

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

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

The joint resolution for orderly annexation submitted by the City of Aitkin and Aitkin 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. On February 12, 2009, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on January 5, 2009, and by the Township on December 10, 2008, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on January 28, 2009.

2. The joint resolution requests the designation and immediate annexation of certain property to the City of Aitkin described as follows:

Aitkin County Growth property in Section 24, Township 47, Range 27 legally described as follows:

That part of Government Lot 9 described as:

Commencing at the southwest corner of said Lot 9; running thence east along the south line thereof 442.4 feet to the place of beginning of tract to be described; thence north on a straight line parallel with west line of said Lot 9 a distance of 851 feet, more or less, to the Mississippi River; thence following said river upstream to the east line of said Lot 9; thence south along east line of said Lot 9 a distance of approximately 1593 feet to the southeast corner of said Lot 9. Thence west approximately 877 feet to the place of beginning.

EXCEPT the north 16.5 feet of the south 33 feet of said Government Lot 9.

AND

The Southeast Quarter of Northeast Quarter EXCEPT the north 16.5 feet of south 33 feet.

Total acreage of these tracts is 70.29 acres.

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 Chief Administrative Law Judge annexing the area described herein.

#### ORDER

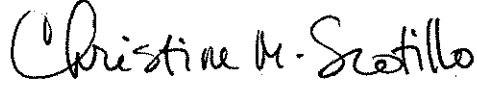
1. The property described in Findings of Fact 2 is annexed to the City of Aitkin, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, Aitkin Township will be reimbursed by the City of Aitkin in accordance with the terms of the Joint Resolution signed by the

City on January 5, 2009 and the Township on December 10, 2008.

Dated this 12<sup>th</sup> day of February, 2009.

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 Adjustment