

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1543-1
Long Prairie/Long Prairie 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 Long Prairie and Long Prairie 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 October 1, 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 Long Prairie described as follows:

The following described land located within Long Prairie Township to the City of Long Prairie, County of Todd, Minnesota:

That part of the Southeast Quarter of the Southwest Quarter (SE1/4 of SW1/4) of Section Twenty (20), Township One Hundred Twenty-nine (129) North, Range Thirty-three (33) West of the Fifth Principal Meridian, described as follows:

Commencing at the south quarter corner of said Sec. 20; thence N00 degrees 36 minutes 47 seconds West, assumed bearing, along the east line of said SE1/4 of SW1/4, 1313.75 feet to the northeast corner of said SE1/4 of SW1/4; thence North 89 degrees 28 minutes 51 seconds West, along the north line of said SE1/4 of SW1/4, 4.87 feet to a point on the west right of way line of Trunk Highway No. 71; thence South 01 degrees 51 minutes 44 seconds West, along said west right of way line, 221.16 feet; thence North 88 degrees 08 minutes 16 seconds West, continuing along said west right of way line, 20.00 feet; thence

South 01 degrees 51 minutes 44 seconds West, continuing along said west right of way line, 99.40 feet to a point, said point being the point of beginning; thence North 89 degrees 28 minutes 51 seconds West, 467.91 feet to the east right of way line of the former Burlington Northern Railroad; thence South 10 degrees 01 minutes 57 seconds West, along said east right of way line of the former Burlington Northern Railroad, 687.77 feet, thence South 89 degrees 35 minutes 58 seconds East, a distance of 565.71 feet, to said west right of way line of Trunk Highway 71; thence North 01 degrees 51 minutes 44 seconds East, along said west right of way, a distance of 677.33, to the point of beginning and there terminating.

EXCEPTING THEREFROM: Commencing at the south quarter corner of said Sec. 20; thence North 00 degrees 36 minutes 47 seconds West, assumed bearing, along the east line of said SE1/4 of SW1/4, 1313.75 feet to the northeast corner of said SE1/4 of SW1/4; thence North 89 degrees 28 minutes 51 seconds West, along the north line of said SE1/4 of SW1/4, 4.87 feet to a point on the west right of way of Trunk Highway No. 71; thence South 01 degrees 51 minutes 44 seconds West, along said west right of way line, 221.16 feet; thence North 88 degrees 08 minutes 16 seconds West, continuing along said west right of way line, 20.00 feet; thence South 01 degrees 51 minutes 44 seconds West, continuing along said west right of way line, 99.40 feet to a point, said point being the point beginning of the tract to be described; thence North 89 degrees 28 minutes 51 seconds West, 467.91 feet to the east right of way line of the former Burlington Northern Railroad; thence South 10 degrees 01 minutes 57 seconds West, along said east right of way line of the former Burlington Northern Railroad, 443.09 feet; thence South 89 degrees 28 minutes 51 seconds East, a distance of 530.90 feet, to said west right of way line of Trunk Highway 71; thence North 01 degrees 51 minutes 44 seconds East, along said west right of way, along said west right of way, a distance of 437.12, to the point of beginning and there terminating.

And also that portion of U.S. 71 lying adjacent to this property and extending north to the current city limits.

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 Long Prairie, the same as if it had originally been made a part thereof.
2. Pursuant to Minnesota Statutes § 414.036, Long Prairie Township will be reimbursed by the City of Long Prairie in accordance with the terms of the Joint Resolution signed by the City and the Township on October 1, 2012.

Dated: October 9, 2012



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