

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1552-1
Little Falls/Little Falls 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 Little Falls and Little Falls 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 September 10, 2013, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City on August 19, 2013 and the Township on August 5, 2013, and duly filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit on August 26, 2013.
2. The joint resolution requests the designation and immediate annexation of certain property to the City of Little Falls described as follows:

Part of Government Lot 4, Section 18, Township 40, Range 32, described as follows; commencing at the south quarter corner of said Section 18, which point is also the southeast corner of said Government Lot 4, thence North 0 degrees 50 minutes West along the east line of said Government Lot 4, a distance of 1053.6 feet to a point which is the point of beginning; thence continue on the same bearing for a distance of 300.0 feet to the northeast corner of said Government Lot 4; thence North 88 degrees 45 minutes West, a distance of 312.0 feet; thence South 0 degrees 50 minutes East and parallel with the East line of said Government Lot 4, a distance of 300.0 feet; thence South 88 degrees 45 minutes east and parallel with the north line of said Government Lot 4 to the point of beginning; and a part of Lot 4, Herrick's Outlots to the City of Little Falls,

described as follows; commencing at the south quarter corner of Section 18, Township 40, Range 32; thence North 0 degrees 50 minutes West, a distance of 885.5 feet to a point in the center of County Aid Road 12, which is the point of beginning; thence continuing on the same bearing for a distance of 468.1 feet to the northwest corner of said Lot 4; thence South 88 degrees 45 minutes East, for a distance of 344.06 feet to a point in the center of the aforementioned County Aid Road 12; thence South 36 degrees 12 minutes West along the center line of said County Aid Road 12 to the point of beginning; and that part of Government 4, Section 18, Township 40, Range 32, described as follows; commencing at the southeast corner of said Government 4; thence North 0 degrees 43 minutes 38 seconds West, assumed bearing, 894.71 feet along the east line of said Government Lot 4 to the centerline of County Road 258 to the point of beginning; thence continuing North 0 degrees 43 minutes 38 seconds West, a distance of 158.89 feet along the east line of Government Lot 4 to the southeast corner of a tract of land described in Document Number 300963; thence South 89 degrees 05 minutes 55 seconds West, a distance of 311.98 feet along the south line of said tract of land described in Document Number 300963 to the southwest corner thereof, said southwest corner also being on a line described in Document Number 254355; thence South 20 degrees 25 minutes 46 seconds West, a distance of 144.43 feet along said line described in Document Number 254355 to its intersection with the north line of Thomas Drive; thence southeasterly along the north line of said Thomas Drive to its intersection with said centerline of County Road 258; thence northeasterly along said centerline of County Road 258 to the point of beginning; subject to County Road 258 on the southeast; all in accordance with a survey by Kevin Festler RLS No. 22702, dated July 29, 1994; and less part previously annexed described as that part of Lot 4, Herrick's Outlots to Little Falls and that part of Government Lot 4, Section 18, Township 40, Range 32, Morrison County, described as; commencing at the northeast corner of said Government 4 and assuming the east line of said Government Lot 4 bears South 00 degrees 05 minutes 19 seconds East; thence North 89 degrees 16 minutes 53 seconds West, a distance of 312.00 feet along the north line of said Government Lot 4; thence South 00 degrees 05 minutes 19 seconds East, a distance of 300.0 feet to the point of beginning; thence North 00 degrees 05 minutes 19 seconds West, a distance of 62.35 feet; thence South 64 degrees 39 minutes 42 seconds East, a distance of 172.98 feet; thence South 21 degrees 04 minutes 05 seconds West, a distance of 30.0 feet; thence South 57 degrees 14 minutes 52 second East, a distance of 211.45 feet to the west line of South Oaks of record in the office of the county recorder in said Morrison County; thence South 36 degrees 46 minutes 52 seconds West, a distance of 144.18 feet along said west line of South Oaks to its intersection with the north line of Thomas Drive; thence North 53 degrees 24 minutes 25 seconds West, a distance of 20.13 feet along said north line of Thomas Drive; thence

northwesterly along said north line of Thomas Drive along a tangential curve left having a central angle of 15 degrees 33 minutes 41 seconds, a radius of 166.0 feet, and an arc length of 45.09 feet; thence North 68 degrees 58 minutes 06 seconds West, tangent to said curve, a distance of 254.09 feet along said north line of Thomas Drive to its intersection with a line bearing South 21 degrees 04 minutes 05 seconds West from the point of beginning; thence North 21 degrees 04 minutes 05 seconds East, a distance of 155.06 feet to the point of beginning; beginning approximately 3.68 acres more or less.

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.

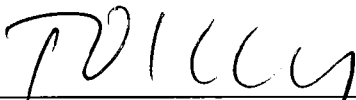
ORDER

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

2. Pursuant to Minnesota Statutes § 414.036, Little Falls Township will be reimbursed by the City of Little Falls in accordance with the terms of Joint Resolution

No. 2013-19 signed by the City on August 19, 2013 and the Township on August 5, 2013.

Dated: September 10, 2013



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