

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1574-1  
Aitkin/Aitkin 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 Aitkin and Aitkin 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 on April 7, 2014, and the Township on May 14, 2014, and duly filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit on May 19, 2014.

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

a. Dennis R. Thompson and Timothy A. Thompson property legally described as follows:

That portion of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ), Section Twenty-four (24), Township Forty-seven (47), Range Twenty-seven (27), described as follows:

Commencing at the Southwest corner of said Southwest Quarter of Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ); thence running North along the West line of said Southwest Quarter of Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) a distance of Two Hundred Fifty-eight and eight tenths (258.8) feet; thence East, at right angles, a distance of Two Hundred Eight and eight tenths (208.8) feet to the place of beginning; thence continuing East on the same course Two Hundred Twenty-five and eight tenths (225.8) feet; thence South at right angles from the last course to the North boundary of the right-of-way of Trunk Highway Number Two Hundred Ten (210); thence westerly along said highway right-of-way to

a point South of the point of beginning; thence North parallel with the East line of hereby conveyed tract to the place of beginning.

b. Aitkin Auto Group Properties, LLC property legally described as follows:

That portion of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section Twenty-four (24), Township Forty- seven (47), Range Twenty-seven (27), contained within the following described boundaries:

Commencing at the Southwest corner of said SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , thence running North along the West line of said SW $\frac{1}{4}$  of SE $\frac{1}{4}$  a distance of 258.8 feet, thence East, at right angles, a distance of 434.6 feet to the point of beginning, thence running East on same course a distance of 208.8 feet, thence running South at right angles from last coarse to the North line of State of Minnesota Trunk Highway #210, thence running West along said Highway #210 a distance of 208.8 feet, more or less, to a point South of the point of beginning, thence running North parallel with East line of hereby described tract, to the point of beginning.

AND

That portion of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section Twenty-four (24), Township Forty- seven (47), Range Twenty-seven (27), described as follows:

Commencing at the Southwest corner of said Southwest Quarter of Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ); thence running North on the West line of said Southwest Quarter of Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) a distance of 258.8 feet; thence running East at right angles, a distance of 643.4 feet to the point of beginning; thence running East on same course a distance of 208.8 feet; thence running South at right angles from last course, to Trunk Highway Number 210; thence running in a Westerly direction along said Trunk Highway 210 to a point South of said point of beginning; thence running North parallel with East line of hereby described tract, to said point of beginning.

Total acreage of these tracts is 3.08 acres.

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.

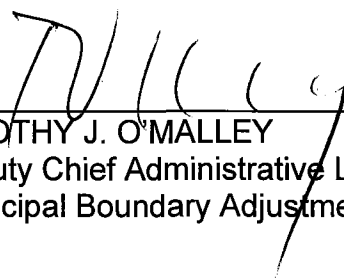
2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

**ORDER**

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

2. Pursuant to Minnesota Statutes § 414.036, Aitkin Township will be reimbursed by the City of Aitkin in accordance with the terms of the Joint Resolution signed by the City of Aitkin on April 7, 2014, and Aitkin Township on May 14, 2014.

Dated: June 10, 2014

  
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TIMOTHY J. O'MALLEY  
Deputy Chief Administrative Law Judge  
Municipal Boundary Adjustment Unit