

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1570-1
Elko New Market/New Market 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 Elko New Market and New Market 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. The Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City of Elko New Market on April 10, 2014, and New Market Township on April 8, 2014, and filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit on April 16, 2014.

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

The East Half of the East Half of the Northwest Quarter of Section 22, Township 113 North, Range 21 West of the 5th Principal Meridian; AND the south 33.00 feet, as measured at a right angle, of that part of the Northwest Quarter of said Section 22, lying westerly of said East Half of the East Half of the Northwest Quarter of Section 22, being 255 Street East and part of Natchez Avenue South, as delineated and dedicated in the plat of BASS ADDITION, on file or of record in the office of the Scott County Recorder.

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).

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has jurisdiction of the within proceeding.

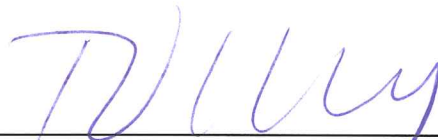
2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

ORDER

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

2. Pursuant to Minnesota Statutes § 414.036, no reimbursement shall be made to New Market Township by the City of Elko New Market in accordance with the terms of the joint resolution signed by the City on April 10, 2014, and the Township on April 8, 2014.

Dated: April 16, 2014



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