

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1545-1
Duluth/Midway 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 Duluth and Midway Township was reviewed for conformity with applicable law. The Chief Administrative Law Judge hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. A joint resolution for orderly annexation was adopted by the City of Duluth and Midway Township pursuant to Minnesota Statutes § 414.0325 and filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit.

2. The city ordinance adopted and submitted by the City of Duluth requests annexation of part of the designated area described as follows:

That part of Township Forty-nine (49) North, Range Fifteen (15) West of the 4th Principal Meridian described as follows:

Southeast Quarter of Southwest Quarter (SE1/4 of SW1/4), Section Twenty-one (21);

West Half of Southwest Quarter of Southeast Quarter (W1/2 of SW1/4 of SE1/4), Section Twenty-one (21);

All of Section Twenty-eight (28), EXCEPT the Northwest Quarter of Northwest Quarter (NW1/4 of NW1/4);

All of Section Thirty-two (32), EXCEPT the Northeast Quarter of Northwest Quarter (NE1/4 of NW1/4), and EXCEPT all that part of the West Half of Northeast Quarter (W1/2 of NE1/4) lying northeasterly of the right-of-way of the Duluth, Winnipeg and Pacific Railroad Company, and EXCEPT the North Seven Hundred Fifty feet (750.00') of the Northeast Quarter of Northeast Quarter (NE1/4 of NE1/4); and

All of Sections Thirty-one (31) and Thirty-three (33).

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).

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has jurisdiction of this proceeding.
2. An order should be issued by the Chief Administrative Law Judge annexing the area described herein.

ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Duluth.
2. Pursuant to Minnesota Statutes § 414.036, the City of Duluth and Midway Township have agreed to waive reimbursement.

Dated: October 14, 2014



TAMMY L. PUST
Chief Administrative Law Judge