

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1534-1
Ivanhoe/Royal 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 Ivanhoe and Royal 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 October 9, 2012, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City and the Township on June 25, 2012, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit on September 17, 2012.
2. The joint resolution requests the designation and immediate annexation of certain property to the City of Ivanhoe described as follows:

Tract One

All that part of the Southwest Quarter of the Southwest Quarter of Section 35, Township 112 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, bearing based on Lincoln County Coordinate System, along the west line of said Southwest Quarter, a distance of 75.00 feet, to the northerly right of way line of Minnesota Trunk Highway Number 19; thence South 89 degrees 39 minutes 59 seconds East, along said northerly right of way line, a distance of 716.45 feet; thence North 00 degrees 16 minutes 12 seconds East, parallel with the west line of said Southwest Quarter, a distance of 304.00 feet; thence North 89 degrees 39 minutes 59 seconds West, parallel with the south line

of said Southwest Quarter, a distance of 108.15 feet, to the point of beginning; thence continuing North 89 degrees 39 minutes 59 Seconds West, parallel with said south line, a distance of 608.30 feet, to a point on the west line of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, along said west line, a distance of 460.00 feet; thence South 85 degrees 55 minutes 45 seconds East a distance of 577.00 feet; thence South 00 degrees 00 minutes 00 seconds East a distance of 256.22 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 30.58 feet; thence South 00 degrees 00 minutes 00 seconds East a distance of 166.35 feet, to the point of beginning.

Tract Two

All that part of the Southwest Quarter of Section 35, Township 112 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, bearing based on Lincoln County Coordinate System, along the west line of said Southwest Quarter, a distance of 75.00 feet, to the northerly right of way line of Minnesota Trunk Highway Number 19; thence South 89 degrees 39 minutes 59 seconds East, along said northerly right of way line, a distance of 716.45 feet; thence North 00 degrees 16 minutes 12 seconds East, parallel with the west line of said Southwest Quarter, a distance of 304.00 feet; thence North 89 degrees 39 minutes 59 seconds West, parallel with the south line of said Southwest Quarter, a distance of 716.45 feet, to a point on the west line of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, along said west line, a distance of 460.00 feet to the point of beginning; thence South 85 degrees 55 minutes 45 seconds East a distance of 577.00 feet; thence North 00 degrees 16 minutes 12 seconds East a distance of 536.50 feet; thence North 89 degrees 43 minutes 49 seconds West a distance of 575.73 feet, to a point on the west line of said Southwest Quarter, said point also being 50 feet north and at right angles from the centerline of the main track (now removed) of the Minnesota and South Dakota Railway Company (now the Chicago and North Western Transportation Company); thence South 00 degrees 16 minutes 12 seconds West, along said west line, a distance of 498.25 feet, to the point of beginning.

EXCEPTING THEREFROM the north 192.69 feet.

Said tract is subject to any existing highways, roadways, or easements.

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 Ivanhoe, 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 Royal by the City of Ivanhoe in accordance with the terms of the Joint Resolution signed by the City and Township on June 25, 2012.

Dated: October 9, 2012



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