

DEPARTMENT OF ADMINISTRATION  
STATE OF MINNESOTA  
BEFORE THE 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 ST. JAMES 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 St. James; and

WHEREAS, an amendment to the joint resolution was received from the City of St.  
James and the Town of St. James 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 September 9, 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 St. James, Minnesota, the same  
as if it had originally been made a part thereof:

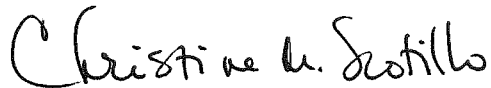
That part of the Northwest Quarter (NW ¼) of Section Twenty-four  
(24), Township One Hundred Six (106) North, Range Thirty-two  
(32) West, City of St. James, Watonwan County, Minnesota,  
described as follows: Commencing at the Northwest corner of  
Sorensen's Second Addition to the City of St. James, according  
to the recorded plat thereof; thence on an assumed bearing of

South 90 degrees 00 minutes West, along the South line of Tenth Avenue South, a distance of 300.00 feet to the Northwest corner of a tract as recorded in Book 65 of deeds, page 137, said Northwest corner being the point of beginning of the tract to be described; thence South 2 degrees 01 minutes East, along the West line of said tract, a distance of 125.00 feet; thence South 90 degrees 00 minutes West a distance of 130.00 feet; thence North 2 degrees 01 minutes West a distance of 125.00 feet to the South line of said Tenth Avenue South; thence North 90 degrees 00 minutes East, along said South line, a distance of 130.00 feet to the point of beginning, containing 0.373 acres, subject to easements now of record in said county and state.

Also known as Lot One (1), Block One (1), Loeschen Addition to the City of St. James, Watonwan County, Minnesota.

Dated this 9<sup>th</sup> day of September, 2004.

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

A handwritten signature in black ink, reading "Christine M. Scotillo". The signature is written in a cursive, flowing style.

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-201-15, 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.

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