

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF AMBOY) FINDINGS OF FACT
AND SHELBY TOWNSHIP PURSUANT TO) CONCLUSIONS OF LAW
MINNESOTA STATUTES 414) AND ORDER

In 1986, the parties entered into a joint resolution for orderly annexation. In November 2008, the parties submitted a joint resolution amending the 1986 agreement which was reviewed for conformity with applicable law. The undersigned Assistant Chief Administrative Law Judge, acting under a delegation from the Chief Administrative Law Judge, hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. A joint resolution for orderly annexation was adopted by the City of Amboy and Shelby Township pursuant to Minnesota Statutes § 414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments.

2. A joint resolution adopted and submitted by the City of Amboy and Shelby Township, requests annexation of part of the designated area described as follows:

That part of the Southwest Quarter of the Northeast Quarter of Section 23, Township 105 North, Range 28 West, described as:

Commencing at the Center of said Section 23; thence South 89 degrees 45 minutes 15 seconds East, (assumed bearing), along the East-West center line of said Section 23, a distance of 176.00 feet; thence North 00 degrees 43 minutes 48 seconds East, along a line parallel with the North-South center line of said Section 23, a distance of 386.00 feet to the point of beginning; thence continuing North 00 degrees 43 minutes 48 seconds East, along said parallel line, 74.00 feet; thence North 89 degrees 45 minutes 15 seconds West,

along a line parallel with said East-West center line, 176.00 feet to a point on the North-South center line of said Section 23; thence South 00 degrees 43 minutes 49 seconds West, along said North-South center line, 74.00 feet; thence South 89 degrees 45 minutes 15 seconds East, along a line parallel with said East-West center line, 176.00 feet to the point of beginning. Containing 0.30 acres.

3. Minnesota Statutes §414.0325, subd. 1 (g) 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.

5. The joint resolution contains all the information required by Minnesota Statutes §414.0325, subd. 1 (g), 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 Assistant Chief Administrative Law Judge annexing the area described herein.

ORDER

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

2. The tax rate of the City of Amboy on the property herein ordered annexed shall be increased in substantially equal proportions over a period of 6 years to equality with the tax rate of the property already within the city.

3. Pursuant to Minnesota Statutes §414.036, Shelby Township will be reimbursed by the City of Amboy in accordance with the terms of the joint resolution signed by the City and

Township on November 10, 2008.

Dated this 24th day of November, 2008.

For the Assistant Chief Administrative Law Judge
P. O. Box 64620
St. Paul, Minnesota 55164-0620

A handwritten signature in black ink that reads "Christine M. Scotillo". The signature is written in a cursive style with a large, looped 'C' at the beginning.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments