

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1553-1
Spring Valley/Spring Valley 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 Spring Valley and Spring Valley 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 8, 2013, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City on August 26, 2013 and the Township on June 25, 2013, and duly filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit on September 5, 2013.
2. The joint resolution requests the designation and immediate annexation of certain property to the City of Spring Valley described as follows:

PARCEL I: That part of the East One Half of the Northwest Quarter of Section 28, Township 103 North, Range 13 West, Fillmore County, Minnesota, described as follows: Commencing at the Southeast Comer of said East One Half of the Northwest Quarter; thence South 89 degrees 35 minutes 47 seconds West (assumed bearing) along the South line of said East One Half of the Northwest Quarter, 345.22 feet to the Northeasterly Right of Way line of the now abandoned Chicago and North Western Transportation Company Railroad line and to the point of beginning of the tract of land to be herein described; thence North 33 degrees 47 minutes 41 seconds West along said Northeasterly Right of Way line (also along the Southwesterly line of Spring Valley Industrial Park as laid out and platted in the City of Spring Valley),

1685.08 feet; thence South 56 degrees 12 minutes 19 seconds West at right angles to said Northeasterly Right of Way line, 50.00 feet to the centerline of said abandoned Railroad Right of Way and to the West line of said East One Half of the Northwest Quarter; thence South 00 degrees 13 minutes 10 seconds East along said West line, 90.41 feet to the Southwesterly line of said abandoned Railroad Right of Way; thence South 33 degrees 47 minutes 41 seconds East along said Southwesterly Right of Way line, 1543.84 feet to said South line of said East One Half of the Northwest Quarter; thence North 89 degrees 35 minutes 47 seconds East along said South line, 119.77 feet to the point of beginning and containing 3.75 acres, more or less. Subject to easements of record.

PARCEL II: That part of the East One Half of the Northwest Quarter of Section 28, Township 103 North, Range 13 West, Fillmore County, Minnesota, described as follows: Commencing at the Southeast Comer of said East One Half of the Northwest Quarter; thence South 89 degrees 35 minutes 47 seconds West (assumed bearing) along the South line of said East One Half of the Northwest Quarter, 464.99 feet to the Southwesterly Right of Way line of the now abandoned Chicago and Northwestern Transportation Company and to the point of beginning of the tract of land to be herein described; thence continuing South 89 degrees 35 minutes 47 seconds West along said South line, 853.80 feet to the Southwest Comer of said East One Half of the Northwest Quarter; thence North 00 degrees 13 minutes 10 seconds West along the West line of said East One Half of the Northwest Quarter; 1289.01 feet to said Southwesterly Right of Way line; thence South 33 degrees 47 minutes 41 seconds East along said Southwesterly Right of Way line, 1543.84 feet to the point of beginning and containing 12.63 acres, more or less. Subject to easements of record.

EXCEPT THE FOLLOWING DESCRIBED LAND:

That part of the East One Half of the Northwest Quarter of Section 28, Township 103 North, Range 13 West, Fillmore County, Minnesota, described as follows: Commencing at the Southwest Corner of said East One Half of the Northwest Quarter; thence North 00 degrees 13 minutes 10 seconds West (assumed bearing) along the West line of said East One Half of the Northwest Quarter, 661.62 feet to the point of beginning of the tract of land to be herein described; thence continuing North 00 degrees 13 minutes 10 seconds West along said West line, 717.80 feet to a point on the

centerline of the now abandoned Chicago and North Western Transportation Company Railroad Right of Way; thence North 56 degrees 12 minutes 19 seconds East at right angles to said centerline, 50.00 feet to the Northeasterly Right of Way line of said abandoned Railroad; thence South 33 degrees 47 minutes 41 seconds East along said Northeasterly Right of Way line, 941.98 feet; thence North 86 degrees 13 minutes 01 seconds West, 563.98 feet to the point of beginning and containing 5.18 acres, more or less. Subject to easements of record.

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.

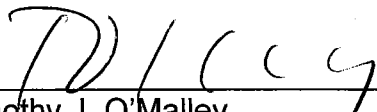
ORDER

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

2. Pursuant to Minnesota Statutes § 414.036, Spring Valley Township will be reimbursed by the City of Spring Valley in accordance with the terms of the joint

resolution signed by the City on August 26, 2013 and the Township on June 25, 2013.

Dated: October 8, 2013



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