

A-2158(OA)-8 Worthington
Amendment to Joint Resolution
Signed 10-12-10/10-11-10

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

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

In 1972, the parties entered into a joint resolution for orderly annexation. On October 25, 2010, the parties submitted a joint resolution amending the 1972 agreement which was reviewed for conformity with applicable law. By delegation, the Chief Administrative Law Judge's designee 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 Worthington and Lorain Township pursuant to Minnesota Statutes § 414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments.

2. An amendment to the joint resolution, adopted and submitted by the City of Worthington and Lorain Township, requests annexation of part of the designated area described as follows:

That part of the West half of the Southeast Quarter of Section 18, Township 102 North, Range 39 West, Nobles County, Minnesota, described as follows:

Commencing at the South Quarter corner of said Section 18; thence on an assumed bearing of North 0 degrees 01 minutes 48 seconds West, along the north-south quarter line of said section, a distance of 900.00 feet to an iron monument, said iron monument

being the point of beginning of the tract to be described; thence North 90 degrees 00 minutes East a distance of 615.35 feet to an iron monument; thence North 0 degrees 00 minutes 27 seconds West a distance of 1456.84 feet to an iron monument located on the southerly right of way line of Interstate Highway 90; thence South 89 degrees 40 minutes 44 seconds West, along said southerly right of way line, a distance of 615.93 feet to an iron monument located on the north-south quarter line of said section; thence South 0 degrees 01 minutes 48 seconds East, along said north-south quarter line, a distance of 1453.39 feet to the point of beginning, containing 20.57 acres, subject to easements now of record in said county and state.

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 annexing the area described herein.

ORDER

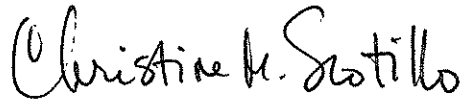
1. The property described in Findings of Fact 2 is annexed to the City of Worthington, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.035, the tax rate of the City of Worthington on the property herein ordered annexed shall be increased in substantially equal proportions over a period of five years to equality with the tax rate of the property already within the city.

3. Pursuant to Minnesota Statutes §414.036, Lorain Township will be reimbursed by the City of Worthington in accordance with the terms of Amendment to the Joint Resolution signed by the City on October 12, 2010 and the Township on October 11, 2010.

Dated this 26th day of October, 2010.

For the Chief Administrative Law Judge's designee
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, flowing style.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments