

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

The joint resolution for orderly annexation submitted by the City of Redwood Falls and Paxton 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 22, 2010, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on April 6, 2010, and by the Township on April 13, 2010, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on April 19, 2010.
2. The joint resolution requests the designation and immediate annexation of certain property to the City of Redwood Falls described as follows:

The following described lands located within Paxton Township, County of Redwood, Minnesota:

Parcel 1 (Brian J. Mathiowetz - owner; approximately 1.33 acres):

In Township 112 North, Range 35 West of the Fifth Principal Meridian, a strip of land 100 feet in width extending over and across the Southwest Quarter of the Southeast Quarter of Section 6, said strip of land being 50 feet in width on each side of the center line of the main track of the Minnesota Valley Railway Company (now the Chicago and Northwestern Transportation Company), as said main track center line was originally established over and across said Section 6; and

Parcel 2 (Redwood County - owner; approximately 1 acre):

All that part of the Southeast Quarter (SE ¼) of Section Six (6), Township one Hundred Twelve (112), Range Thirty-five (35), Redwood County, Minnesota, more specifically described as commencing at a point on the West line of said quarter section at the point of intersection between the south line of the Chicago Northwestern Railroad track and the west line of said quarter section, running thence South thereof, thence running East on the South line of said quarter section to the point of intersection with the South line of the Chicago Northwestern Railway right-of-way, thence along the South line of said right-of-way, in a Northwesterly direction to the point of beginning, containing approximately one acre.

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.

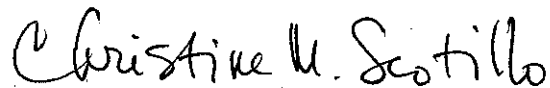
ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Redwood Falls, 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 Paxton by the City of Redwood Falls in accordance with the terms of the Joint Resolution signed by the City on April 6, 2010 and the Township on April 13, 2010.

Dated this 22nd day of April, 2010.

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

OA-1480-1 Redwood Falls

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1480-1, the Chief Administrative Law Judge finds and makes the following comment:

This agreement designates and immediately annexes all of the 2.33 acres designated for orderly annexation in the joint resolution between the Township and the City. With this order annexing all of the designated area, OA-1480-1 Redwood Falls by its terms, is expired. That is to say since the parties have agreed to annexing all of the designated area covered by the negotiated terms and conditions, there is no longer any other area subject to the terms of the joint resolution, OA-1480-1.