

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE ORDERLY ANNEXATION )  
AGREEMENT BETWEEN THE CITY OF WINDOM ) FINDINGS OF FACT  
AND GREAT BEND 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 Windom and Great Bend 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 March 18, 2010, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on February 16, 2010, and by the Township on February 3, 2010, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on March 3, 2010.

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

PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE  
NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 105 NORTH,  
RANGE 36 WEST IN COTTONWOOD COUNTY, MINNESOTA,  
DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING IRON MONUMENT AT THE  
NORTHEAST CORNER OF SAID SECTION 35; THENCE SOUTH 00  
DEGREES 14 MINUTES 06 SECONDS WEST, BEARING BASED ON  
COTTONWOOD COUNTY COORDINATE SYSTEM, ALONG THE EAST  
LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35, A

DISTANCE OF 905.00 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 50 MINUTES 27 SECONDS WEST, PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 655.50 FEET; THENCE SOUTH 00 DEGREES 22 MINUTES 06 SECONDS WEST, PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 245.00 FEET, TO AN EXISTING IRON PIPE; THENCE NORTH 89 DEGREES 50 MINUTES 27 SECONDS WEST, PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 655.00 FEET, TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35; THENCE SOUTH 00 DEGREES 22 MINUTES 06 SECONDS WEST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 167.53 FEET, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 51 MINUTES 12 SECONDS EAST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 1311.46 FEET, TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 14 MINUTES 06 SECONDS EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 412.24 FEET, TO THE POINT OF BEGINNING.

THE TRACT CONTAINS 8.72 ACRES AND IS SUBJECT TO EXISTING ROAD EASEMENT AND OTHER EASEMENTS OF RECORD, IF ANY.

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 Windom, the same as if it had originally been made a part thereof.
2. Pursuant to Minnesota Statutes §414.036, Great Bend Township will be reimbursed by the City of Windom in accordance with the Property Value Worksheet and the terms of the Joint Resolution signed by the City on February 16, 2010 and the Township on February 3, 2010.

Dated this 18<sup>th</sup> day of March, 2010.

For the Assistant Chief Administrative Law Judge  
P. O. Box 64620  
St. Paul, Minnesota 55164-0620

*Christine M. Scotillo*

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments