

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

The joint resolution for orderly annexation submitted by the City of Spring Valley and Spring Valley 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 October 22, 2009, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on August 10, 2009 and the Township on July 28, 2009, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on September 23, 2009.

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

That part of the East Half of the Northwest Quarter of Section 28, Township 103 North, Range 13 West, Fillmore County, Minnesota, described as follows:

Commencing at the southwest corner of the East Half of said Northwest Quarter; thence North 00 degrees 13 minutes 10 seconds West, (assumed bearing), along the west line of said East Half 661.62 feet to the point of beginning of the tract of land to be herein described; thence continuing North 00 degrees 13 minutes 10 seconds West along said west line 717.80 feet to a point on the center line of the now abandoned Chicago

and Northwestern Transportation Company railroad right-of-way; thence North 56 degrees 12 minutes 19 seconds East at right angles to said

center line 50.00 feet to the northeasterly right-of-way line of said abandoned railroad; thence South 33 degrees 47 minutes 41 seconds East along said northeasterly right-of-way line 941.98 feet; thence North 86 degrees 13 minutes 01 seconds West 563.98 feet to the point of beginning and containing 5.18 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

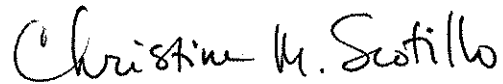
1. The property described in Findings of Fact 2 is annexed to the City of Spring Valley, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, Spring Valley Township will be reimbursed by the City of Spring Valley in accordance with the terms of Joint Resolution No.

2009-35 signed by the City on August 10, 2009 and the Township on July 28, 2009.

Dated this 22<sup>nd</sup> day of October, 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, looped 'C' at the beginning.

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments