

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:

DESCRIPTION FOR ANNEXATION PURPOSES
IN SECTIONS 6 & 7-T102N-R21W
FREEBORN COUNTY, MN

CITY OF ALBERT LEA
George Dress Property

Commencing at the southeast corner of the NW¼ Section 6-T102N-R21W, Freeborn County; thence South 00°28'33" East a distance of 100.00 feet, on the east line of the SW¼ of said Section 6; thence South 00°28'33" East a distance of 971.74 feet, on an assumed

bearing on the east line of the SW¼ of said Section 6, to a point on the northeasterly right-of-way line of the former Chicago & Northwestern Transportation Company (now Union Pacific Railroad), which is the point of beginning;

thence Southeasterly a distance of 1932 feet more or less, on the northeasterly right-of-way line of said former Chicago & Northwestern Transportation Company (now Union Pacific Railroad), to the south line of the SE¼ of said Section 6;

thence South 46°41'40" West a distance of 101.00 feet, to a point on the southwesterly right-of-way line of said former Chicago & Northwestern Transportation Company (now Union Pacific Railroad);

thence South 00°34'32" East a distance of 2703 feet more or less, to a point on the south right-of-way line of the former Chicago, Milwaukee & St. Paul Railroad (now Iowa, Chicago & Eastern Railroad Corporation);

thence Northwesterly a distance of 2365 feet more or less, on the south right-of-way line of said former Chicago, Milwaukee, St. Paul & Pacific Railroad (now Iowa, Chicago & Eastern Railroad Corporation), to the west line of the E½ NW¼ Section 7-T102N-R21W;

thence North a distance of 2185 feet more or less, on the west line of the E½ NW¼ of said Section 7 and the east line of Chapeau Shores Seventh Addition and the east line of Chapeau Shores Fifth Addition, as the same are platted and recorded in the office of the County Recorder of Freeborn County, Minnesota, to the northwest corner of the E½ NW¼ of said Section 7;

thence East a distance of 1182.57 feet, on the north line of the E½ NW¼ of said Section 7, to a point 114.12 feet west of the northeast corner of the NW¼ of said Section 7;

thence northeasterly a distance of 42.94 feet, to a point 109.12 feet west of the east line of the SW¼ of said Section 6;

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

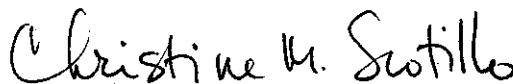
1. The Office of Administrative Hearings has duly acquired and now has jurisdiction of the within proceeding.
2. An order should be issued by the Chief Administrative Law Judge annexing the area described herein.

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. 09-176 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