

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1546-1
Stephen/Sinnott 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 Stephen and Sinnott 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 April 9, 2013, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City and the Township on March 25, 2013, and duly filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit on March 28, 2013.
2. The joint resolution requests the designation and immediate annexation of certain property to the City of Stephen described as follows:

All that part of the Southeast Quarter of Section 32, Township 158 North, Range 48 West of the Fifth Principal Meridian, Marshall County Minnesota described as follows:

Commencing at the southwest corner of the said Southeast Quarter; thence North 89 degrees 52 minutes 57 seconds East, assumed bearing, along the south line of said Southeast Quarter, a distance of 806.13 feet to the intersection of said south line and the easterly railroad right of way line the same being the point of beginning; thence North 11 degrees 42 minutes 30 seconds West, along said easterly right of way line, a distance of 1242.88 feet to the southwest corner of a tract described in Doc. No. 170649 of record in said Recorder's Office; thence North 78 degrees 17 minutes 30 seconds East, at a right angle to said easterly right of way line, along the southerly line of last described said tract, a distance of 100.00 feet; thence North 11 degrees 42 minutes 30 seconds West, along the easterly line of last described said tract, a distance of 250.00 feet to the

northeast corner of said last described tract; thence North 78 degrees 17 minutes 30 seconds East, along the southerly line of a tract described in Doc. No. 291387 of record in said Recorder's Office, a distance of 157.22 feet, more or less to the westerly right of way line of U.S. Highway No. 75; thence South 32 degrees 49 minutes 05 seconds East, along said westerly right of way line, a distance of 1661.33 feet; thence South 28 degrees 30 minutes 00 seconds West, along said westerly right of way line, a distance of 95.63 feet; thence South 38 degrees 53 minutes 27 seconds East, along said westerly right of way line, a distance of 41.38 feet more or less, to the said south line of the Southeast Quarter; thence South 89 degrees 52 minutes 57 seconds West, along said south line, a distance of 829.47 feet, more or less to the point of beginning.

Containing 19.73 acres, more or less and is subject to easements, restrictions, or reservations of record, if any.

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.

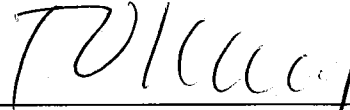
2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Stephen, 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 Sinnott by the City of Stephen in accordance with the terms of the joint resolution signed by the City and Township on March 25, 2013.

Dated: April 9, 2013



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