

A-5644 Albertville/Frankfort
A-5681 Otsego/Frankfort

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Lea De Souza Speeter	Chair
Paul B. Double	Vice Chair
Robert J. Ferderer	Vice Chair
Ken Jude	Ex-Officio Member
Richard Mattson	Ex-Officio Member

IN THE MATTER OF THE PETITIONS FOR)
THE ANNEXATION OF CERTAIN LAND TO)
THE CITY OF ALBERTVILLE AND THE CITY)
OF OTSEGO PURSUANT TO MINNESOTA)
STATUTES 414)

ORDER TO DISMISS

WHEREAS, a petition for the annexation of certain land to the City of Albertville pursuant to Minnesota Statutes Section 414.031, was filed with the Minnesota Municipal Board on March 19, 1996.; and

WHEREAS, a hearing was commenced on said petition for the annexation of certain land to the City of Albertville on May 9, 1996 and continued until July 29, 1996; and

WHEREAS, a petition for the annexation of certain land to the City of Otsego pursuant to Minnesota Statutes Section 414.031, was filed with the Minnesota Municipal Board on June 18, 1996.; and

WHEREAS, the Municipal Board, pursuant to its authority in Minnesota Statutes Section 414.01, subd. 5, consolidated said petition with Municipal Board Docket No. A-5644 Albertville/Frankfort Township and set a hearing on said petition for the annexation of certain land to the City of Otsego for July 29, 1996; and

WHEREAS, the Town of Frankfort and the City of St. Michael filed an orderly annexation

agreement for the entire town; and

WHEREAS, on May 15, 1996, the Municipal Board, pursuant to Minnesota Statutes Section 414.01, subd. 16, ordered the Cities of Albertville, Otsego and St. Michael, the Town of Frankfort, and others to meet up to three times over a period of sixty days to address resolution of issues; and

WHEREAS, the parties met and continued meeting to address various issues; and

WHEREAS, the parties submitted to the Municipal Board a Joint Resolution stating, among other things, that the Cities of Albertville, Otsego, St. Michael and the Town of Frankfort have reached agreement regarding the orderly annexation of lands from the Town of Frankfort to the Cities of Albertville, St. Michael and Otsego; and

WHEREAS, said Joint Resolution amends and modifies the previous orderly annexation agreement between the City of St. Michael and the Town of Frankfort; and

WHEREAS, to accomplish the objectives of the Joint Resolution of the four communities, as it relates to the orderly annexation agreement between the City of Albertville and the City of Otsego and the Town of Frankfort, the Joint Resolution requests that Municipal Board Docket No. A-5644 for annexation of certain land to the City of Albertville be dismissed and that Municipal Board Docket No. A-5681 for annexation of certain land to the City of Otsego be dismissed.

IT IS HEREBY ORDERED: That the above-entitled petitions are dismissed without prejudice and the Municipal Board files on said petitions are hereby closed. The property description in said petitions are described as follows:

Municipal Board Docket No. A-5644 Albertville/Frankfort:

From Township 120 North, Range 23 West, the following described property:
That part of Sections 1 and 2 lying north of the Crow River. All of Sections 3, 4,

5: That part of Section 6 not already included in the Albertville City Limits; That part of Section 8, lying north and east of I-94; That part of Section 9, lying north and east of I-94; That part of Section 10, lying north and west of the Crow River; That part of Section 12, lying north of the Crow River; and

From Township 120 North, Range 24 West, the following described property: That part of Sections 1 and 2 which is not already included in the Albertville City Limits: All of Section 3; The north one-half of Section 10; the northwest one-quarter of Section 11, not already included in the Albertville City Limits; and

Municipal Board Docket No. A-5681 Otsego/Frankfort:

From Township 120 North, Range 23 West, Wright County, the following described property: That part of Sections 1 and 2 lying north of the Crow River, all of Sections 3 and 4, that part of Sections 5 and 6 not already included in the Albertville City Limits and that part of Section 12 lying north of the Crow River.

IT IS FURTHER ORDERED: That the parties have agreed that these orders shall include a provision requiring them to fulfill the terms of the Joint Resolution. To the extent that the Board has the authority to so order, it shall be so ordered with the understanding that the constitutional rights of any person or entity shall not be affected.

IT IS FURTHER ORDERED: That the effective date of this order is contingent upon the Municipal Board's acceptance of the Joint Resolution.

IT IS FURTHER ORDERED: That the effective date of this order is July 29, 1996.

Dated this 29th day of July, 1996.

MINNESOTA MUNICIPAL BOARD
Suite 475 McColl Building
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St. Paul, MN 55101-1925



Christine M. Scotillo
Executive Director