

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

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The joint resolution for orderly annexation submitted by the City of Goodview and Rollingstone 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 November 12, 2009, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on October 5, 2009, and by the Township on October 12, 2009, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on October 28, 2009.

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

That part of the SE ¼ of the NW ¼ of Section 11, Township 107, Range 8, Winona County, Minnesota, which is more particularly described as follows, to-wit:

Commencing at the Northeast corner of the SE ¼ of the NW ¼ of said Section 11; thence Westerly along the North line of said SE ¼ of the NW ¼ for a distance of

1224.96 feet to a point in the center line of County Road 23; thence deflect to the left  $34^{\circ} 38'$ , for a chord distance of 8.60 feet to the point of beginning of property to be described; thence continue along said center line which is on a  $3^{\circ} 30'$  curve, delta angle  $65^{\circ} 55' 30''$ , radius 1637.20 feet and the chord deflects to the left  $1^{\circ} 59'$  from the last described chord for a distance of 105.0 feet; thence Southeasterly at a deflection angle of  $87^{\circ} 24'$  to the left from tangent line at last described point for a distance of 290.0 feet; thence deflect  $91^{\circ} 05'$  to the left for a distance of 95.0 feet; thence deflect  $86^{\circ} 57'$  to the left for a distance of 290.0 feet to the point of beginning. Subject to the right-of-way of the County Road No. 23; containing 0.66 acres in all.

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

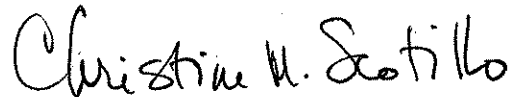
1. The property described in Findings of Fact 2 is annexed to the City of Goodview, the same as if it had originally been made a part thereof.

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

reimbursed by the City of Goodview in accordance with the terms of Joint Resolution No. 0835  
signed by the City on October 5, 2009 and the Township on October 12, 2009.

Dated this 12<sup>th</sup> day of November, 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, flowing style.

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments