

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

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

WHEREAS, a resolution was received from the City of Waverly and
the Town of Woodland indicating their desire that certain property be
annexed to the City of Waverly 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, Reorganization Order No. 192, effective March 8, 2005, has
transferred the duties of the Director to the Chief Administrative Law
Judge; and

WHEREAS, on June 14, 2007, the Chief Administrative Law Judge 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 Waverly, Minnesota, the same as if it had originally been made a part thereof:

The North 220.00 feet of the South 1474.00 feet of the East 400 feet of the Southeast Quarter of Section 5, Township 118, Range 26, Wright County, Minnesota. (Unimproved Parcel)


AND

The North 590.38 feet of the East 300.00 feet of the East 40 rods of the south 76 rods of the Southeast Quarter of Section 5, Township 118, Range 26, Wright County, Minnesota. (Improved Parcel)

IT IS FURTHER ORDERED: That pursuant to Minn. Stat. 414.036, the Town of Woodland will be reimbursed by the City of Waverly in accordance with the terms of Joint Resolution signed by the City of Waverly on April 10, 2007 and the Town of Woodland on May 14, 2007.

Dated this 14th day of June, 2007.

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

A handwritten signature in cursive script that reads "Christine M. Scotillo".

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

M E M O R A N D U M

In ordering the annexation contained in Docket No. OA-1051-6, 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. Agreeing to continue the county's planning and zoning controls for the designated area is not one of the statutory options authorized. The parties have agreed to future urbanization of the designated area and continuing the county planning and zoning controls appears to be inconsistent with statutory requirements.

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. 