

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE ORDERLY ANNEXATION ) AMENDED  
AGREEMENT BETWEEN THE CITY OF AUSTIN ) FINDINGS OF FACT  
AND LANSING TOWNSHIP PURSUANT TO ) CONCLUSIONS OF LAW  
MINNESOTA STATUTES 414 ) AND ORDER  
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The joint resolution for orderly annexation submitted by the City of Austin and Lansing 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 April 22, 2010, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on April 19, 2010, and by the Township in April of 2010, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on April 21, 2010.
2. The joint resolution requests the designation and immediate annexation of certain property to the City of Austin described as follows:

~~Commencing at the Southwest corner of the Northeast Quarter of Section 27, Township 103 North, Range 18 West, of the 5<sup>th</sup> P.M., Mower County, Minnesota, thence North along the West line of the Northeast Quarter of said Section 27 & distance of 730.25 feet to the place of beginning of the tract of land to be described; Section 27, a distance of 125 feet; thence deflecting right 90°00' a distance of 173 feet thence South parallel with the West line of the Northeast Quarter of said Section 27, a distance of 125 feet; thence West 173 feet to the place of beginning, the West 33 feet thereof is subject to public highway;~~

MORE PARTICULARLY DESCRIBED AS:

All that part of the Southwest Quarter of the Northeast Quarter of Section 27, Township 103 North, Range 18 West, Mower County, Minnesota, described as follows:

Commencing at the southwest corner of the NE ¼ of said Section 27, thence north 00°00'00" East a distance of 709.32 feet, on an assumed bearing on the west line of said NE ¼, to the point of beginning;

thence North 00°00'00" East a distance of 125.00 feet, on the west line of said NE ¼;

thence South 88°46'19" East a distance of 244.92 feet;

thence South 00°00'00" East a distance of 125.00 feet;

thence North 88°46'19" West a distance of 244.92 feet, to the point of beginning;

subject to highway easement for County State Aid Highway No. 45.

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.

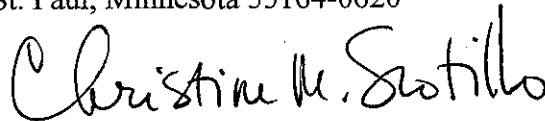
ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Austin, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, Lansing Township will be reimbursed by the City of Austin in accordance with the terms of Joint Resolution No. 13812 signed by the City on April 19, 2010 and the Township in April of 2010.

Dated this 22<sup>nd</sup> day of April, 2010.

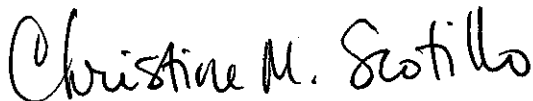
For the Assistant Chief Administrative Law Judge  
P. O. Box 64620  
St. Paul, Minnesota 55164-0620



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

Amended this 29<sup>th</sup> day of June, 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