**S A M P L E**

**AMENDMENT TO A JOINT RESOLUTION FOR ORDERLY ANNEXATION**

 IN THE MATTER OF THE AMENDMENT TO THE JOINT RESOLUTION

 FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 AND THE CITY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, MINNESOTA

 PURSUANT TO MINNESOTA STATUTES § 414.0325, SUBD. 1

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TO: Office of Administrative Hearings

Municipal Boundary Adjustment Unit

P. O. Box 64620

St. Paul, MN 55164-0620

The Town of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_hereby jointly agree that the Joint Resolution Between the Town of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ designating an area for Orderly Annexation dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_ be amended to include the following:

*(To allow annexation under 30-day review & comment provision):*

Both the Town and the City agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no consideration by the chief administrative law judge is necessary. Upon receipt of this resolution, the chief administrative law judge may review and comment, but shall, within 30 days, order the annexation of the following-described property in accordance with the terms of the joint resolution.

 ***Insert the complete and accurate property description***

 ***of the area proposed for annexation.***

 ***Do not use descriptions from property tax statements.***

*(To designate additional land not already within the original agreement and requesting immediate annexation of said property):*

*NOTE: Minnesota Statutes § 414.0325, Subd. 1b.* ***Notice of intent to designate an area.*** *At least ten days before the municipality or township adopts an orderly annexation agreement, a notice of the intent to include property in an orderly annexation area must be published in a newspaper of general circulation in both the township and municipality. The notice must clearly identify the boundaries of the area proposed to be included in the orderly annexation agreement. The cost of providing notice must be equally divided between the municipality and the township, unless otherwise agreed upon by the municipality and the township. This subdivision applies only to the initial designation to include property in an orderly annexation area subject to the orderly annexation agreement,* ***or any expansion of the orderly annexation area subject to the agreement****, and not to any subsequent annexation of any property from within the*

 *designated area. This subdivision also does not apply when the orderly annexation agreement only designates for immediate annexation property for which all of the property owners have petitioned to be annexed.* ***(emphasis added)***

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Both the Town and the City agree that the above-referenced Joint Resolution be amended to include, in addition to the lands originally designated; and the immediate annexation of

the property legally described as follows:

 ***Insert the complete and accurate property description of the additional area***

***proposed for designation (and immediate annexation if applicable).***

 ***Do not use descriptions from property tax statements.***

Approved by the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City Clerk

Approved by the Town of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Town Board Chair

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Town Board Clerk

This sample amendment is for discussion purposes only. Since an orderly annexation agreement is a binding contract among the parties, please consult with appropriate legal counsel prior to adoption.

*Municipal Boundary Adjustment Unit Contacts*

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*(June 2011)*