

OA-594-3 Belle Plaine  
City Resolution No. 02-092  
Town Resolution No. 09-0302

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

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

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 September 13, 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 joint resolution to the City of Belle Plaine, Minnesota, the same

as if it had originally been made a part thereof:

That part of the West one third of the Northwest Quarter of Section 8, Township 113 North, Range 24 West, Scott County, Minnesota lying easterly of the centerline of Kittson Boulevard and the Northwest Quarter of the Southwest Quarter of said Section 8, Township 113 North, Range 24 West, Scott County, Minnesota.

Dated this 13<sup>th</sup> day of September, 2002.

For the Director of the Office of Strategic &  
Long Range Planning  
658 Cedar Street, Room 300  
St. Paul, Minnesota 55155

A handwritten signature in cursive script that reads "Christine M. Scotillo".

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-594-3, the Director of Strategic and Long Range Planning finds and makes the following comment:

Paragraph 12 states 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. 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 this comment in light of any further amendments that may be otherwise necessary to this agreement for orderly annexation.

*Cms*