

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

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IN THE MATTER OF THE PETITION FOR	)	<u>NOTICE OF</u>
THE ANNEXATION OF CERTAIN LAND TO	)	<u>HEARING CANCELLATION</u>
THE CITY OF PARK RAPIDS PURSUANT	)	<u>AND</u>
TO MINNESOTA STATUTES 414	)	<u>ORDER TO DISMISS</u>

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WHEREAS, a resolution requesting the annexation of approximately 112 acres from the Town of Todd to the City of Park Rapids was filed with the Municipal Boundary Adjustment section of the Office of Strategic and Long Range Planning (hereinafter referred to as “Minnesota Planning”) pursuant to Minnesota Statutes Sec. 414.031 Subd. 1(a) on July 23, 2001 and docketed as A-6526; and

WHEREAS, annexation of this property was initiated by the City in 1999, and then withdrawn at the City’s request; and

WHEREAS, on August 8, 2001, the Town of Todd notified Municipal Boundary Adjustments of its intentions to oppose the annexation; and

WHEREAS, because of recent past history of these parties with respect to this property, the Director of Minnesota Planning, determined that initial local discussion would not advance the file in light of the parties’ request for an expedited hearing, and directed the matter to mediation; and

WHEREAS, on August 10, 2001, the parties informed Municipal Boundary Adjustments of their agreement to select a mediator of their choice; and

WHEREAS, pursuant to statutory requirements a hearing was convened on the petition on September 10, 2001, after due and appropriate legal notice, and was continued to an indefinite date to allow the parties time to complete the mediation process; and

WHEREAS, on September 27, 2001, Municipal Boundary Adjustments received the City's notice that an error in publication had occurred and of its request to withdraw its resolution and close A-6526 and also of its intention to immediately re-file for annexation of the same area; and

WHEREAS, a resolution requesting the annexation of approximately 112 acres from the Town of Todd to the City of Park Rapids was re-filed with Municipal Boundary Adjustments pursuant to Minnesota Statutes 414.031, Subd. 1(a) on September 27, 2001; and

WHEREAS, again, the Town of Todd notified Municipal Boundary Adjustments of its intentions to oppose the annexation; and

WHEREAS, the Director granted the City's request to withdraw, closed municipal boundary adjustment Docket A-6526, and re-invoked mediation directing the parties to continue with their selected mediator; and

WHEREAS, pursuant to statutory requirements a hearing was convened on the petition on November 2, 2001, after due and appropriate legal notice, and was continued to an indefinite date to allow the parties time to complete the mediation process; and

WHEREAS, the parties began their mediation in late 2001 and reported a tentative agreement by February 2002; and

WHEREAS, the parties continued to work with the mediator on drafting an orderly annexation agreement containing the settlement terms of contested issues; and

WHEREAS, on June 21, 2002, the Executive Director of Municipal Boundary Adjustments received an Orderly Annexation Agreement between the City of Park Rapids and the Town of Todd representing settlement of their underlying dispute; and

WHEREAS, the Orderly Annexation Agreement designates certain land for annexation in the future, and immediately, subsequent to the occurrence of certain events and the satisfaction of conditions specified in the Agreement by the parties; and

WHEREAS, the City of Park Rapids requests that its petition for annexation pursuant to Minnesota Statutes 414.031 Subd. 1(a) be withdrawn; that the continued hearing be canceled pursuant to the terms of the Orderly Annexation Agreement executed as between the parties, and that the file MBA Docket A-6560 Park Rapids be closed; and

WHEREAS, on October 11, 2002, the Director of Minnesota Planning granted petitioner City of Park Rapids' request to withdraw its petition and canceled the continued hearing;

IT IS HEREBY ORDERED: That the petition for annexation of certain property to the City of Park Rapids described as:

All that part of the South Half (S½) of Section 14, Township 140, Range 35 lying Northerly and Easterly of U.S. Highway 71 and West of the Fish Hook River, except for the plats of Peden Point and Peden Point First Addition and except for that property as described in Book 115 of Deeds, Page 557 in the office of the Hubbard County Recorder.

AND

All of Government Lots 3 and 4 including the plats of Fish Hook Park Addition and that part of Government Lot 2 lying West of the Fish Hook River including the plat of Oakhaven.

AND

That part of the North Half (N½) of Section 15, Township 140, Range 35 described as Welle's Channel Shores Addition.

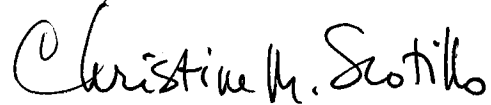
AND

Together with all road or rights-of-way, public or private, as located therein, but excluding U.S. Highway 71.

is withdrawn, the continued hearing in this matter is canceled, and the Docket A-6560 is closed without prejudice.

Dated this 16<sup>th</sup> day of October, 2002.

For the Director of the Office of Strategic and  
Long Range Planning  
658 Cedar Street - Room 300  
St. Paul, MN 55155-1603

A handwritten signature in black ink that reads "Christine M. Scotillo". The signature is written in a cursive style with a large initial 'C'.

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments