

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1559-1
Albert Lea/Albert Lea 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 Albert Lea and Albert Lea 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 December 10, 2013, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City on October 14, 2013, and the Township on October 22, 2013, and duly filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit on November 19, 2013.

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

All that part of the SW¼ Section 22-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the northeast corner of Lot 1, Block 2, Habben First Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota; thence South 00°26'24" East a distance of 103.00 feet, on the east line of said Lot 1, to the point of beginning;

thence South 00°26'24" East a distance of 400.00 feet, on the east line of said Lot 1, to a corner of said Habben First Addition;

thence North 89°42'51" East a distance of 244.96 feet, on a line of said Habben First Addition, to a corner of said Habben First Addition, which is also the westerly right-of-way line of Interstate Highway No. 35;

thence Northeasterly a distance of 206.85 feet, on the westerly right-of-way line of said Interstate Highway No. 35, on a nontangential curve concave to the northwest with a central angle of 15°06'02", a radius of 784.84 feet and a chord bearing of North 52°05'17" East;

thence North 33°16'30" East a distance of 328.91 feet, on the westerly right-of-way line of said Interstate Highway No. 35, to a corner of Outlot A in said Habben First Addition;

thence South 89°42'51" West a distance of 591.22 feet, on the south line of said Outlot A, to the point of beginning.

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.

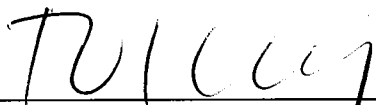
2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

ORDER

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

2. Pursuant to Minnesota Statutes § 414.036, Albert Lea Township will be reimbursed by the City of Albert Lea in accordance with the terms of Joint Resolution No. 13-205, signed by the City on October 14, 2013, and Township on October 22, 2013.

Dated: December 10, 2013



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