

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments