

November 20, 2000

David J. Iverson
Glenwood City Administrator
Glenwood City Hall
137 Minnesota Avenue, East
Glenwood, MN 56334-1627

Docket Number: A-6386

City of Glenwood
M.S. 414.033, Subd. 2(2)
Ordinance No. 3366 & 3371

Dear Mr. Iverson:

The Director of the Office of Strategic and Long Range Planning has approved the above ordinance in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

In approving this annexation, the Director relied on the City's representation of statutory compliance with Minnesota Statutes Section 414.033 Subd. 2(2), i.e., that the area proposed for annexation is completely surrounded by land within the municipal limits. The City's compliance with the above-referenced statutory section rests on its position that the subject area is completely surrounded by lands within the City that abut across a portion of State Highway 55 and a length of railroad right-of-way (not currently in the City) consistent with the statutory definition of "abut, abuts, abutting", found in Minnesota Statutes Section 414.011 Subd. 6.

As a result of this annexation, these intervening barriers are now themselves completely surrounded by the City, creating smaller pockets of totally surrounded unincorporated property within the City. The Director recommends that the City proceed with annexation of these areas in the near future.

The Director is satisfied that the ordinance presented by the City satisfies the statutory requirements on its face. It will be the City's sole responsibility to defend against any future challenge to this ordinance.

The law requires that a copy of the annexation ordinance must be delivered immediately by the governing body of the municipality to the appropriate county auditor or auditors, and filed with the township. We recommend that you also file the annexation ordinance with the County Recorder. ***This office will file a copy of the ordinance with the Secretary of State.*** If you have population in the affected area, please contact the State Demographer's Office at (651) 296-9036 for forms.

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The annexation is final upon the date the ordinance is approved by the Director, which is the date of this letter.

Sincerely,

Office of Strategic and Long Range Planning

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

CMS:sjh

cc: Pope County Auditor
Glenwood Township Clerk
Christopher Hood, Attorney at Law
Bruce Obenland, Glenwood City Attorney
Robert W. Bigwood, Attorney at Law
State Demographer's Office
Secretary of State