

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

The joint resolution for orderly annexation submitted by the City of Winthrop and Alfsborg 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 May 19, 2010, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on May 3, 2010 and Township on May 20, 2008, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on May 10, 2010.

2. The joint resolution requests the designation and immediate annexation of certain property to the City of Winthrop described as follows:

A parcel of land in the Northeast Quarter of the Southwest Quarter, (NE 1/4 of SW 1/4) of Section Number Six (6), in Township Number One Hundred Twelve (112) North of Range Number Twenty-Nine, Sibley County, Minnesota, described as follows:

Commencing at the Southeast corner of Out-Lot 3 of Thorson and Swenson's Subdivision of Sec. 6, Twp. 112, Rge. 29, thence West along the South line of said Outlot 3 for 148.0 feet, thence South at an internal angle of 89° 35' for 102.0 feet, thence East at an internal angle of 90° 24' for 253.2 feet to the centerline of C.S.A.R. # 1, thence Northwesterly along the centerline of C.S.A.R. # 1 at an internal angle of 68° 04' for

109.0 feet, thence West at an internal angle of $111^{\circ} 57'$ for 64.9 feet to the point of beginning. Subject to Easements if any.

AND

A parcel of the Northeast Quarter of the Southwest Quarter of Section Six (6), Township One Hundred Twelve (112) North of Range Twenty-nine (29) West, described as follows:

Beginning at a point in the center of C.S.A.R. # 1, as presently located, which point is due East of a point of 102 feet South of the Southwest Corner of OutLot Three (3) in Thorson and Swenson's Subdivision of said Section Six (6), as the point of beginning, said point of beginning being the Southeast Corner of the Frank Huffman property (Book 69 of Deeds, page 213), thence West along the South line of the Frank Huffman property to a point 102 feet South of the Southwest Corner of said OutLot Three (3), said point being the Southwest Corner of said Frank Huffman property, thence North on the West line of the Frank Huffman property 86.75 feet to the Southeast Corner of OutLot Seven (7) of Thorson and Swanson's Subdivision of said Section Six (6), thence West along the South line of said OutLot Seven (7) 131 feet to the Northeast Corner of OutLot Nine (9) of Thorson and Swanson's Subdivision of Section Six (6), thence South along the East line of said OutLot Nine (9) 216.5 feet, thence due East to the center of said C.S.A.R. #1, thence Northwesterly along the center line of said C.S.A.R. # 1 to the point of beginning, EXCEPTING HOWEVER, the following described parcel:

Commencing at the Southeast Corner of OutLot Seven (7) of Thorson and Swenson's Subdivision of said Section Six (6), thence West along the South line of said OutLot Seven (7), 131 feet to the Northeast Corner of said OutLot Nine(9) of Thorson and Swenson's Subdivision of said Section Six (6), thence South along the East line of said OutLot Nine (9), 216.5 feet, thence due East 131 feet, and thence North to the point of commencement.

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

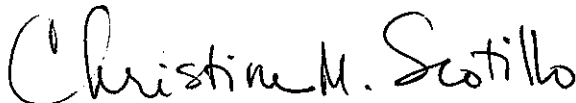
1. The Office of Administrative Hearings has duly acquired and now has jurisdiction of the within proceeding.
2. An order should be issued by the Chief Administrative Law Judge annexing the area described herein.

ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Winthrop, the same as if it had originally been made a part thereof.
2. Pursuant to Minnesota Statutes §414.036, no reimbursement shall be made to the Township of Alfsborg by the City of Winthrop in accordance with the terms of the Agreement Addendum to Resolution Joint Resolution No. 050310-1 received by Municipal Boundary Adjustments on May 18, 2010.

Dated this 19th day of May, 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