

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

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.: 08-010-0101

All that part of the NE ¼ SE ¼ Section 10-T102N-R21W and the NW ¼ SW ¼ Section 11-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the northeast corner of the SE ¼ of Said Section 10:

thence North 89°55'49" East a distance of 7.18, on the north line of the SW ¼ of said Section 11:

thence South 00° 52'57" East a distance of 288.35 feet;

thence South 03°18'44" West a distance of 219.17 feet;

thence South 89°38'00" West a distance of 136.70;

thence North 00°32'05" East a distance of 507.16 feet, to a point on the north line of said SE ¼;

thence North 89°38'00" East a distance of 133.02 feet, on the north line of said SE ¼, to the point of beginning;

subject to highway easement on the north side thereof;

together with an easement for ingress and egress over, under and across the NW ¼ SW ¼ of said Section 11, described as follows:

Commencing at the northwest corner of the SW ¼ of said Section 11; thence North 89°55'49" East a distance of 7.18 feet, on the north line of said SW ¼ to the point of beginning;

thence South 00° 52'57" East a distance of 288.35 feet;

thence North 89°55'49" East a distance of 18.00 feet;

thence North 02°05'13" West a distance of 288.50 feet, to a point on the north line of said SW 1/4;

thence South 89°55'49 West a distance of 11.95 feet, on the north line of said SW ¼ to the point of beginning.

EXCEPT PORTION IN SECTION 11, TOWNSHIP 102, RANGE 21
& EXCEPT PORTION IN ROAD R/W ON NORTH SIDE OF SAID
PARCEL.

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

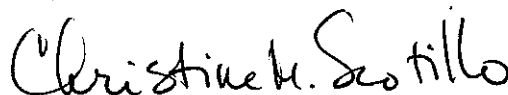
1. The Office of Administrative Hearings has duly acquired and now has jurisdiction of the within proceeding.
2. An order should be issued by the Chief Administrative Law Judge annexing the area described herein.

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. 09-177 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