

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

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

The joint resolution for orderly annexation submitted by the City of Marshall and Lake Marshall Township 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 Marshall and Lake Marshall 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 Marshall and Lake Marshall Township requests annexation of part of the designated area described as follows:

That part of the Northwest Quarter of the Northeast Quarter (NW1/4-NE1/4) of Section Seventeen (Sec. 17), Township 111 North, Range 41 West of the 5th P.M., Lyon County, Minnesota, described as follows:

Commencing at the North Quarter Corner (N.1/4 Cor.) of said Sec. 17; thence South 00°31'34" East (assumed bearing) on the west line of the NE1/4 of said Sec. 17 for a distance of 783.00 feet to the Point of Beginning; thence North 89°55'00" East, parallel to the north line of the NE1/4 of said Sec. 17, for a distance of 811.60 feet; thence South 00°31'34" East for a distance of 544.73 feet to the south line of said NW1/4-NE1/4; thence South 89°56'39" West along said south line for

a distance of 811.60 feet to the Southwest Corner of said NW1/4-NE1/4; thence North 00°31'34" West along the west line of the NE1/4 of said Sec. 17 for a distance of 544.40 feet to the Point of Beginning, containing 10.15 acres, more or less.

AND

A tract of land south of TH Hwy 23 right-of-away and north of the south line of the southwest quarter of Section 8, Township 111 North, Range 41 West and west of the current city limits line in Lake Marshall Township to the City of Marshall. Said tract contains 0.54 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 Chief Administrative Law Judge annexing the area described herein.

ORDER

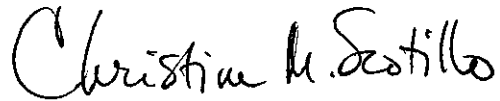
1. The property described in Findings of Fact 2 is annexed to the City of Marshall, the same as if it had originally been made a part thereof.

2. Pursuant to Joint Resolution 3466 signed by the City of Marshall on August 24,

2010 and Lake Marshall Township on August 11, 2010, no reimbursement shall be made to the township pursuant to Minn. Stat. §414.036.

Dated this 14th day of December, 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 style with a large, stylized 'C' at the beginning.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments