

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1554-1
Goodview/Rollingstone 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 Goodview and Rollingstone 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 8, 2013, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City and Township on September 9, 2013, and duly filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit on September 24, 2013.

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

PARCEL A

Beginning at a point on the East line of said Section 13 which is the Northeast corner of the property conveyed by Charles P. Biesanz and Maude Biesanz, his wife, to Andrew T. Buggs and Joyce Buggs, husband and wife, and recorded in the office of the County Recorder, Winona County, Minnesota, as Document No. 198706; thence Northwesterly along the North line of the property described in said Document No. 198706 to the Northwest corner thereof; thence continuing Northwesterly along the North line of the property conveyed by Charles P. Biesanz and Maude Biesanz, husband and wife, to Andrew T. Buggs and Joyce Buggs, husband and wife, which property is described in Document No. 197585 in the office of the County Recorder, Winona County, Minnesota, to the

Northwest corner thereof; thence Southwesterly along the West line of the property described in Deed Document No. 197585 and the Southwesterly extension thereof to the center line of the east bound lane of Trunk Highway No. 61; thence Southeasterly along the center line of the East bound lane of Trunk Highway No. 61 to the East line of Section 13; thence Northerly along the East line of said Section 13 to the place of beginning. Being in section 13-107-08.

PARCEL B

That part of Government Lot Four (4), Section Thirteen (13), Township One Hundred Seven (107), Range Eight (8), described as follows: Commencing at the East quarter corner to Section Thirteen (13), Township One Hundred Seven (107), Range Eight (8), thence in a Westerly direction and along the North line of the Southeast Quarter (SE1/4) of said Section Thirteen (13), a distance of 1,643.9 feet to a point on the center line of the Township road which is a point of beginning; thence deflect 127° 54' left and along the center line of the road a distance of 187.5 feet; thence deflect 1° 34' right a distance of 12.5 feet; thence deflect 95° 04' right a distance of 308.43 feet; thence deflect 86° 41' right a distance of 386.18 feet more or less to the North line of Government Lot Four (4); thence in an Easterly direction and along the North line of Government Lot Four (4) a distance of 360 feet more or less to the point of beginning, according to the plat thereof on file and of record in the office of the Register of Deeds in and for the County of Winona, State of Minnesota.

Also, that part of Government Lot Four (4), Section Thirteen (13), Township One Hundred Seven (107) North, of Range Eight (8), West of the Fifth Principal Meridian, described as follows:

Commencing at the East Quarter corner of Section Thirteen (13), Township One Hundred Seven (107) North, Range Eight (8), West of the Fifth Principal Meridian, thence in a Westerly direction and along the North line of the Southeast Quarter (SE1/4) of said Section Thirteen (13), a distance of 1643.9 feet to a point on the center line of the Township road; thence deflect 127° 54' left and along the center line of the road a distance of 187.5 feet; thence deflect 1° 34' right a distance of 346 feet; thence deflect 16° 52½' right a distance of 33 feet; thence deflect 78° 11½' right a distance of 309.7 feet for a point of beginning; thence Westerly and parallel to the North line of the Southeast Quarter (SE1/4) of Section Thirteen (13) to the West line of the Southeast Quarter (SE1/4) of said Section Thirteen being also the Westerly line of Government Lot Four (4) in said Section Thirteen (13), thence Northerly and along the Westerly line of said Southeast Quarter (SE1/4) of Section Thirteen (13) to

the center of said Section Thirteen (13); thence Easterly along the Northerly line of the Southeast Quarter (SE1/4) of said Section Thirteen (13) to a point thereon 360 feet Westerly from a point on the center line of the township road where the same intersects the Northerly line of said Southeast Quarter (SE1/4) of said Section Thirteen (13); thence Southeasterly a distance of 751.3 feet to the point of beginning.

PARCEL C

All that part of the right of way of said Trunk Highway No. 61 located in the Southeast Quarter of Section 13, Township 107, Range 8, Winona County, Minnesota. Excepting therefrom all that part of said right of way contained in hereinabove described Parcels A and B.

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.

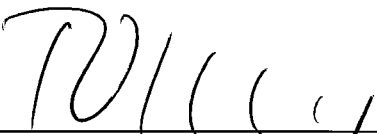
2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

ORDER

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

2. Pursuant to Minnesota Statutes § 414.036, Rollingstone Township will be reimbursed by the City of Goodview in accordance with the terms of Joint Resolution No. 0923 signed by the City and Township on September 9, 2013.

Dated: October 8, 2013



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