

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

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

WHEREAS, a joint resolution was received from the City of Oronoco and Oronoco Township indicating their desire that certain property be annexed to the City of Oronoco 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 February 21, 2008, 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 Oronoco, Minnesota, the same as

if it had originally been made a part thereof:

That part of the Northeast Quarter of Section 20, Township 108 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northwest corner of said Northeast Quarter; thence South 00 degrees 24 minutes 09 seconds East, assumed bearing along the west line thereof, 66.00 feet to the south right of way line of CEDAR POINT ROAD S.E. as dedicated on CEDAR WOODLANDS for the pint of beginning (the next three course are along the southerly and westerly right of way line of said CEDAR POINT ROAD S.E.); thence South 89 degrees 54 minutes 15 seconds East, 738.65 feet; thence easterly and southerly 736.11 feet along a tangential curve, concave to the southwest, radius of 467.00 feet and a central angle of 90 degrees 18 minutes 44 seconds; thence South 00 degrees 24 minutes 29 seconds West, tangent to said curve, 455.66 feet; thence North 89 degrees 35 minutes 31 seconds West, 1034.81 feet to the easterly right of way line of TURNK HIGHWAY NO. 52 as defined on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 55-89; thence northwesterly 244.41 feet along said easterly right of way and along a nontangential curve, concave to the northeast, radius of 1357.39 feet, central angle of 10 degrees 18 minutes 59 seconds and the chord of said curve bears North 41 degrees 18 minutes 12 seconds West, 244.08 feet to the west line of the Northeast Quarter of said Section 20; thence North 00 degrees 25 minutes 9 second West, along said west line, 736.98 feet to the point of beginning. Containing 24.03 acres more or less.

IT IS FURTHER ORDERED: That pursuant to Minn. Stat. 414.036, Oronoco Township will be reimbursed in accordance with the terms of the Joint Resolution signed by the City on December 20, 2004 and the Township on February 7, 2005.

Dated this 21<sup>st</sup> day of February, 2008.

For the Chief Administrative Law Judge  
P. O. Box 64620  
St. Paul, Minnesota 55164-0620



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1376-4, 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.

Paragraph 15 states the agreement shall terminate on December 31, 2009. End dates or ending mechanisms are problematic in that they appear to run afoul of the act of conferring jurisdiction to the Chief Administrative Law Judge. Once jurisdiction is conferred, 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.

*CWS*