

BEFORE THE ACTING DIRECTOR OF THE OFFICE OF
STRATEGIC AND LONG RANGE PLANNING
OF THE STATE OF MINNESOTA

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF PRIOR LAKE)
AND THE TOWN OF SPRING LAKE PURSUANT TO)
MINNESOTA STATUTES 414)

ORDER

WHEREAS, a joint resolution for orderly annexation was adopted by the City of Prior Lake and the Town of Spring Lake; and

WHEREAS, a resolution was received from the City of Prior Lake indicating their desire that certain property be annexed to the City of Prior Lake pursuant to M.S. 414.0325; and

WHEREAS, M.S. 414.0325 states that in certain circumstances the Director of the Office of Strategic and Long Range Planning may review and comment, but shall within 30 days order the annexation pursuant to said subdivisions; and

WHEREAS, on December 13, 2002, the Acting Director of the Office of Strategic and Long Range Planning has reviewed and accepted the resolution for orderly annexation;

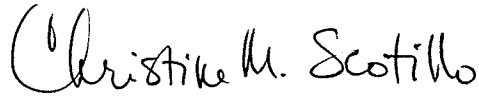
IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the joint resolution to the City of Prior Lake, Minnesota, the same as if it had originally been made a part thereof:

That part of Government Lot 1, Section 4, Township 114 North, Range 22 West lying north and west of Northwood Road, and lying north of the plat of Spring Lake Townsite according to the recorded plat thereof, Scott County, Minnesota; That part of Government

Lot 2, Section 4, Township 114 North, Range 22 West lying north of the plats of Spring Lake Townsite and Butternut Beach according to the recorded plats thereof, Scott County Minnesota. Government Lot 3, Section 4, Township 114 North, Range 22 West, Scott County Minnesota, excepting therefrom the east one hundred (100) feet of said Government Lot 3 lying south of old Highway No. 13. The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section 4, Township 114 North, Range 22 West, Scott County, Minnesota. The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section 4, Township 114 North, Range 22 West, Scott County, Minnesota. The Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 4, Township 114 North, Range 22 West, Scott County, Minnesota. The Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 4, Township 114 North, Range 22 West, Scott County, Minnesota.

Dated this 13th day of December, 2002.

For the Acting Director of the Office of Strategic &
Long Range Planning
658 Cedar Street, Room 300
St. Paul, Minnesota 55155

A handwritten signature in cursive script that reads "Christine M. Scotillo". The signature is written in dark ink and is positioned above the printed name and title.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. A-2148(OA)-10, the Acting Director of Strategic and Long Range Planning finds and makes the following comment:

The authority to impose the type of charge identified in Paragraph 4 of the joint resolution, is questionable. Chapter 414 of Minnesota Statutes contains no authority for the Township or the City, to financially obligate the property owner as a condition of a boundary adjustment. The issuance of this order makes no determination as to the legality or validity of these provisions of the agreement. Any issue that may arise relative to the application or interpretation of these sections will be the sole responsibility the signatories to the agreement.

The parties are encouraged to consider this comment in light of any further amendments that may be otherwise necessary to this agreement for orderly annexation.

CWS