

BEFORE THE DIRECTOR OF THE OFFICE OF
STRATEGIC AND LONG RANGE PLANNING
OF THE STATE OF MINNESOTA

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF BELLE)
PLAINE AND THE TOWN OF BELLE PLAINE) ORDER
PURSUANT TO MINNESOTA STATUTES 414)

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

WHEREAS, a resolution was received from the City of Belle Plaine indicating their desire that certain property be annexed to the City of Belle Plaine pursuant to M.S. 414.0325, Subd. 1; and

WHEREAS, M.S. 414.0325, M.S. 414.11, and M.S. 414.12 states that in certain circumstances the Director of the Office 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 April 12, 2002, the Director of the Office of Strategic and Long Range Planning has reviewed and accepted the resolution for orderly annexation;

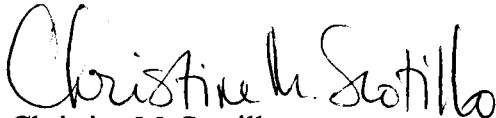
IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the resolution to the City of Belle Plaine, Minnesota, the same as if it had originally been made a part thereof:

Part Outlot B, Prairiehills, part of Outlot A, Prairiehills Second, and part of the southwest quarter of section 7, township 113 North, Range 24 West, all in Scott County, Minnesota described as: Beginning at Northwest Corner of said Outlot B; thence South 88 degrees 37 minutes 14 seconds East (bearings based on Wildflower Ridge Subdivision No. 1) on the North line of said Outlot B, 1062.98 feet to the Northwest corner of Wildflower Ridge

Subdivision No. 1; thence South 03 degrees 11 minutes 19 seconds West, on the West line of Wildflower Ridge Subdivision No. 1, a distance of 1325.54 feet; thence South 28 degrees 41 minutes 52 seconds East, on said West line, 262.40 feet southerly line of Outlot B, Prairiehills; thence South 61 degrees 18 minutes, 08 seconds West on said southerly line, 342.89 feet to the Northeast Corner of Outlot A, Prairiehills Second; thence South 02 degrees 55 minutes 47 seconds West on the East line of said Outlot A, 365.00 feet to the Southeast Corner of said Outlot A; thence North 89 degrees 27 minutes 55 seconds West on the South line of said Outlot A, 279.91 feet to the Southwest Corner of said Outlot A; thence North 30 degrees 19 minutes 00 seconds West, 261.75 feet; thence North 10 degrees 15 minutes 34 seconds East, 236.11 feet; thence westerly 137.39 feet on a 560.00 foot radius nontangential curve to the right having a central angle of 14 degrees 03 minutes 24 seconds and a 137.04 foot chord which bears North 70 degrees 51 minutes 26 seconds West; thence North 63 degrees 49 minutes 44 seconds West tangent to said curve, 113.43 feet; thence westerly 136.11 feet on a 300.00 foot radius tangential curve to the left, having a central angle of 25 degrees 59 minutes 43 seconds; thence North 89 degrees 49 minutes 27 seconds West tangent to set curve, 67.55 feet to the West line of said Outlot B; thence North 00 degrees 10 minutes 33 seconds East on said West line, 346.34 feet; thence North 89 degrees 49 minutes 27 seconds West, 50.00 feet to the West line of the Southwest Quarter; thence North 00 degrees 10 minutes 33 seconds East on said West line for 470.00 feet; thence South 89 degrees 49 minutes 27 seconds East, 50.00 feet to the West line of said Outlot B; thence North 00 degrees 10 minutes 33 seconds East, 705.25 feet to the point of beginning.

Dated this 12th day of April, 2002.

For the Director of the Office of Strategic &
Long Range Planning
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-822-1, the Director of Strategic and Long Range Planning finds and makes the following comments:

Item 12 of the agreement states that the agreement shall be in effect until the year 2020. End dates or ending mechanisms are problematic in that they appear to run afoul of the act of conferring jurisdiction to the Director. (Item 2.). 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 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. *cmw*