

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE DETACHMENT AND )  
ANNEXATION OF CERTAIN LAND BETWEEN )  
THE CITIES OF DULUTH AND PROCTOR )  
PURSUANT TO MINNESOTA STATUTES 414 )  
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FINDINGS OF FACT  
CONCLUSIONS OF LAW  
AND ORDER

The city resolutions for concurrent detachment and annexation submitted by the Cities of Duluth and Proctor were 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. On June 28, 2011, the Chief Administrative Law Judge or authorized designee reviewed Duluth City Resolution No. 11-0052 and Proctor City Resolution No. 12-11 for concurrent detachment and annexation which were duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit.

2. The city resolutions contain all the information required by statute including a description of the territory proposed for concurrent detachment and annexation, which is as follows:

Parcel #1

The Northwest Quarter of the Southwest Quarter (NW ¼ of SW ¼), Section Two (2), Township Forty-nine (49) North, Range Fifteen (15) West of the Fourth Principal Meridian, RESERVING the northerly fifty (50) feet thereof to St. Louis County as a permanent easement for highway right of way purposes.

Parcel #2

The Southwest Quarter of the Southwest Quarter (SW ¼ of SW ¼), Section Two

(2), Township Forty-nine (49) North, Range Fifteen (15) West of the Fourth Principal Meridian.

3. The area proposed for concurrent detachment and annexation is situated within the City of Duluth and abuts the municipal boundary of the City of Proctor.

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 concurrently detaching and annexing the area described herein.

ORDER

1. The property described in Findings of Fact 2 is concurrently detached from the City of Duluth and annexed to the City of Proctor the same as if it had originally been made a part thereof.

2. The effective date of this Order is July 1, 2011.

Dated this 28<sup>th</sup> day of June, 2011.

A handwritten signature in black ink, appearing to read "T. O'Malley", is written over the typed name and title.

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