

OA-1066-1 New Market
City Signed Resolution 6-9-04
Town Signed Resolution 6-1-04

DEPARTMENT OF ADMINISTRATION

STATE OF MINNESOTA

BEFORE THE DIRECTOR OF

STRATEGIC AND LONG RANGE PLANNING

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

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

WHEREAS, said joint resolution requests that certain property be annexed to the City of New Market 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 July 8, 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 New Market, Minnesota, the same as if it had originally been made a part thereof:

That part of the Southeast Quarter of the Southeast Quarter of Section 20, Township 113, Range 21, Scott County, Minnesota described as follows:

Beginning at a point on the east line of said Southeast Quarter of the Southeast Quarter distant 635.00 feet north of the southeast corner thereof; thence westerly, at right angles to said east line, a distance of 100.00 feet; thence northerly, parallel with a said east line, a distance of 19.71 feet to the south line of the North 664.78 feet of said Southeast

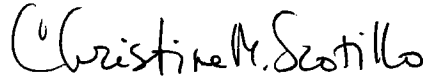
Quarter of the Southeast Quarter; thence westerly, along said south line, a distance of 493.82 feet, more or less, to the west line, to the south line of the East 593.68 feet of said Southeast Quarter of the Southeast Quarter; thence southerly, along said west line to the south line of said Soothers Quarter of the Southeast Quarter; thence easterly, along said line, to the southeast corner of said Southeast Quarter of the Southeast Quarter; thence northerly, along said east line of the Southeast Quarter of the Southeast Quarter, a distance of 635.00 feet to the point of beginning.

This parcel contains 10 Acres

IT IS FURTHER ORDERED: That the tax rate of the City of New Market on the property herein ordered annexed shall be increased in substantially equal proportions over a period of one year to equality with the tax rate of the property already within the city.

Dated this 8th day of July, 2004.

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

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

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1066-1, the Director of Strategic and Long Range Planning finds and makes the following comment:

In the section of the agreement entitled “4. Real Estate Taxes,” the agreement imposes a financial obligation on the property owners of the subject property to reimburse the Township for lost tax revenue. Chapter 414 of Minnesota Statutes contains no authority for the Township, or the City, to obligate the property owner in any way as part of a boundary adjustment.

Additionally, it is unclear whether the following section entitled “5. Tax Capacity Rate” imposes a one year tax rate step up. A one year tax rate step is authorized under Minnesota Statutes section 414.035, but the statute requires the tax rate to be increased in “substantially equal proportions”.

The parties are encouraged to consider these comments in light of any further amendments that may be otherwise necessary to this agreement for orderly annexation. 