

OA-1002-1 Buffalo  
City Signed Resolution 1-5-04  
Town Signed Resolution 1-6-04

DEPARTMENT OF ADMINISTRATION  
STATE OF MINNESOTA  
BEFORE THE DIRECTOR OF  
STRATEGIC AND LONG RANGE PLANNING

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IN THE MATTER OF THE ORDERLY ANNEXATION )  
AGREEMENT BETWEEN THE CITY OF BUFFALO )  
AND THE TOWN OF BUFFALO PURSUANT TO ) ORDER  
MINNESOTA STATUTES 414 )  
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WHEREAS, a joint resolution for orderly annexation was adopted by the City of Buffalo and the Town of Buffalo; and

WHEREAS, the joint resolution requested that Docket No. OA-310 Buffalo/Buffalo Town be closed in lieu of Docket No. OA-1002 Buffalo/Buffalo Town; and

WHEREAS, on February 19, 2004, the Director has reviewed and accepted the resolution for orderly annexation and granted the request to close Docket OA-310 Buffalo/Buffalo Town; and

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

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

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 Buffalo, Minnesota, the same

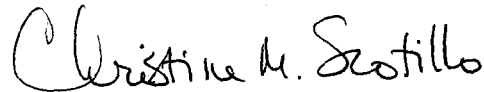
as if it had originally been made a part thereof:

The West Half of the Southwest Quarter of Section 33, Township 120, Range 25, Wright County, Minnesota, except the railroad right-of-way and subject to the easement of lands taken by the State of Minnesota for highway purposes, and except therefrom the following:

1. The East 400 feet of the Northwest Quarter of the Southwest Quarter of Section 33, Township 120, Range 25.
2. All that part of the West Half of the Southwest Quarter of Section 33 lying South and West of the railroad right-of-way.
3. That part of the West Half of the Southwest Quarter of Section 33, Township 120, Range 25, Wright County, Minnesota, described as follows: Commencing at the Northeast corner of said West Half of the Southwest Quarter; thence South along the East line of said West Half of the Southwest Quarter, a distance of 1312.82 feet to the Southeast corner of the Northwest Quarter of the Southwest Quarter the point of beginning, thence West along the South line of said Northwest Quarter of the Southwest Quarter, a distance of 400.02 feet to the Southwest corner of the East 400.00 feet of said Northwest Quarter of the Southwest Quarter; thence North along the West line of said East 400.00 feet, a distance of 86.40 feet, thence West deflecting 90 degrees 06 minutes 19 seconds left a distance of 50.24 feet, thence Southerly deflecting 81 degrees 28 minutes 09 seconds left, a distance of 1011.19 feet, thence East deflecting 98 degrees 31 minutes 51 seconds left, a distance of 598.41 feet to the East line of said West Half of the Southwest Quarter, thence North along said East line, a distance of 916.29 feet to the point of beginning.

Dated this 19<sup>th</sup> day of February, 2004.

For the Director  
658 Cedar Street, Room 300  
St. Paul, Minnesota 55155



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1002-1, the Director finds and makes the following comment:

Planning in the area designated for orderly annexation must be provided for by one of three provisions set forth in Minnesota Statutes Section 414.0325, Subd. 5. The joint resolution does not make reference to which of the three statutory provisions the parties have agreed on to govern planning in the designated area.

Once jurisdiction is conferred by submission of this agreement to this office, it cannot be taken away by written consent of the parties. Jurisdiction ends when all the designated area is annexed. The issue whether jurisdiction could be “given back” by the Director upon written request of the parties to the agreement to mutually end their agreement has not been addressed.

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*