

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

The joint resolution for orderly annexation submitted by the City of Olivia and Troy 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 April 16, 2009, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on February 3, 2009, and by the Township on January 21, 2009, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on April 10, 2009.

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

Part of the Northwest Quarter of the Northeast Quarter of Section 13, Township 115 North, Range 35 West, Renville County, Minnesota, described as follows:

Commencing at the North Quarter Corner of said Section 13; thence North 89 degrees 44 minutes 28 seconds East (bearings based on Renville County Coordinates, NAD 83, 1996 adjustment), along the north line of said Northeast Quarter of Section 13, a distance of 1208.27 feet to the point of beginning; thence continuing North 89 degrees 44 minutes 28

seconds East, along said north line, 110.00 feet to the Northeast Corner of said Northwest Quarter of the Northeast Quarter; thence South 00 degrees 28 minutes 22 seconds East, along the east line of said Northwest Quarter of the Northeast Quarter, 745.89 feet; thence South 89 degrees 41 minutes 29 seconds West, 460.00 feet; thence South 00 degrees 28 minutes 22 seconds East, 580.00 feet to the south line of said Northwest Quarter of the Northeast Quarter; thence South 89 degrees 41 minutes 29 seconds West, along said south line, 115.00 feet; thence North 00 degrees 28 minutes 22 seconds West, 700.00 feet; thence North 89 degrees 41 minutes 29 seconds East, 465.00 feet; thence North 00 degrees 28 minutes 22 seconds West, 625.98 feet to the point of beginning;

Contains 4.70 acres, more or less.

AND,

Part of the Northwest Quarter of the Northeast Quarter of Section 13, Township 115 North, Range 35 West, Renville County, Minnesota, described as follows:

Commencing at the North Quarter Corner of said Section 13; thence North 89 degrees 44 minutes 28 seconds East (bearing based on Renville County Coordinates NAD 83, 1996 adjustment), on the north line of said Northeast Quarter, 1318.27 feet to the Northeast Corner of said Northwest Quarter of the Northeast Quarter; thence South 00 degrees 28 minutes 22 seconds East, on the east line of said Northwest Quarter of the Northeast Quarter, 745.89 feet to the point of beginning; thence South 89 degrees 41 minutes 29 seconds West, 460.00 feet; thence South 00 degrees 28 minutes 22 seconds East, 580.00 feet to the south line of said Northwest Quarter of the Northeast Quarter; thence North 89 degrees 41 minutes 29 seconds East, on said south line, 350.00 feet to the west line of a parcel of land described in a deed recorded as Document No. 261641; thence North 00 degrees 28 minutes 22 seconds West, on said west line, 109.77 feet to the northwest corner of said parcel of land described in a deed recorded as Document No. 261641; thence North 89 degrees 41 minutes 38 seconds East, on the north line of said parcel of land described in a deed recorded as Document No. 261641, a distance of 110.00 feet to said east line of the Northwest Quarter of the Northeast Quarter; thence North 00 degrees 28 minutes 22 seconds West, on said east line, 470.24 feet to the point of beginning.

Contains 5.85 acres, more or less.

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 Olivia, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, no reimbursement shall be made to the Township of Troy by the City of Olivia in accordance with the terms of the Joint Resolution signed by the City on February 3, 2009 and Township on January 21, 2009.

Dated this 16th day of April, 2009.

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



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments