

OA-1002-6 Buffalo  
City Signed Resolution 6-20-05  
Town Signed Resolution 8-9-05

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE ORDERLY ANNEXATION )  
AGREEMENT BETWEEN THE CITY OF BUFFALO )  
AND THE TOWN OF BUFFALO PURSUANT TO )  
MINNESOTA STATUTES 414 )  
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ORDER

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

WHEREAS, an amendment to the joint resolution was received from the City of Buffalo and the Town of Buffalo requesting 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

WHEREAS, Reorganization Order No. 192, effective March 8, 2005, has transferred the duties of the Director to the Chief Administrative Law Judge.

WHEREAS, on September 15, 2005, the Chief Administrative Law Judge 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 Buffalo, Minnesota, the same as if it had originally been made a part thereof:

That part of the Northwest Quarter of Section 32, Township 120, Range 25, Wright County, Minnesota, described as follows: Commencing at the Northwest corner of said Northwest Quarter; thence North 89 degrees 21 minutes 54 seconds East, assumed bearing along the North line of said Northwest Quarter, a distance of 890.50 feet; thence continue North 89 degrees 21 minutes 54 seconds East along said North line, a

distance of 970.36 feet; thence South 1 degree 49 minutes 02 seconds West, a distance of 1683.09 feet; thence North 88 degrees 06 minutes 43 seconds West, a distance of 250.30 feet; thence South 2 degrees 29 minutes 59 seconds West, a distance of 443.35 feet to the centerline of County Road No. 147; thence North 45 degrees 43 minutes 36 seconds West along said centerline, a distance of 25.20 feet to the point of beginning; thence North 2 degrees 29 minutes 59 seconds East, a distance of 994.00 feet; thence South 89 degrees 21 minutes 54 seconds West, a distance of 273.82 feet; thence South 2 degrees 17 minutes 42 seconds West, a distance of 409.70 feet; thence South 32 degrees 47 minutes 42 seconds West, a distance of 248.39 feet to the centerline of said County Road No. 147; thence South 45 degrees 43 minutes 36 seconds East along said centerline to the point of beginning. Containing 5.88 acres and subject to the right of way of County Road No. 147.

Dated this 15<sup>th</sup> day of September, 2005.

For the Chief Administrative Law Judge  
658 Cedar Street - Room 300  
St. Paul, MN 55155



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1002-6, the Chief Administrative Law Judge 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 Chief Administrative Law Judge 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.

*CW*