

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1533-1  
Zimmerman/Livonia Township  
Pursuant to Minnesota Statutes 414

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

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

**FINDINGS OF FACT**

1. On August 7, 2012, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City on June 4, 2012 and the Township on June 25, 2012, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit on July 20, 2012.
2. The joint resolution requests the designation and immediate annexation of certain property to the City of Zimmerman described as follows:

That part of the right-of-way of 120th Street Northwest located in the Southwest Quarter of the Southwest Quarter of Section 10, Township 34, Range 26, and in the Southeast Quarter of the Southeast Quarter of Section 9, Township 34, Range 26, all in Sherburne County, Minnesota, lying easterly of the centerline of said 120th Street Northwest, lying westerly of a line 33.00 feet easterly of and parallel with said centerline, and lying southerly of the northerly right-of-way line, and its easterly extension, of Fremont Lane, as delineated and dedicated in FREMONT SHORES, according to the recorded plat thereof, said Sherburne County. The easterly and westerly lines of the area described above shall be prolonged or shortened to terminate at the south line of said Southwest Quarter of the Southwest Quarter.
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 or authorized designee annexing the area described herein.

### **ORDER**

1. The property described in Findings of Fact 2 is annexed to the City of Zimmerman, 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 Livonia by the City of Zimmerman in accordance with the terms of Joint Resolution No. 12-06-05/12-15 signed by the City on June 4, 2012 and Township on June 25, 2012.

Dated: August 7, 2012

  
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Timothy J. O'Malley  
Assistant Chief Administrative Law Judge  
Municipal Boundary Adjustment Unit