

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1585-1
Henning/Henning 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 Henning and Henning 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 August 5, 2014, and the Township on August 7, 2014, and filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit on August 11, 2014.

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

That part of the Southeast Quarter of the Southeast Quarter and that part of the Southwest Quarter of the Southeast Quarter, being a part of the abandoned Burlington Northern Railroad corridor, all in Section 22, Township 133 North, Range 38 West, Otter Tail County, Minnesota, described as follows:

Commencing at southwest corner of said Southwest Quarter of the Southeast Quarter;

thence on an assumed bearing of North 89 degrees 09 minutes 40 seconds East along the south line of said Southwest Quarter of the Southeast Quarter a distance of 186.84 feet;

thence North 00 degrees 44 minutes 22 seconds West 664.97 feet;

thence North 89 degrees 09 minutes 02 seconds East 655.10 feet;

thence South 00 degrees 44 minutes 22 seconds East 665.10 feet; to said south line of the Southwest Quarter of the Southeast Quarter;

thence North 89 degrees 09 minutes 40 seconds East along said south line of the Southwest Quarter of the Southeast Quarter and along the south line of said Southeast Quarter of the Southeast Quarter a distance of 492.73 feet to the westerly right of way line of County Road No. 67;

thence North 38 degrees 24 minutes 02 seconds East along said westerly right of way line 152.74 feet to the point of beginning of the land to be described;

thence continuing North 38 degrees 24 minutes 02 seconds East along said westerly right of way line 300.00 feet;

thence North 51 degrees 35 minutes 58 seconds West 300.00 feet;

thence South 38 degrees 24 minutes 02 seconds West 300.00 feet;

thence South 51 degrees 35 minutes 58 seconds East 300.00 feet to the point of beginning;

not already within the current city limits.

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.

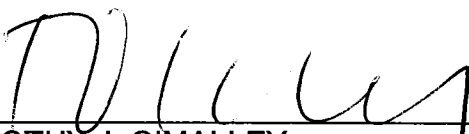
2. An order should be issued by the Chief Administrative Law Judge or

authorized designee annexing the area described herein.

ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Henning.
2. Pursuant to Minnesota Statutes § 414.036, no reimbursement shall be made to Henning Township by the City of Henning in accordance with the terms of the Joint Resolution signed by the City on August 5, 2014, and the Township on August 7, 2014.

Dated: September 9, 2014



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