

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

The joint resolution for orderly annexation submitted by the City of Albert Lea and Albert Lea 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 September 14, 2009, and by the Township on March 8, 2010, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on March 11, 2010.

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

Parcel No.: 08-011-0200

Commencing at a point 330 feet East of the Northwest corner of the East Half of the Northeast Quarter of Section 11, Township 102 North, Range 21 West of the 5th P.M.; thence South 1320 feet more or less to a point on the south line of the Northeast Quarter of the Northeast Quarter of said Section 11; thence East 330 feet; thence North 1320 feet more or less to the North line of the East Half of the Northeast Quarter of said Section 11; thence West to the point of beginning; subject to and together with the benefits and burdens of a roadway easement 30 feet in width lying South of and adjoining the south right-of-way line of former Minnesota Trunk Highway No. 16 and running along the Northerly side of the East Half of the Northeast Quarter of said Section 11; subject to highway and 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 Albert Lea, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, Albert Lea Township will be reimbursed by the City of Albert Lea in accordance with the terms of Joint Resolution No. 09-175 signed by the City on September 14, 2009 and the Township on March 8, 2010.

Dated this 18th day of March, 2010.

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



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments