

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE ORDERLY ANNEXATION )  
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. By delegation, the Chief Administrative Law Judge's designee hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On December 14, 2010, the Chief Administrative Law Judge reviewed and accepted the joint resolution which was adopted by the City on December 6, 2010 and Township on December 8, 2010, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments on December 10, 2010.

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

66 ft. ROW of 21<sup>st</sup> Avenue NW from Hwy 218 to 930± ft. East.

Commencing at the southeast corner of the SE¼ SE¼ Section 28-T103N-R18W, Mower County, Minnesota, this being the point of beginning;

thence North 00°02'30" East a distance of 33.00 feet, on an assumed bearing on

the east line of said SE¼ SE¼;

thence North 89°55'57" West a distance of 931.40 feet, on a line parallel with the south line of said SE¼ SE¼, to a point on the easterly right-of-way line of Trunk Highway No. 218;

thence South 00°01'20" East a distance of 66.00 feet, on the easterly right-of-way line of said Trunk Highway No. 218;

thence South 89°55'57" East a distance of 930.84 feet, on a line parallel with the south line of said SE¼ SE¼, to a point on the east line of the NE¼ NE¼ Section 33-T103N-R18W;

thence North 00°53'07" East a distance of 33.00 feet, on an assumed bearing on the east line of said NE¼ NE¼, 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 Joint Resolution 13912, signed by the City of Austin on December 6, 2010 and Lansing Township on December 8, 2010, no reimbursement shall be made to the township pursuant to Minn. Stat. §414.036.

Dated this 14<sup>th</sup> day of December, 2010.

For the Chief Administrative Law Judge's designee  
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