

OA-631-1 Northfield
Resolution No. 99-255

BEFORE 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 NORTHFIELD) ORDER
AND THE TOWN OF BRIDGEWATER PURSUANT TO)
MINNESOTA STATUTES 414)

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

WHEREAS, said joint resolution requests that certain property be annexed to the City of Northfield pursuant to M.S. 414.0325, Subd. 1; and

WHEREAS, M.S. 414.0325 states that in certain circumstances the Minnesota Municipal Board may review and comment, but shall within 30 days order the annexation of land pursuant to said subdivision; and

WHEREAS, on September 3, 1999, 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 to the City of Northfield, Minnesota, the same as if it had originally been made a part thereof:

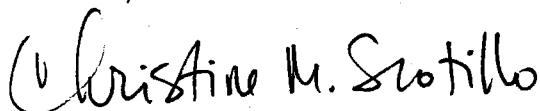
All that part of the Northeast Quarter of Section 11, Township 111 North, Range 20 West, Rice County, Minnesota, not already annexed and part of the City of Northfield. Said tract contains 7.5 acres more or less. TOGETHER WITH: That part of the North half of the Southeast Quarter of Section 11, Township 111 North, Range 20 West, Rice County, Minnesota, described as follows: Beginning at the intersection of the southeasterly right-of-way line of Trunk Highway No. 3 and the north line of said North half;

thence easterly on an assumed azimuth from north of 89 degrees 59 minutes 25 seconds along said north line 719.62 feet; thence southerly 179 degrees 04 minutes 41 seconds azimuth 438.27 feet; thence southwesterly 206.83 feet on a tangential curve concave northwesterly having a radius of 290.00 feet and a central angle of 40 degrees 51 minutes 48 seconds; thence southwesterly 219 degrees 56 minutes 29 seconds azimuth 538.55 feet; thence southwesterly 149.42 feet on a tangential curve concave southeasterly having a radius of 210.00 feet and a central angle of 40 degrees 46 minutes 06 seconds; thence southerly 179 degrees 10 minutes 23 seconds azimuth 133.55 feet to the south line of said North Half; thence westerly 269 degrees 57 minutes 50 seconds azimuth along said south line 1307.53 feet to the said southeasterly right-of-way line of Trunk Highway No. 3; thence northerly 347 degrees 21 minutes 17 seconds azimuth along said southeasterly right-of-way line 56.94 feet; thence northeasterly 39 degrees 56 minutes 21 seconds azimuth along said southeasterly right-of-way line 934.43 feet; thence southeasterly 129 degrees 56 minutes 21 seconds azimuth along said southeasterly right-of-way line 55.00 feet; thence northeasterly 39 degrees 56 minutes 21 seconds azimuth along said southeasterly right-of-way line 264.82 feet; thence northwesterly 309 degrees 56 minutes 21 seconds azimuth along said southeasterly right-of-way line 55.00 feet; thence northeasterly 39 degrees 56 minutes 21 seconds azimuth along said northeasterly right-of-way line 442.14 feet to the point of beginning. Said tract contains 32.89 acres more or less.

IT IS FURTHER ORDERED: That the effective date of this order is September 3, 1999.

Dated this 13th day of September, 1999.

Office of Strategic & Long Range Planning
Suite 225 Bandana Square
1021 Bandana Boulevard East
St. Paul, MN 55108



Christine M. Scotillo
Executive Director
Municipal Board Office

MEMORANDUM

In accepting the agreement and joint resolution contained in Docket No's OA-631 and OA-631-1, the Director of Strategic and Long Range Planning finds and makes the following comments:

The order herein specifically does not provide for a tax rate step up as referenced in the joint resolution Section XII (A). Although the Director is authorized, pursuant to Minnesota Statutes Section 414.035, to order a step up in tax rates, that statute states in part:

“...The board may provide that the tax rate of the annexing municipality on the area annexed shall be increased in substantially equal proportions over not more than six years to the equality with the tax rate on the property already within the municipality.”
The appropriate period, if any, shall be based on the time reasonably required to effectively provide full municipal services to the annexed area.”

When ordered by the Director, this section establishes a fixed step up for the property annexed and that step is determined by the effective availability of services to the area annexed.

Section XII (A) of the joint resolution establishes one fixed rate for residential property regardless of the extension of services, and another rate for “other “ property that is not fixed, but subject to change immediately to the current municipal rate upon the “availability“ of services, not the effective provision of such. Accordingly, the Director has declined to order a tax rate step up. The Director makes no comment on whether this section complies with the statute.

Additionally, the order herein is silent as to any arrangement for reimbursement to the township from the city for all or part of the taxable property annexed "... as part of the board's order." Minn. Stat. Sec. 414.036. Any reimbursement authorized by the statute must be completed in equal payments over not less than two and not more than six years.

Section XII (A) of the joint resolution provides for some reimbursement to the township after a period in which the annexing city receives all of the local property taxes payable on the property. The section sets out a formula which treats single family residential properties differently and provides that the city receive any excess amounts. The Director makes no comment on whether this section complies with the statute.

Planning in the area designated for orderly annexation may be provided for by one of the three means set forth in Minnesota Statutes Section 414.0325, Subd. 5. Section XIII of the joint resolution does not make reference to which of the three statutory provisions the parties to the joint resolution have elected to govern planning in the designated area.

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.

And finally, the Director notes that the Office of Strategic and Long Range Planning received a significant number of letters and comments regarding this matter. Every contact noted opposition to this action. In particular, township officials were criticized for their disregard of the will of their constituents. City officials were condemned for catering to the needs and concerns of a few influential individuals. While this office is pleased with the cooperation this agreement represents between local officials, it appears there is still some work to do to address the concerns raised by affected constituents.

