

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1539-1  
Albert Lea/Albert Lea Township  
Pursuant to Minnesota Statutes 414

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

The joint resolution for orderly annexation submitted by the City of Albert Lea and Albert Lea 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 October 9, 2012, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City on August 27, 2012 and the Township on September 11, 2012, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit on October 1, 2012.
2. The joint resolution requests the designation and immediate annexation of certain property to the City of Albert Lea described as follows:

The East 165 feet of the West 825 feet of the NE1/4, NE1/4 of Section 11, Township 102 North, Range 21 West of the 5<sup>th</sup> P.M. less and excepting the South 760.00 feet thereof; subject to highway right-of-way on the north side thereof.(77893 209<sup>th</sup> Street)
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 Albert Lea, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes § 414.036, the Township of Albert Lea shall be reimbursed by the City of Albert Lea in accordance with the terms of the Joint Resolution No. 12-169 signed by the City on August 27, 2012 and Township on September 11, 2012.

Dated: October 9, 2012

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