

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1564-1  
Hallock/Hallock 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 Hallock and Hallock 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 December 3, 2013 and the Township on November 19, 2013, and duly filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit on December 9, 2013.

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

That part of the Southeast Quarter of Section Thirteen (13), Township One Hundred Sixty-one (161) North, Range Forty-nine (49) West of the Fifth Principal Meridian, Kittson County, Minnesota, described as follows:

Commencing at the intersection of the south line of OSCAR NELSON'S FIRST ADDITION TO HALLOCK, Minnesota, according to the recorded plat of record in the office of the County Recorder, in and for the County of Kittson, and the State of Minnesota, and the easterly right-of-way line of Trunk Highway No. 75; thence southeasterly along said right-of-way line, a distance of 1,112.88 feet to the point of beginning; thence North 36 degrees 49 minutes 42 seconds East 1,898.82 feet more or less to the

intersection of the east boundary line of a parcel described in Document No. 165336 of record in said County Recorder's Office; thence South 02 degrees 40 minutes 45 seconds West, along said east boundary line extended south, a distance of 811.88 feet; thence South 22 degrees 42 minutes 06 seconds East, parallel to the east line of the Official Plat of SOUTHEAST ADDITION TO HALLOCK, of record in said recorder's office, a distance of 386.91 feet; thence South 67 degrees 07 minutes 52 seconds West 520.00 feet; thence South 22 degrees 42 minutes 06 seconds East, along the boundary line of said SOUTHEAST ADDITION TO HALLOCK, a distance of 368.36 feet; thence continuing along said last described boundary line, along a curve to the right having a radius of 530.00 feet, a length of 203.02 feet and a chord bearing South 11 degrees 43 minutes 40 seconds East; thence South 00 degrees 45 minutes 14 second East, along said last described boundary line, a distance of 65.11 feet, more or less to the south line of said Southeast Quarter; thence South 89 degrees 24 minutes 02 seconds West, along said south line, a distance of 795.73 feet, to the intersection of the said south line and said Highway No. 75 easterly right of way line; thence North 22 degrees 42 minutes 06 seconds West; along said easterly right of way line, a distance of 500.62 feet, more or less to the point of beginning;

TOGETHER WITH

A Tract of land in the South One-half (S½) of Section Thirteen (13), Township One Hundred Sixty-one (161) North, Range Forty-nine (49) West, described as follows:

Commencing at a point of the E-W¼ line of said Section Thirteen (13) and Westerly Seventy-five (75) feet right-of-way line of the Burlington Northern Inc. Railroad; Thence North Eighty-nine (89) degrees Eighteen (18) minutes West along the Said E-W¼ line a distance of Six Hundred Twelve and Fourteen Hundredths (612.14) feet more or less to the Westerly line of Columbus Avenue extended as the point of beginning of said Tract:

Thence South Twenty-one (21) Degrees Fifty-six (56) Minutes-East, parallel to the Westerly right of way line of Burlington Northern, Inc. Railroad, a distance of Two Thousand Eight Hundred Sixty-two and Thirty-six Hundredths (2,862.36) feet to the South line of said Section Thirteen (13), Thence Westerly along the South line of said Section Thirteen 913) a distance of Five-hundred Three feet (503'), Thence Northwesterly and parallel to the Westerly right of way line of Burlington Northern, Inc. Railroad to the said E-W¼ line, Thence East along the E-W¼ line of said Section Thirteen (13) to the point of beginning, excepting the north 10 rods thereof;

TOGETHER WITH

A tract of land lying and being within the North one-quarter of the Southwest one-quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section Thirteen (13), Township One Hundred Sixty-one (161) North, Range Forty-nine (49) West, described as follows, to-wit:

Beginning at the Northwest corner of the Southwest one-quarter (SW $\frac{1}{4}$ ) of said Section Thirteen (13); thence Southerly along the West line of said Section a distance of Ten (10) rods; thence at right angles in an Easterly direction, and parallel to the North boundary of the said South One-half of Section 13 to a point which would coincide with the Westerly boundary of Columbus Avenue within the Village of Hallock, if extended; thence Northwesterly and along the Westerly side of Columbus Avenue, if extended, to the North boundary line of the South One-half of said Section 13; thence Westerly and along the North boundary of the said South One-half of Section 13 to the point of beginning and containing Five (5) 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.

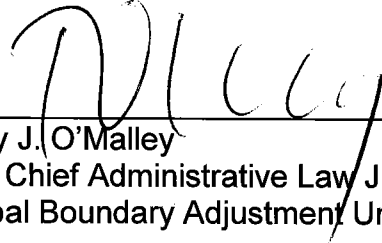
**ORDER**

1. The property described in Findings of Fact 2 is annexed to the City of

Hallock, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes § 414.036, Hallock Township will be reimbursed by the City of Hallock in accordance with the terms of the joint resolution signed by the City on December 3, 2013 and the Township on November 19, 2013.

Dated: December 10, 2013



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