STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

The city resolution for orderly annexation submitted by the City of Pine City 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 Pine City and Pokegama Township pursuant to Minnesota Statutes § 414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments.

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

> That part of Sections 15 and 16, Township 39, Range 21, Pine County, Minnesota, described as follows:
>
> Beginning at the intersection of the south line of said Section 16 and the easterly right-of-way line of Interstate Highway No. 35. Thence Northerly along said easterly right-of-way line to the north line of the South 961 feet of the Southwest Quarter of the Southeast Quarter of said Section 16; thence East along said north line to the centerline of County Highway No. 61 (formerly State Highway No. 61)

as laid out and established in that certain final certificate recorded in Book 139 of Deeds, Page 413, in the office of the Pine County Recorder; thence Northerly along said centerline to the north line of the South Half of the Southeast Quarter of said Section 16; thence East along the north line of the South Half of the Southeast Quarter of said Section 16 and the north line of the South Half of the Southwest Quarter of said Section 15 to the northeast corner of said South Half of the Southwest Quarter; thence South along the east line of said South Half of the Southwest Quarter to the south line of said Section 15; thence West along the south line of said Section 15 and the south line of said 16 to the easterly right-of-way line of Interstate Highway No. 35 and 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 annexing the area described herein.

O R D E R

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

2.   Pursuant to Minnesota Statutes § 414.036, Pokegama Township will be reimbursed by the City of Pine City in accordance with the terms of the Joint Resolution

No. 06-37 signed by the City of Pine City on August 2, 2006 and the Town of Pokegama on May 25, 2006.

3.   Pursuant to Minnesota Statutes § 272.67, the annexed property as described shall constitute a rural service district for as long as such property satisfies the conditions of that statute for a period not to exceed seven years, in accordance with the terms of the Joint Resolution No. 06-37 signed by the City of Pine City on August 2, 2006 and the Town of Pokegama on May 25, 2006.

4.   The effective date of this Order is January 1, 2011

Dated this 23rd day of November, 2010.

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

Bruce H. Johnson
Administrative Law Judge
Director, Municipal Boundary Adjustment Unit