

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1544-1
Ghent/Grandview 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 Ghent and Grandview 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 November 13, 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 August 8, 2012, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit on October 31, 2012.
2. The joint resolution requests the designation and immediate annexation of certain property to the City of Ghent described as follows:

All that part of the South Half of the Southwest Quarter of Section 10, Township 112 North, Range 42 West, Lyon County, Minnesota, being more particularly described as follows:

Beginning at the Southwest corner of the East Half of said Southwest Quarter, thence South 89 degrees 19 minutes 09 seconds East, bearing based on Minnesota State Plane Coordinate System Lyon County Datum, along the South line of said Southwest Quarter, a distance of 211.00 feet; thence North 00 degrees 40 minutes 51 seconds East a distance of 422.00 feet; thence North 89 degrees 19 minutes 09 seconds West, parallel to said South line, a distance of 542.00 feet; thence South 00 degrees 40 minutes 51 seconds West a distance of 89.00 feet to a point which is 333 feet North of the South line of said Southwest Quarter; thence North 89 degrees 19 minutes 09 seconds West, parallel to said

south line, a distance of 576.40 feet; thence South 00 degrees 40 minutes 51 seconds West a distance of 277.00 feet; thence North 89 degrees 19 minutes 09 seconds West a distance of 419.78 feet, to a point on the West line of said Southwest Quarter; thence South 00 degrees 07 minutes 25 seconds East, along said West line, a distance of 56.00 feet, to the Southwest corner of said Southwest Quarter; thence South 89 degrees 19 minutes 09 seconds East, along said south line of said Southwest Quarter, a distance of 1326.40 feet to the point of beginning.

EXCEPTING THEREFROM, the following described property which has previously been annexed into the City of Ghent by ordinance No.22, dated June 14, 1972, approved September 8, 1972 by the Minnesota Municipal Board.

That part of the West half of the Southwest Quarter (W1/2, SW1/4) of Section Ten (10), Township 112, Range 42 described as follows:

Commencing at the Southwest corner of section 10; thence Easterly along the South line of section 10, a distance of 829 feet to the TRUEPOINT OF BEGINNING; thence Northerly at right angles to said section line a distance of 333 feet; thence Easterly and parallel with the South line of said section 10, a distance of 160 feet; thence Southerly at right angles 333 feet to the South line of said section 10; thence Westerly along the South line of said section 10 a distance of 160 feet to the true point of beginning.

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 Ghent, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes § 414.036, Grandview Township will be reimbursed by the City of Ghent in accordance with the terms of Joint Resolution No. 08-08-12 signed by the City and the Township on August 8, 2012.

Dated: November 13, 2012



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