

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1587-1
Nelson/Osakis Township

**FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER**

The joint resolution for orderly annexation submitted by the City of Nelson (City) and Osakis Township (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 reviewed and accepted the joint resolution which was adopted by the City on August 12, 2014, and the Township on August 11, 2014, and filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit on September 15, 2014.
2. The joint resolution requests the designation and immediate annexation of certain property to the City described as follows:

That part of Lots C, D, E, and F, AUDITOR'S SUBDIVISION OF SW $\frac{1}{4}$ OF SEC. 19 T128N R36W, according to the recorded plat thereof, described as follows:

Commencing at the southwest corner of said Section 19;

thence on an assumed bearing of North 00 degrees 07 minutes 03 seconds West along the west line of said Section 19 a distance of 1307.69 feet to the southwest corner of Lot B, said AUDITOR'S SUBDIVISION OF SW $\frac{1}{4}$ OF SEC. 19 T128N R36W;

thence South 89 degrees 22 minutes 00 seconds East along the south line of

said Lot B and long the north line of said Lot C 855.20 feet to the point of beginning of the land to be described;

thence South 00 degrees 38 minutes 00 seconds West 234.00 feet;

thence North 77 degrees 10 minutes 32 seconds East 673.86 feet to the southerly right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 21-33, according to the recorded plat thereof;

thence North 67 degrees 50 minutes 58 seconds West along said southerly right of way line 364.52 feet to the west line of said Lot E;

thence South 00 degrees 31 minutes 52 seconds West along said west line of Lot E 56.53 feet to the southwest corner of said Lot E;

thence North 89 degrees 22 minutes 00 seconds West along said north line of Lot C 316.35 feet to the point of beginning.

Containing 2.26 acres more or less.

3. Minn. Stat. § 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 Minn. Stat. § 414.0325, subd. 1(h).

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has jurisdiction of this 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.

2. Pursuant to Minn. Stat. § 414.036, the Township will be reimbursed by the City in accordance with the terms of the joint resolution signed by the City on August 12, 2014 and the Township on August 11, 2014.

Dated: September 18, 2014

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

TAMMY L. PUST
Chief Administrative Law Judge