

OA-615-5 Zimmerman
City Resolution No. 03-05-03
Town Resolution No. 03-04

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

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

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

WHEREAS, a resolution was received from the City of Zimmerman and the Town of Livonia indicating their desire that certain property be annexed to the City of Zimmerman 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 of land pursuant to said subdivisions; and

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

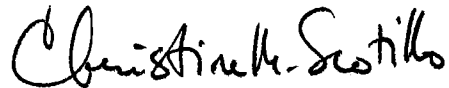
IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the resolution to the City of Zimmerman, Minnesota, the same as if it had originally been made a part thereof:

The West Half of the northeast quarter, Section 18, Township 34, Range 26, AND the Southwest Quarter of the Southeast Quarter, Section 7, Township 34, Range 26, lying

southerly of County State Aid Highway No. 4, according to the United States Government Survey thereof and situate in Sherburne County, Minnesota.

Dated this 18th day of July, 2003.

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

A handwritten signature in black ink that reads "Christine M. Scotillo". The signature is written in a cursive style with a large initial 'C'.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

OA-615-5 Zimmerman

MEMORANDUM

In ordering the annexation contained in Docket No. OA-615-5, the Acting Director of Strategic and Long Range Planning 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/item 4 (g) of the agreement provides for a division of tax revenue from an annexed area, based upon a five year schedule. 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.

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.