

DEPARTMENT OF ADMINISTRATION  
STATE OF MINNESOTA  
BEFORE THE ACTING DIRECTOR OF  
STRATEGIC AND LONG RANGE PLANNING

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IN THE MATTER OF THE ORDERLY ANNEXATION )  
AGREEMENT BETWEEN THE CITY OF ST. JAMES )  
AND THE TOWN OF ROSENDALE PURSUANT TO ) ORDER  
MINNESOTA STATUTES 414 )  
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WHEREAS, a joint resolution for orderly annexation was adopted by the City of St. James and the Town of Rosendale; and

WHEREAS, an amendment to the joint resolution was received from the City of St. James and the Town of Rosendale requesting that certain property be annexed to the City of St. James 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 pursuant to said subdivisions; and

WHEREAS, on July 18, 2003, the Acting Director has reviewed and accepted the resolution for orderly annexation;

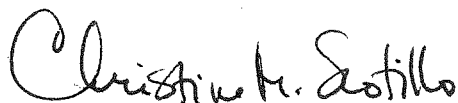
IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the joint resolution to the City of St. James, Minnesota, the same as if it had originally been made a part thereof:

That part of Government Lot Fifteen (15) of Section Eighteen (18), Township One Hundred Six (106) North, Range Thirty-one (31) West, Watonwan County, Minnesota, described as follows: Beginning at the Southeast corner of Industrial Park No. 2 to the City of St. James, according to the recorded plat thereof; thence on an assumed bearing of North 0 degrees 07 minutes 28

seconds East, along the East line of said Industrial Park No. 2, a distance of 467.60 feet to the Northeast corner of said Industrial Park No. 2; thence South 89 degrees 36 minutes 49 seconds West, along the North line of said Industrial Park No. 2, a distance of 506.23 feet to the Northwest corner of said Industrial Park No. 2; thence North 0 degrees 00 minutes 49 seconds East, along the East line of Lot Two (2) of Block One (1) of St. James Industrial Park, according to the recorded plat thereof, a distance of 132.65 feet to the Northeast corner of said Lot Two (2); thence North 0 degrees 07 minutes 56 seconds East, along the East line of Lot Three (3) of said Block One (1), a distance of 299.71 feet to the Northeast corner of said Lot Three (3); thence continuing North 0 degrees 07 minutes 56 seconds East, along the East line of Lot Four (4) of said Block One (1), a distance of 87.61 feet; thence North 89 degrees 36 minutes 49 seconds East a distance of 901.44 feet; thence South 0 degrees 07 minutes 28 seconds West a distance of 987.58 feet to a point located 75.00 feet North of the South line of Government Lot Fifteen (15) of said Section Eighteen (18); thence South 89 degrees 36 minutes 49 seconds West, parallel with the South line of said Government Lot Fifteen (15), a distance of 395.00 feet to the point of beginning, containing 15.00 acres, subject to easements now of record in said County and State.

Dated this 18<sup>th</sup> day of July, 2003.

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



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-201-14, the Director of Strategic and Long Range Planning 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 9 states the agreement shall be for a term of ten (10) years from the date of its execution. This agreement shall automatically be extended for an additional two (2) year term thereafter unless, upon one year's written notice is given by any party hereto that this Agreement will not be extended. End dates or ending mechanisms are problematic in that they appear to run afoul of the act of conferring jurisdiction to the Director. Once jurisdiction is conferred by submission of this agreement to this office, 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 Director 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.