

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 BELLE ) ORDER  
PLAINE AND THE TOWN OF BELLE PLAINE )  
PURSUANT TO MINNESOTA STATUTES 414 )  
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WHEREAS, a joint resolution for orderly annexation was adopted by the City of Belle Plaine and the Town of Belle Plaine; and

WHEREAS, said joint resolution requests that certain property be annexed to the City of Belle Plaine 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 of land pursuant to said subdivisions; and

WHEREAS, on May 13, 2004, the Director has 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 Belle Plaine, Minnesota, the same as if it had originally been made a part thereof:

EARL STIER PROPERTY

The East 43 1/3 acres of the Northwest Quarter (NW 1/4), of Section 8, Township 113, Range 24.

AND

All that part of the South Half of the Northeast Quarter (S 1/2 of NE 1/4) of Section 8, of

Township 113 North of Range 24 West of the 5<sup>th</sup> Principal Meridian described as follows, to-wit: Commencing at the east one-fourth corner of said Section 8, thence running north along the East line of said Section 8 a distance of 1341.5 feet to the Northeast corner of said S1/2 of the NE1/4, thence southwesterly along the now existing fence a distance of 2730.2 feet to a point on the north and south center line of Section 8 which point is 1152.0 feet north of the center of said Section 8, thence south along the West line of said S1/2 of the NE1/4 a distance of 1152.0 feet to the center of said Section 8; thence East along the East and West center line of said Section 8 a distance of 2729.4 feet to the East Quarter corner, the place of beginning. Excepting there from the following described parcel of land: That part of the Northeast Quarter of Section 8, Township 113 North, Range 24 West, Scott County, Minnesota described as, beginning at the East Quarter Corner of said Section 8; thence North 05 degrees 58 minutes 26 seconds East, on the East line of said Section 8, a distance of 1340.97 feet to the Northeast Corner of the South Half of the Northeast Quarter of said Section 8; thence South 88 degrees 55 minutes 43 seconds West, along an existing fence line, 521.84 feet; thence South 16 degrees 25 minutes 19 seconds West, 239.97 feet; thence South 13 degrees 14 minutes 15 seconds East, 137.20 feet; thence South 40 degrees 35 minutes 15 seconds East, 213.41 feet; thence South 14 degrees 17 minutes 27 seconds West, 126.46 feet; thence South 60 degrees 57 minutes 24 seconds West, 106.20 feet; thence South 07 degrees 42 minutes 05 seconds West, 56.70 feet; thence South 24 degrees 42 minutes 53 seconds East, 169.70 feet; thence South 14 degrees 47 minutes 55 seconds West, 96.44 feet; thence South 11 degrees 38 minutes 07 seconds East, 183.37 feet; thence South 40 degrees 04 minutes 53 seconds East, 78.22 feet; thence South 03 degrees 37 minutes 12 seconds West, 45.13 feet; thence South 22 degrees 52 minutes 27 seconds East, 34.55 feet to the South line of the South Half of the Northeast Quarter of said Section 8; thence South 89 degrees 07 minutes 06 seconds East, on said South line, 267.21 feet to the point of beginning.

#### LABBS PROPERTY

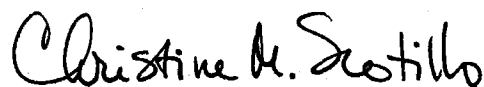
Outlot A of 2 Story Acres according to the recorded plat thereof, Scott County, Minnesota, and that part of the Southeast Quarter of Section 8, Township 113 North Range 24 West, Scott County, Minnesota lying North of the centerline of Kittson Boulevard, and North of Outlot A, of 2 Story Acres, according to the recorded plat thereof. Said parcel contains 120.33 acres of land more or less.

#### LATZKE PROPERTY

The Northeast Quarter of the Southwest Quarter, the Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southwest Quarter, in Section 8, and the North Half of the Northwest Quarter of Section 17, all in Township 113 North, Range 24 West, Scott County, Minnesota.

Dated this 13<sup>th</sup> day of May, 2004.

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



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

OA-1027-1 Belle Plaine

M E M O R A N D U M

In ordering the annexation contained in Docket No. OA-1027-1, the Director finds and makes the following comment:

The authority to impose the type of charge identified in Paragraphs No. 4 and 5 of the agreement, is questionable. Reimbursement for taxable property annexed by order pursuant to Minnesota Statute Section 414.0325 is an optional provision authorized by the statute. However, such reimbursement is to be "from the municipality to the town..." Minnesota Statute Section 414.036. The issuance of this order makes no determination as to the legality or validity of these provisions of the agreement. Any issue that may arise relative to the application or interpretation of these sections will be the sole responsibility of the signatories to the agreement.

"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.

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