

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE ORDERLY ANNEXATION )  
AGREEMENT BETWEEN THE CITY OF THIEF RIVER ) FINDINGS OF FACT  
FALLS AND NORTH TOWNSHIP PURSUANT TO ) CONCLUSIONS OF LAW  
MINNESOTA STATUTES 414 ) AND ORDER  
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The joint resolution for orderly annexation submitted by the City of Thief River Falls and North 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 August 20, 2009, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on June 2, 2009, and by the Township on June 1, 2009, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on July 24, 2009.

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

A parcel of land which is a part of the Southeast Quarter (SE ¼) of Section Thirty-two (32), Township One Hundred Fifty-four (154) North of Range Forty-three (43) West of the Fifth Principal Meridian, bounded as follows:

Commencing at a point on the East line of said Section Thirty-two (32) lying 1,240 feet South of the South line of First Street in Thief River Falls, Minnesota; thence West at right angles to said East line a distance of 845 feet to the point of beginning; thence continuing West to the West line of said SE ¼; thence southerly along said West line to the Southwest corner of said SE ¼; thence Easterly along the South line of said SE ¼ to a point lying 1,585.16

feet Westerly of the Southeast corner of said Section 32; thence North along a line parallel with the East line of said Section 32 a distance of 610 feet; thence Easterly along a line parallel with the South line of said Section 32 a distance of 740 feet; thence North along a line parallel with the said East line, to the point of beginning;

together with

That part of abandoned Barzen Avenue in the City of Thief River Falls extending from its intersection with Greenwood Street on the South and thence running Northerly for 1250 feet; excepting any utility easements. (Digi-Key Property)

AND

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Two (2); and Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), and Eight (8) of Block Three (3) in Nelson's First Addition to Thief River Falls, Minnesota, according to the official plat thereof on record.

AND

A tract of land which consists of Lots One (1) and Two (2) of Block Four (4) in Nelson's First Addition to Thief River Falls, Minnesota, and an unplatted parcel which is Part of Government Lot Eight (8) and Government Lot Nine (9), Section Thirty-five (35), Township One Hundred Fifty-four (154) North, Range Forty-three (43) West of the Fifth Principal Meridian bounded as follows:

Beginning at the Southwest Corner of Lot One (1), Block Four (4) in Nelson's First Addition to Thief River Falls, Minnesota; thence North 86 degrees 31 minutes 55 seconds West along the North line of Greenwood Street a distance of 744.8 feet; thence North 24 degrees 54 minutes 49 seconds East a distance of 613.5 feet to the Southerly boundary of Nelson Drive; thence Southeasterly along said Southerly line to the Northwest Corner of Lot Two (2) of said Block Four (4); thence South 3 degrees 28 minutes 5 seconds West a distance of 233.555 feet to the point of beginning.

AND

Lots One (1), Two (2), and Three (3) of Block One (1) in Nelson's First Addition to Thief River Falls, Minnesota, including the West Half (W ½) of the abutting Red Lake River.

AND

All that part of Nelson Drive abutting the West line of Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6) in Block One (1) and the East line of Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6) in Block Two (2) Nelson's Addition to Thief River Falls, Minnesota

AND

All that part of platted 56 feet wide Greenwood Street lying South of and adjacent to the above described properties.

AND

All those areas designated for public use in the property described herein, including Rider Court and Nadine Street. (Greenwood Property)

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 Thief River Falls, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, North Township will be reimbursed by the City of Thief River Falls in accordance with the terms of the Joint Resolution signed by the City on June 2, 2009 and the Township on June 1, 2009.

Dated this 20<sup>th</sup> day of August, 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 style with a large initial "C".

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments