

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-438-21
Stillwater/Stillwater 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 Stillwater 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 Stillwater and Stillwater Township pursuant to Minnesota Statutes § 414.0325 and duly filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit.
2. A resolution adopted and submitted by the City of Stillwater, requests annexation of part of the designated area described as follows:

All that part of the Northeast Quarter of the Southwest Quarter of Section (19) Nineteen, Township Thirty (30) North, Range Twenty (20) West, described as follows:

Commencing at the Northwest corner of said quarter-quarter; thence east along the north line of said quarter-quarter for Forty (40) feet; thence South and parallel with the west line of said Northeast Quarter of Southwest Quarter for One hundred thirteen and six-tenths (113.6) feet to its intersection with the southerly right-of-way line of the Northern Pacific Railroad Company, which is the point of beginning of this description: thence continuing South along said parallel line drawn Forty (40) feet East of the West line of said Northeast Quarter of Southwest Quarter for Six hundred twenty-six and one-tenth (626.1) feet; thence East and parallel with said southerly right-of-way line of

the Northern Pacific Railroad Company for Four hundred seventeen and four-tenths (417.4) feet; thence North and parallel with the west line of said Northeast Quarter of Southwest Quarter for Six hundred twenty-six and one-tenth (626.1) feet to the southerly right-of-way line of the Northern Pacific Railroad Company; thence west along said southerly right-of-way line of said railroad company for Four hundred seventeen and four-tenths (417.4) feet to the point of 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), 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 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 Stillwater, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes § 414.036, Stillwater Township will be reimbursed by the City of Stillwater in accordance with the terms of the joint resolution

signed by the City and Township on August 16, 1996; and City Resolution No. 2013-135C.

Dated: September 10, 2013



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