

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 MANKATO )  
AND THE TOWN OF LIME PURSUANT TO ) ORDER  
MINNESOTA STATUTES 414 )  
-----

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

WHEREAS, a resolution was received from the City of Mankato indicating their desire  
that certain property be annexed to the City of Mankato 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 8, 2004, the Director has reviewed and accepted the resolution for  
orderly annexation;

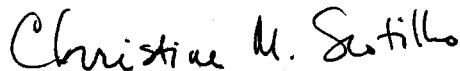
IT IS HEREBY ORDERED: That the following described property is hereby annexed in  
accordance with the terms of the joint resolution to the City of Mankato, Minnesota, the same as  
if it had originally been made a part thereof:

That certain tract or parcel of land lying within the Northwest Quarter of the Southeast Quarter (NW¼  
SE¼) of Section Thirty-Two (32), Township One Hundred Nine (109) North, Range Twenty-Six (26)  
West, circumscribed as follows, to-wit: Commencing at a point 208 feet East and 52 feet South of the  
intersection of the center line of the Township Road known as the "Bluff Road" with the East and West  
center line of said Section Thirty-Two (32), Township One Hundred Nine (109), Range Twenty-Six  
(26), thence running East 115 feet, thence South 66 degrees West 221.5 feet, thence North 45 degrees  
West, 114.4 feet, thence North 23 degrees 30 minutes East, 131.5 feet, to the place of beginning.

Containing .33 of an acre. Also an easement for access and egress to the tract, being 16.5 feet in width extending from the center line of the said Bluff Road to the above described property, said easement being circumscribed as follows, to-wit: Commencing at a point in the center line of the Township Road known as "Bluff Road" said point being 86 feet South of the center line of said Section Thirty-Two (32), Township One Hundred Nine (109), Range Twenty-Six (26), Thence running South 67 degrees East, 179 feet, to the Westerly line of the above described property, thence South 23 degrees 30 minutes West 16.5 feet, thence North 67 degrees West, 172.3 feet to the said center line of said Bluff Road, thence North along said center line to the place of beginning.

Dated this 8<sup>th</sup> 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 script is cursive and fluid.

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-517-12 Mankato, the Director 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.

Item 10 of the agreement provides for tax reimbursement to Lime Township over a period of more than 6 years. By making this order, no determination is made as to the effectiveness of such a schedule. Minnesota Statutes Section 414.036 allows for a reimbursement to the township of property taxes of substantially equal payments over a period of not less than two nor more than six years. Including such a provision in an order under Minnesota Statutes Section 414.0325 is discretionary with the Director.

Additionally, item 16 of the agreement states that the agreement shall be in effect until July 1, 2018 unless otherwise terminated earlier by mutual written joint resolution of the city and township. 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 these comments in light of any further amendments that may be otherwise necessary to this agreement for orderly annexation. *ms*