

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1542-1
Garfield/Ida 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 Garfield and Ida 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 September 10, 2012, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit on October 8, 2012.

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

That part of the Northeast Quarter of Section 31, Township 129 North, Range 38 West, Douglas County, Minnesota described as follows:

Commencing at the Southeast Corner of said Northeast Quarter, thence on an assumed bearing of North along the East line of said Northeast Quarter 796.40 feet to the northerly right of way of the Burlington Northern Railway and this to be the point of beginning of the land to be described; thence continuing North along the said East line 1,082.47 feet, thence West 624.29 feet; thence South 32 degrees 19 minutes West 558.08 feet to the said northerly right of way; thence South 56 degrees 29 minutes 37 seconds East along said right of way 1,106.52 feet to the point of beginning. Containing 14.84 acres more or less (4.97 acres within Garfield and 9.87 acres outside).

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.

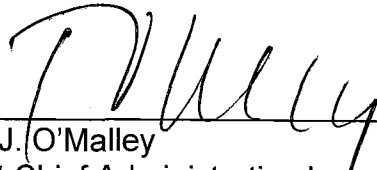
2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

ORDER

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

2. Pursuant to Minnesota Statutes § 414.036, Ida Township will be reimbursed by the City of Garfield in accordance with the terms of the Joint Resolution signed by the City and the Township on September 10, 2012.

Dated: October 9, 2012



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