

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)	
AGREEMENT BETWEEN THE CITY OF ST. CHARLES)	<u>FINDINGS OF FACT</u>
AND ST. CHARLES TOWNSHIP PURSUANT TO)	<u>CONCLUSIONS OF LAW</u>
MINNESOTA STATUTES 414)	<u>AND ORDER</u>

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

FINDINGS OF FACT

1. On September 13, 2011, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City on June 28, 2011 and the Township on June 21, 2011, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit on August 29, 2011.

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

A part of the Northeast Quarter of the Southeast Quarter (NE1/4 of SE1/4) of Section Thirty (30), Township One Hundred Six (106) North, of Range Ten (10), West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:

Commencing at the Northeast corner of the Northeast Quarter of the Southeast Quarter (NE1/4 of SE1/4) of said Section Thirty (30); thence South 87°28'30" West (NOTE: All bearings are in relation to the Winona County Coordinate

System, 1927 Datum) along the North line of the Northeast Quarter of said Southeast Quarter (NE1/4 of SE1/4) for a distance of 733.09 feet to the point of beginning of the parcel to be described; thence continue South 87°28'30" West along said North line for a distance of 583.00 feet to the Northwest corner of the Northeast Quarter of said Southeast Quarter (NE1/4 of SE1/4); thence South 01°34'58" East along the West line of the Northeast Quarter of said Southeast Quarter (NE1/4 of SE1/4) for a distance of 375.00 feet; thence North 87°28'30" East for a distance of 583.00 feet; thence North 01°34'58" West for a distance of 375.00 feet 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 or authorized designee annexing the area described herein.

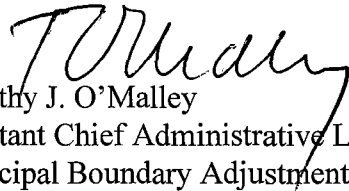
ORDER

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

2. Pursuant to Minnesota Statutes §414.036, St. Charles Township will be

reimbursed by the City of St. Charles in accordance with the terms of Joint Resolution No. 18-2011/01-2011 signed by the City on June 28, 2011 and the Township on June 21, 2011.

Dated this 13th day of September, 2011.


Timothy J. O'Malley
Assistant Chief Administrative Law Judge
Municipal Boundary Adjustment Unit