

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

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

The joint resolution for orderly annexation submitted by the City of Paynesville and Paynesville Township was reviewed for conformity with applicable law. The undersigned Assistant Chief Administrative Law Judge, acting under a delegation from 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 Paynesville and Paynesville Township pursuant to Minnesota Statutes § 414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments.

2. A joint resolution adopted and submitted by the City of Paynesville and Paynesville Township, requests annexation of part of the designated area described as follows:

That part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 122, Range 32, Stearns County, Minnesota, which lies Northwesterly and Westerly of the Northwesterly right of way line of State Trunk Highway 23 and Northeasterly of the Northeasterly right of way line of the Soo Line Railroad.

Said lands containing 7.3 acres, more or less.

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 Assistant Chief Administrative Law Judge annexing the area described herein.

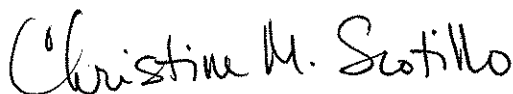
ORDER

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

2. Pursuant to Minnesota Statutes §414.036, Paynesville Township will be reimbursed by the City of Paynesville in accordance with the terms of Joint Resolution No. 2007-45 signed by the City on December 26, 2007 and the Township on February 11, 2007; and Joint Resolution No. 2009-27 signed by the City on September 9, 2009 and the Township on October 5, 2009.

Dated this 22nd day of October, 2009.

For the Assistant Chief Administrative Law Judge
P. O. Box 64620
St. Paul, Minnesota 55164-0620



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments