

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

The joint resolution for orderly annexation submitted by the City of Jackson and Des Moines 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. On February 12, 2009, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on December 16, 2008, and by the Township on December 9, 2008, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on February 6, 2009.

2. The joint resolution requests the designation and immediate annexation of certain property to the City of Jackson described as follows:

Commencing at an existing iron monument at the northeast corner of said Section 13, thence South 01°20'40" East, assumed bearing, 1997.90 feet along the east line of the NE¼ of said Section 13; thence South 88°02'50" West, along the centerline of CSAH 38, as exists, 1171.26 feet to the point of beginning; thence continuing South 88°02'50" West, along said centerline, 517.00 feet; thence North 01° 20'40" West 675.00 feet to the south right-of-way line of Minnesota Interstate Highway 90; thence North 88°20'40" East, along said right-of-way line, 517.00 feet; thence South 01°20'40" East 675.00 feet, more or less, to the point of beginning; containing 8.0 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 Jackson, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, Des Moines Township will be reimbursed by the City of Jackson in accordance with the terms of the Joint Resolution signed by the City on December 16, 2008 and the Township on December 9, 2008.

Dated this 12<sup>th</sup> day of February, 2009.

For the Assistant Chief Administrative Law Judge  
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 Adjustment