

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF NORWOOD)
YOUNG AMERICA AND THE TOWN OF YOUNG)
AMERICA PURSUANT TO MINNESOTA)
STATUTES 414)

ORDER

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

WHEREAS, a joint resolution was received from the City of Norwood Young America
and the Town of Young America indicating their desire that certain property be annexed to the
City of Morris 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.

WHEREAS, on June 9, 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 Norwood Young America,
Minnesota, the same as if it had originally been made a part thereof:

**The Subject Area to be annexed in the attached Joint Resolution is legally described as
follows:**

PARCEL A:

**Northwest Quarter of Northwest Quarter of Section 13, Township 115, Range 26. EXCEPTING
therefrom that part of the Northwest Quarter of the Northwest Quarter of Section 13, Township 115,**

Range 26, Carver County, Minnesota described as follows:

Commencing at the northwest corner of said Section 13; thence Southerly along the west line of said Northwest Quarter of the Northwest Quarter, a distance of 389.00 feet to the point of beginning of the tract to be described; thence continuing South along the west line of the Northwest Quarter of the Northwest Quarter, a distance of 154.00 feet; thence Easterly deflecting left 90 degrees 00 minutes 00 seconds, a distance of 394.00 feet; then Northerly deflecting left 90 degrees 00 minutes 00 seconds, a distance of 154.00 feet; thence Westerly deflecting left 90 degrees 00 minutes 00 seconds, a distance of 394.00 feet to the point of beginning. AND

PARCEL B:

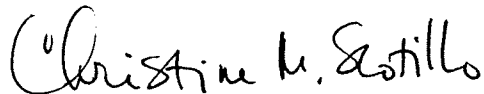
That part of the Northwest Quarter of the Northwest Quarter of Section 13, Township 115, Range 26, Carver County, Minnesota described as follows:

Commencing at the northwest corner of said Section 13; thence Southerly along the west line of said Northwest Quarter of the Northwest Quarter, a distance of 389.00 feet to the point of beginning of the tract to be described; thence continuing South along the west line of the Northwest Quarter of the Northwest Quarter, a distance of 154.00 feet; thence Easterly deflecting left 90 degrees 00 minutes 00 seconds, a distance of 394.00 feet; thence Northerly deflecting left 90 degrees 00 minutes 00 seconds, a distance of 154.00 feet; thence Westerly deflecting left 90 degrees 00 minutes 00 seconds, a distance of 394.00 feet to the point of beginning.

IT IS FURTHER ORDERED: That the tax rate of the City of Norwood Young America on the property herein ordered annexed shall be increased in substantially equal proportions over a period of three years to equality with the tax rate of the property already within the city.

Dated this 9th day of June, 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-141-16 Norwood Young America, 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.

The authority to impose the type of charge identified in Paragraph No. 5. A. of the agreement is questionable. 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.

CWS