

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1557-1
Windom/Great Bend 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 Windom and Great Bend 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 12, 2013, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City on October 15, 2013, and the Township on October 6, 2013, and duly filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit on October 28, 2013.

2. The joint resolution requests the designation and immediate annexation of certain property to the City of Windom described as follows:

Commencing at a point 60 feet South of the Northeast corner of the Northeast Quarter of the Northeast Quarter of Section 36, Township 105, Range 36, thence West parallel with the North section line of said Section 36, 675 feet, thence South parallel with the East section line of Section 36, a distance of 205 feet, this being the point of beginning; thence continuing South and parallel with the East section line of said Section 36 a distance of 148 feet; thence West parallel with the North section line of said Section 36, a distance of 37 feet to the East line of former State Trunk Highway No. 71; thence Northwesterly along the East line of said former State Trunk Highway No. 71 a distance of 199 feet, thence East parallel to the North line of said Section 36 a distance of 171 feet to the point of beginning, Cottonwood County, Minnesota.

The tract contains a total of .35 acres and is subject to existing easements 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.

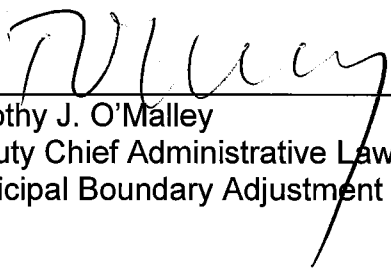
2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

ORDER

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

2. Pursuant to Minnesota Statutes § 414.036, Great Bend Township will be reimbursed by the City of Windom in accordance with the terms of Joint Resolution No. 2013-64, signed by the City on October 15, 2013, and Township on October 6, 2013.

Dated: November 12, 2013



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