

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-209-1
Moorhead/Oakport Township
Pursuant to Minnesota Statutes 414

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The city resolution for orderly annexation submitted by the City of Moorhead 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. A joint resolution for orderly annexation was adopted by the City of Moorhead and Oakport Township pursuant to Minnesota Statutes § 414.0325 and filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit.
2. A resolution adopted and submitted by the City of Moorhead requests annexation of part of the designated area described as follows:

Tract 2

- a. The south 754 feet of the SW $\frac{1}{4}$ of Section 16, and;
- b. A triangular shaped parcel described as beginning 749.7 feet north of the SW corner of Section 16, thence north 965.54 feet, thence southeasterly 228.98 feet, thence northeast 7 feet, thence south 181.53 feet, thence southeast 898.68 feet, thence west 852.56 feet to point of beginning, and;
- c. The west 1518 feet of the NW $\frac{1}{4}$ of Section 17, and;
- d. The portion of the south half of Section 17 lying north of the Red River of the North, and;
- e. The portion of Section 18 lying east and north of said river, and;
- f. The portion of Section 19 lying east and north of said river, and;
- g. The portion of Section 20 lying north and east of said river, and;
- h. The portion of the west half of Section 21 lying east of said river, and;

- i. The portion of the NW ¼ of the NW ¼ of Section 28 lying east of said river, and;
- j. The portion of the NE ¼ of the NE ¼ of Section 29 lying east of said river, and;
- k. The Palmer Nymark property in Government Lots 3 and 4 described as two parcels:
 - 1. The first parcel described as beginning at a point 14 feet west of the Southeast Corner of Government Lot 3, thence West 200 feet on the north line of Government Lot 3, thence North 554.5 feet parallel to the east line of Section 29, thence East 200 feet to a point 14 feet west of the east line of Section 29, thence South 554.5 feet to the point of the beginning.
 - 2. The second parcel described as beginning at the Northeast Corner of Government Lot 4, thence West 7.50 chains (approximately 495 feet) on the north line of Government Lot 4, thence S 2°45' E a distance of 8.52 chains (approximately 562.3 feet); thence N 44° E a distance of 10.04 chains (approximately 662.6 feet) to a point of intersection with the east line of Section 29, thence North 1.32 chains (approximately 87.1 feet) on the east line of Section 29 to the point of beginning, and;

- 1. The Moorhead Rod and Gun Club property described as two parcels:

- 1. The first parcel beginning at the Northwest Corner of Section 33, thence South 456.9 feet on the west line of Section 33, thence East 286 feet, thence North 456.9 feet to the north line of Section 33, thence West 286 feet on the north line of Section 33 to the point of the beginning.
- 2. The second parcel described as beginning at the Northeast Corner of Section 32, thence West 254.69 feet on the north line of Section 32 to a point of intersection with the north bank of Clay County ditch 41, thence southeasterly along the said ditch bank to a point of intersection with the east line of Section 32 thence North 384.00 feet more or less on the east line of Section 32 to the point of the beginning.

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 Moorhead.

2. The effective date of the annexation is January 1, 2015.

Dated: May 13, 2014



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