

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

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

On August 29, 2008, the City of Fergus Falls and Buse Township submitted a joint 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 joint 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 Fergus Falls and Buse Township pursuant to Minnesota Statute §414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments.
2. The joint resolution requests the designation and immediate annexation of certain

property to the City of Fergus Falls described as follows:

That part of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section Fourteen (14), Township One Hundred Thirty-two (132) North, Range Forty-three (43) West, Otter Tail County, Minnesota, described as follows:

Commencing at the Quarter Section corner on the North line of said Section Fourteen (14); thence South 319.00 feet along the Quarter Section line to the point of beginning; thence North 52 degrees 10 minutes East 185.80 feet more or less to the Westerly right of way line of State Highway 59; thence South 24 degrees 22 minutes 55 seconds East 634.20 feet along said right of way line; thence South 72 degrees 12 minutes 35 seconds West 429.07 feet to the said Quarter Section line; thence North 594.77 feet to the point of beginning, containing 4.10 acres, more or less.

3. 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.

4. 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.

5. On September 25, 2008, the Assistant Chief Administrative Law Judge reviewed and accepted the joint 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.

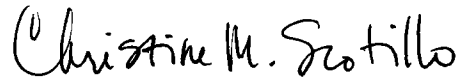
#### ORDER

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

2. Pursuant to Minnesota Statutes §414.036, Buse Township will be reimbursed by the City of Fergus Falls in accordance with the terms of the Joint Resolution signed by the City on August 18, 2008 and the Town on July 8, 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 style with a large initial "C".

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments