

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

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

The joint resolution for orderly annexation submitted by the City of Austin and Red Rock Township was reviewed for conformity with applicable law. The Chief Administrative Law Judge hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On July 22, 2010, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on June 7, 2010, and by the Township on July 13, 2010, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on July 22, 2010.

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

All that part of the Northwest Quarter, Section 31, Township 103 North, Range 17 West, Mower County, Minnesota; described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 31; thence South 89° 16'49" West a distance of 1980.00 feet, on an assumed bearing on the north line of said Northwest Quarter; thence South 00°52'40" East a distance of 2135.94 feet, parallel with the east line of said Northwest Quarter, to the point of beginning; thence North 55°23'22" East a distance of 173.55 feet; thence North 18°27'36" East a distance of 155.97 feet; thence North 58°47'32"

East a distance of 211.25 feet; thence North 70°04'51" East a distance of 248.34 feet; thence South 02°28'50" East a distance of 952.18 feet, to a point on the south line of said Northwest Quarter; thence South 89°18'21" West a distance of 639.70 feet, on the south line of said Northwest Quarter; thence North 00°52'40" West a distance of 518.51 feet, parallel with the east line of said Northwest Quarter, 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 Austin, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, Red Rock Township will be reimbursed by the City of Austin in accordance with the terms of Joint Resolution No. 13833 signed by the

City on June 7, 2010 and the Township on July 13, 2010.

Dated this 22nd day of July, 2010.

For the 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 style with a large initial "C".

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments