

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)	
AGREEMENT BETWEEN THE CITY OF ADA)	<u>FINDINGS OF FACT</u>
AND MCDONALDSVILLE 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 Ada and McDonaldsville 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 December 22, 2011, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City on December 15, 2011 and the Township on December 19, 2011, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit on December 21, 2011.
2. The joint resolution requests the designation and immediate annexation of certain property to the City of Ada described as follows:

A PARCEL IN THE W1/2NE1/4 OF SECTION 17, TOWNSHIP 144 NORTH, OR RANGE 46 WEST OF THE 5TH P.M., NORMAN COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

BEGINNING 94 RODS WEST AND 75 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 17, TOWNSHIP 144 NORTH, OF RANGE 46 WEST, OF THE 5TH P.M., NORMAN COUNTY, MINNESOTA, WHICH POINT IS ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY #200; THENCE WEST ON SAID SOUTH HIGHWAY RIGHT-OF-WAY LINE A DISTANCE OF 418 FEET; THENCE SOUTH, PARALLEL WITH THE EAST LINE OF SECTION 17, A DISTANCE OF 1,600 FEET; THENCE EAST, PARALLEL WITH SAID SOUTH LINE OF SAID HIGHWAY RIGHT-OF-WAY A DISTANCE OF 418

FEET; THENCE NORTH, PARALLEL WITH THE EAST LINE OF SECTION 17, A DISTANCE OF 1,600 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.

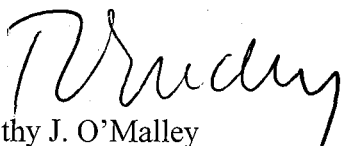
2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Ada, 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 McDonaldsville by the City of Ada in accordance with the terms of the Joint Resolution No. 2011-12-03/2011 signed by the City on December 15, 2011 and Township on December 19, 2011.

Dated this 22nd day of December, 2011.


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