

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 BANCROFT 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 Bancroft 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 December 14, 2009, and by the Township on January 12, 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.: 13-035-0220

All that part of the SW¼ Section 35-T103N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at a point on the east right-of-way line of 770th Avenue (former Trunk Highway No. 65), which is 1363.00 feet north of the south line of the SW¼ of said Section 35;

thence North 89°45'47" East a distance of 252.00 feet, parallel with the south line of said SW¼;

thence South 00°44'55" East a distance of 216.35 feet, parallel with the west line of said SW¼;

thence North 89°45'47" East a distance of 738.00 feet, parallel with the south line of said SW¼;

thence North 00°44'55" West a distance of 440.00 feet, parallel with the west line of said SW¼;

thence South 89°45'47" West a distance of 795.00 feet, parallel with the south line of said SW¼;

thence South 00°44'55" East a distance of 95.00 feet, parallel with the west line of said SW¼;

thence South 89°45'47" West a distance of 195.00 feet, parallel with the south line of said SW¼, to a point on the east right-of-way line of said 770th Avenue (former Trunk Highway No. 65);

thence South 00°44'55" East a distance of 128.66 feet, on the east right-of-way line of said 770th Avenue (former Trunk Highway No. 65), to the point of beginning.

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, Bancroft Township will be reimbursed by the City of Albert Lea in accordance with the terms of Joint Resolution No. 09-235 signed by the City on December 14, 2009 and the Township on January 12, 2010.

Dated this 18th day of March, 2010.

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

A handwritten signature in black ink that reads "Christine M. Scotillo". The signature is written in a cursive, flowing style.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments