

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE ORDERLY ANNEXATION )	
AGREEMENT BETWEEN THE CITY OF GOODVIEW )	<u>FINDINGS OF FACT</u>
AND ROLLINGSTONE TOWNSHIP PURSUANT TO )	<u>CONCLUSIONS OF LAW</u>
MINNESOTA STATUTES 414 )	<u>AND ORDER</u>

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The joint resolution for orderly annexation submitted by the City of Goodview and Rollingstone 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 July 23, 2009, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on July 20, 2009, and by the Township on July 13, 2009, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on July 22, 2009.

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

Parcel 1:

That part of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) and of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ), all in Section Twelve (12), Township One-hundred seven (107), Range 8, Winona County, Minnesota, described as follows:

Commencing at the Southeast corner of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section Twelve (12); thence on an assumed bearing of North 0°39'13" West along the East line of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section Twelve (12), a distance of 991.99 feet to the center of

Rollingstone Township Road No. 2 for the point of beginning of the land to be described; thence South 63°7'09" East along the centerline of said Rollingstone Township Road No. 2, a distance of 242.82 feet; thence North 63°2'51" East and along the center of the old channel or bed of Rollingstone Creek, a distance of 128.80 feet; thence North 45°15'36" East along the center of said creek bed, a distance of 105.26 feet; thence North 18°27'21" East along the center of said creek bed, a distance of 75.69 feet; thence North 39°54'39" West along the center of said creek bed, a distance of 60.87 feet; thence North 87°50'39" West along the center of said creek bed, a distance of 75.41 feet; thence North 59°24'39" West along the center of said creek bed, a distance of 186.62 feet; thence North 67°42'39" West along the center of said creek bed, a distance of 149.89 feet; thence South 89°50'51" West along the center of said creek bed, a distance of 22.03 feet to said East line of the Southeast Quarter of the Southwest Quarter (SE¼ of SW¼) of Section Twelve (12); thence North 0°39'13" West along said East line, a distance of 29.39 feet to the Northeast corner of said Southeast Quarter of the Southwest Quarter (SE¼, SW¼) of Section Twelve (12); thence South 88°11'16" West along the North line of said Southeast Quarter of the Southwest Quarter (SE¼ of SW¼) of Section Twelve (12), a distance of 357.58 feet to the center of said Rollingstone Township Road No. 2; thence South 26°56'09" East along the centerline of said Rollingstone Township Road No. 2, a distance of 87.63 feet; thence South 37°56'09" East along said centerline, a distance of 115.42 feet; thence South 53°46'09" East along said centerline, a distance of 126.82 feet; thence South 63°46'09" East along said centerline, a distance of 130.06 feet; thence South 63°57'09" East along said centerline, a distance of 35.10 feet to the point of beginning.

Parcel 2:

That part of the Northeast Quarter of the Southwest Quarter (NE¼ of SW¼) of Section Twelve (12), Township One Hundred Seven (107) North, Range Eight (8) West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows: Beginning at the Southeast corner of said Northeast Quarter of the Southwest Quarter (NE¼ of SW¼); thence on an assumed bearing of South 88 degrees 24 minutes 36 seconds West along the South line of said Northeast Quarter of the Southwest Quarter (NE¼ of SW¼), 205.54 feet; thence North 2 degrees 40 minutes 28 seconds East, 214.41 feet; thence North 1 degree 04 minutes 10 seconds West, 407.99 feet; thence North 88 degrees 55 minutes 50 seconds East, 191.53 feet to the east line of said Northeast Quarter of the Southwest Quarter (NE¼ of SW¼); thence South 1 degree 04 minutes 10 seconds East along said East line of the Northeast Quarter of the Southwest Quarter (NE¼ of SW¼); 620.07 feet to the point of beginning.

Parcel 3:

That part of the Northeast Quarter of the Southwest Quarter (NE¼ of SW¼) of Section Twelve (12), Township One Hundred Seven (107) North, Range Eight (8) West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows: Beginning at the Southeast corner of said Northeast Quarter of the Southwest Quarter (NE¼ of SW¼); thence on an assumed bearing of South 88 degrees 24 minutes 36 seconds West along

the South line of said Northeast Quarter of the Southwest Quarter (NE¼ of SW¼); 205.54 feet; thence North 2 degrees 40 minutes 28 seconds East, 214.41 feet; thence North 1 degree 04 minutes 10 seconds West, 407.99 feet to the place of beginning of the parcel herein described; thence continuing on the same course 545 feet; thence North 88 degrees 55 minutes 50 seconds East, 191.53 feet to the East line of said Northeast Quarter of the Southwest Quarter (NE¼ of SW¼); thence South 1 degree 04 minutes 10 seconds East along said East line of the Northeast Quarter of the Southwest Quarter (NE¼ of SW¼) 545 feet; thence South 88 degrees 55 minutes 50 seconds West 191.54 feet to the point of beginning.

Excepting therefrom the following:

That part of the Northeast Quarter of the Southwest Quarter of Section Twelve (12), Township One Hundred Seven (107) North, Range Eight (8), West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows: Beginning at the Northeast corner of said Northeast Quarter of the Southwest Quarter (NE¼ of SW¼); thence on an assumed bearing of South 01 degree 04 minutes 10 seconds East along the East line of said Northeast Quarter of the Southwest Quarter (NE¼ of SW¼). 144.53 feet to the point of beginning; thence continuing Southerly on said assumed bearing 409.38 feet; thence South 88 degrees 55 minutes 50 seconds West, 191.53 feet; thence North 01 degree 04 minutes 10 seconds West, 409.38 feet; thence North 88 degrees 55 minutes 50 seconds East, 191.53 feet to the point of beginning.

Parcel 4:

All of the right of way of Wenonah Road, formerly known as Rollingstone Township Road No. 2, lying within the Southwest Quarter of the Southeast Quarter, and lying within the Southeast Quarter of the Southwest Quarter, all in Section 12, Township 107, Range 8, Winona County, Minnesota, not heretofore annexed by the City of Goodview, Minnesota.

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 Goodview, the same as if it had originally been made a part thereof.
2. Pursuant to Minnesota Statutes §414.036, Rollingstone Township will be reimbursed by the City of Goodview in accordance with the terms of Joint Resolution No. 0825 signed by the City on July 20, 2009 and the Township on July 13, 2009.

Dated this 23<sup>rd</sup> day of July, 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