

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

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

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The city resolution for orderly annexation submitted by the City of Alexandria 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 Alexandria and Alexandria Township pursuant to Minnesota Statutes § 414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit.
2. A resolution adopted and submitted by the City of Alexandria, requests annexation of part of the designated area described as follows:

Sections 5, 8 and 9, Township 128, Range 37, Douglas County, State of Minnesota, excepting the following: All that part of Government Lot 3 and that part of Government Lot 2 of Section 9, Township 128 North, Range 37 West, lying west of the westerly right of way line of State Highway No. 29. Also, all that part of Government lot 4 of Section 9, Township 128 North, Range 37 West, lying north of the south right of way line of LeHomme Dieu Drive and east of the following described line; beginning at the intersection of a line 249.8 feet west and parallel with the east line of Government Lot 4 in Section 9 and the north right of way line of LeHomme Dieu Drive; thence North 0 degrees 1 minute 31 seconds East 429.15 feet to a point; thence north 42 degrees 41 minutes 28 seconds East, + or - 61 feet to the shoreline of Lake LeHomme Dieu and there terminating, (South LeHomme Dieu Drive area.) AND N2SW4 of Section 8, Township 128, Range 37, ex: N 199' of S 337' (2 AC) of NW4SW4 AN IRREG

20.08 AC TRACT of NW4SW4, .36 AC FOR RD and S 1083.22' of E 402.14' (10 AC) of NE4SW4. AC 47.81 (Sullivan) AND North Nokomis Addition, Section 8 Township 128, Range 37 AC 12.7 (Sullivan /KBJ/SUN WAY/LD) AND that public road known as Scenic Heights Road from its junction with County Road 70 to its junction with Deerwood Drive, AND any other lands already lying within the corporate limits of the City of Alexandria.

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

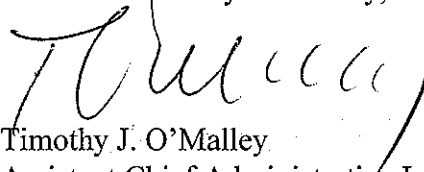
1. The property described in Findings of Fact 2 is annexed to the City of Alexandria, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes §414.036, Alexandria Township will be reimbursed by the City of Alexandria in accordance with the terms of Joint Resolution No 02-16/02-104 signed by the City on November 12, 2002 and the Township on November 4, 2002.

3. Pursuant to Minnesota Statutes §414.035, the tax rate of the City of Alexandria on

the property herein ordered annexed shall be increased in substantially equal proportions over a period of four years to equality with the tax rate of the property already within the city.

Dated this 17<sup>th</sup> day of January, 2012.

A handwritten signature in cursive script, appearing to read "Timothy J. O'Malley".

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