

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

The joint resolution for orderly annexation submitted by the City of Albany and Albany Township was reviewed for conformity with applicable law. By delegation, the Chief Administrative Law Judge's designee hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On August 17, 2010, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on July 21, 2010 and Township on July 26, 2010, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on August 4, 2010.

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

TRACT "A"

That part of the W1/2NW1/4 of Section 22, Township 125 North, Range 31 West, Stearns County, Minnesota described as follows: Commencing at the southwest corner said W1/2NW1/4; thence North 00 degrees 05 minutes 03 seconds West (assumed bearing), along the west line thereof, a distance of 900.00 feet; thence North 89 degrees 54 minutes 57 seconds East a distance of 330.00 feet; thence South 00 degrees 05 minutes 03 seconds East a distance of 50.00 feet to the point of beginning of the land to be described; thence North 89 degrees 54 minutes 57 seconds East a distance of 430.00 feet; thence North 00 degrees 05 minutes 03 seconds West a distance of 218.63 feet to the southwesterly right of way line of Interstate Highway No. 94; thence South 64 degrees 29 minutes 33 seconds East, along said right of way line, a distance of 103.84 feet;

thence continue South 53 degrees 10 minutes 57 seconds East, along said right of way line, a distance of 203.96 feet; thence continue South 64 degrees 28 minutes 44 seconds East, along said right of way line, a distance a distance of 72.00 feet; thence leaving said right of way line, South 85 degrees 36 minutes 53 seconds West, a distance of 322.59 feet; thence South 89 degrees 54 minutes 57 seconds West a distance of 430.00 feet to its intersection with a line which bears South 00 degrees 05 minutes 03 seconds East from the point of beginning; thence North 00 degrees 05 minutes 03 seconds West, along said line, a distance of 4.00 feet to the point of beginning.

Containing 0.88 Acres more or less.

(TRACT "A" shall be attached to TRACT "B")

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

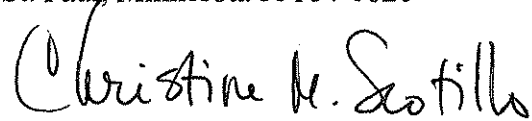
1. The property described in Findings of Fact 2 is annexed to the City of Albany, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, no reimbursement shall be made to the

Township of Albany by the City of Albany in accordance with the terms of Joint Resolution No. 2010-21 signed by the City on July 21, 2010 and the Township on July 26, 2010.

Dated this 17th day of August, 2010.

For the Chief Administrative Law Judge's designee
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