

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation of
Certain Real Property to the City of Blue
Earth from Blue Earth City Township
(MBAU Docket OA-123-7)

ORDER OF DISMISSAL

This matter is pending before Administrative Law Judge Jessica A. Palmer-Denig upon the request of the City of Blue Earth (City) to withdraw the City Resolution to Annex (Petition).

David F. Frundt, Frundt, Lundquist & Gustafson, Ltd., appeared on behalf of the City. Jason M. Hill, Kennedy & Graven Chartered, appeared on behalf of the Blue Earth City Town Board (Township).


The City withdraws the Petition, in which it had sought to annex designated property within the Township pursuant to an orderly annexation agreement. Based upon its withdrawal, the City requests that the hearing scheduled to take place on March 21, 2024, be cancelled and that this matter be dismissed. The City represents that this dispute has been resolved in connection with an agreement between the City and Township to enter into a new orderly annexation agreement, to be filed with the Office of Administrative Hearings at a later date. Further, the City represents that the parties in this matter have agreed to an equal division of the costs associated with this case.

Based upon the City's request, and the files and proceedings herein, the Administrative Law Judge makes the following:

ORDER

1. The hearing scheduled to convene on March 21, 2024, and all other proceedings in this matter, are **CANCELLED**.
2. The Petition is **DISMISSED**.
3. Pursuant to Minn. Stat. § 414.12, subd. 3 (2022), and by agreement of the parties, the costs of this proceeding are allocated 50% to the City and 50% to the Township. An itemized invoice for costs will be sent to the parties under separate cover.

Dated: March 20, 2024


JESSICA A. PALMER-DENIG
Administrative Law Judge