

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION	)	
AGREEMENT BETWEEN THE CITY OF NEW GERMANY)	)	<u>FINDINGS OF FACT</u>
AND HOLLYWOOD TOWNSHIP PURSUANT TO	)	<u>CONCLUSIONS OF LAW</u>
MINNESOTA STATUTES 414	)	<u>AND ORDER</u>

On September 8, 2008, the City of New Germany submitted a resolution for orderly annexation to the Chief Administrative Law Judge for review and comment, and approval pursuant to Minnesota Statute §414.0325. Thereafter, on September 25, 2008, the undersigned Assistant Chief Administrative Law Judge, acting under a delegation from the Chief Administrative Law Judge, reviewed the city resolution for conformity with applicable law.

Based upon all of the files and records herein, the Assistant Chief Administrative Law Judge makes the following:

## FINDINGS OF FACT

1. A joint resolution for orderly annexation was adopted by the City of New Germany and Hollywood Township pursuant to Minnesota Statute §414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments in May 2007.
2. The joint resolution provides, among other things, that in certain circumstances the City may annex by resolution. A resolution adopted by the City of New Germany requesting annexation of part of the designated area was submitted.
3. The city resolution requests immediate annexation of certain property to the City of

New Germany described as follows:

The Southeast Quarter of Section 32, Township 117, Range 26.

AND

That part of the Southwest Quarter of the Southwest Quarter of Section 33, Township 117, Range 26, lying westerly of the center line of County State Aid Highway No. 33.

4. The joint resolution contains all the information required by Minnesota Statutes §414.0325 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 for orderly annexation.

5. Minnesota Statutes §414.0325 states that in certain circumstances the Chief Administrative Law Judge may review and comment, but shall within 30 days order the annexation pursuant to said subdivisions.

6. On September 25, 2008, the Assistant Chief Administrative Law Judge reviewed and accepted the city resolution for orderly annexation.

#### 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 3 is annexed to the City of New Germany, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, Hollywood Township will be

reimbursed by the City of New Germany in accordance with the terms of City Resolution No.  
2008-13 signed by the City on September 2, 2008.

Dated this 25<sup>th</sup> day of September, 2008.

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

A handwritten signature in black ink that reads "Christine M. Scotillo". The signature is written in a cursive, flowing style.

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustment