

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)	
AGREEMENT BETWEEN THE CITY OF AUSTIN)	<u>FINDINGS OF FACT</u>
AND LANSING 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 Austin and Lansing 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 19, 2010, and by the Township on April 14, 2010, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on April 21, 2010.
2. The joint resolution requests the designation and immediate annexation of certain property to the City of Austin described as follows:

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27-T103N-R18W, Mower County, Minnesota; described as follows:

Commencing at the southwest corner of the NE $\frac{1}{4}$ of said Section 27;
thence North 00°00'00" East a distance of 506.01 feet, on an assumed
bearing on the west line of said NE $\frac{1}{4}$, to the point of beginning;

thence South 89°53'29" East a distance of 547.81 feet;

thence North 00°00'00" East a distance of 812.88 feet, to a point on the
north line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;

thence North 89°53'29" West a distance of 547.81 feet, on the north line of said SW¼ NE¼, to the northwest corner thereof;

thence South 00°00'00" West a distance of 484.57 feet, on the west line of said NE¼, to a point which is 834.32 feet north of the southwest corner of said NE¼;

thence South 88°46'19" East a distance of 244.92 feet;

thence South 00°00'00" East a distance of 125.00 feet;

thence North 88°46'19" West a distance of 244.92 feet, to a point on the west line of said NE¼;

thence South 00°00'00" East a distance of 203.31 feet, on the west line of said NE¼, to the point of beginning;

subject to highway easement on the northerly and westerly-most sides thereof.

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.

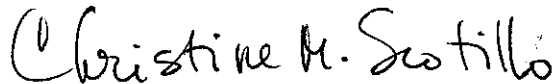
ORDER

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

2. Pursuant to Minnesota Statutes §414.036, Lansing Township will be reimbursed by the City of Austin in accordance with the terms of Joint Resolution No. 13810 signed by the City on April 19, 2010 and the Township on April 14, 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 style with a large initial "C".

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments