

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

The joint resolution for orderly annexation submitted by the City of Fergus Falls and Fergus Falls 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. A joint resolution for orderly annexation was adopted by the City of Fergus Falls and Fergus Falls Township pursuant to Minnesota Statutes § 414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit.

2. A joint resolution adopted and submitted by the City of Fergus Falls and Fergus Falls Township, requests annexation of part of the designated area described as follows:

That part of Sublot Thirteen (13) of the Southeast Quarter (SE ¼) of Section Twenty-four (24), Township One Hundred Thirty-three (133) North, Range Forty-three (43) West, Otter Tail County, Minnesota, described as follows: Commencing at the South Quarter Corner of said Section Twenty-four (24); thence on an assumed bearing of East 426.00 feet along the South line of said Section to the point of beginning; thence continuing East 150.00 feet along South line; thence North 00 degrees 12 minutes 00 seconds West 441.50 feet to the center line of County Road No. 111 as now constructed and maintained; thence South 78 degrees 46 minutes 00 seconds West 152.82 feet along center line of said road; thence South 00 degrees 12 minutes 00 seconds East 411.73 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 Fergus Falls, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, Fergus Falls Township will be reimbursed by the City of Fergus Falls in accordance with the terms of Joint Resolution No. 154-2011 signed by the City on July 5, 2011 and the Township on August 10, 2011.

Dated this 13th day of September, 2011.



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