

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.: 08-050-0060 – SABIN
PARCEL NO.: 08-050-0080 – MAJERUS

DESCRIPTION FOR ANNEXATION PURPOSES
IN NW¼ SE¼ SECTION 10-T102N-R21W
ALBERT LEA, FREEBORN COUNTY, MN

CITY OF ALBERT LEA

All that part of the NW¼ SE¼ Section 10-T102N-R21W, Freeborn County, Minnesota;
described as follows:

Commencing at the northwest corner of the NW¼ SE¼ of said Section 10; thence North 89°37'59" East a distance of 729.96 feet, on an assumed bearing on the north line of said NW¼ SE¼, to the point of beginning of the tract to be described;

thence South 00°40'21" East a distance of 658.34 feet, on a line parallel with the east line of said NW¼ SE¼;

thence South 80°21'43" East a distance of 220.40 feet, on a line parallel with the north right-of-way line of the Soo Line Railroad (formerly Chicago, Milwaukee, St. Paul & Pacific Railroad);

thence Southeasterly a distance of 158.39 feet, on a line parallel with said north railroad right-of-way line, on a tangential curve concave to the north, with a radius of 2518.29 feet and a central angle of 03°36'13", to a point 208.80 feet west of the east line of said NW¼ SE¼;

thence North 00°40'21" West a distance of 719.23 feet, on a nontangential line parallel with the east line of said NW¼ SE¼, to a point on the north line thereof;

thence South 89°37'59" West a distance of 373.47 feet, on the north line of said NW¼ SE¼, to the point of beginning;

subject to highway easement on the northerly-most side thereof and easements of record.

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. 09-233 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