

OA-807-5 Kasson
Resolution No. 8.3-03

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 KASSON)	
AND THE TOWN OF MANTORVILLE PURSUANT TO)	<u>ORDER</u>
MINNESOTA STATUTES 414)	

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

WHEREAS, a resolution was received from the City of Kasson indicating their desire that certain property be annexed to the City of Kasson 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 October 13, 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 joint resolution to the City of Kasson, Minnesota, the same as if it had originally been made a part thereof:

That part of the Northwest Quarter of Section 28, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

Commencing at the southwest corner of said Northwest Quarter, thence South 89 degrees 54minutes 39 seconds East (NOTE: All bearings in relation to Dodge County Coordinate system, NAD 83, 1996 adjustment) along the south line of said Northwest Quarter for a distance of 1591.77 feet to the POINT OF BEGINNING; thence North 00 degrees 04

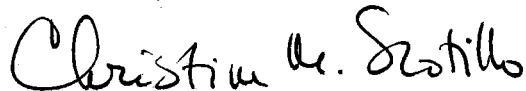
minutes 40 seconds East for a distance of 1756.87 feet to the north line of the South Two-Thirds of said Northwest Quarter; thence South 89 degrees 54 minutes 39 seconds along said North line for a distance of 809.18 feet to the northwest corner of KASSON MANTORVILLE HEIGHTS SUBDIVISION; thence South 00 degrees 15 minutes 09 seconds West along the west line of said KASSON MANTORVILLE HEIGHTS SUBDIVISION for a distance of 1235.88 feet plat to the northwest corner of Lot 5 Block 1 of said KASSON MANTORVILLE HEIGHTS SUBDIVISION; thence North 89 degrees 44 minutes 51 seconds West for a distance of 70.00 feet; thence South 00 degrees 15 minutes 09 seconds West for a distance of 188.00 feet; thence South 89 degrees 44 minutes 51 seconds East for a distance of 70.00 feet to the southwest corner of Lot 4 Block 1 said KASSON MANTORVILLE HEIGHTS SUBDIVISION; thence South 00 degrees 15 minutes 09 seconds West for a distance of 333.00 feet along the west line of said KASSON MANTORVILLE HEIGHTS SUBDIVISION to the south line of said Northwest Quarter of Section 28; thence North 89 degrees 54 minutes 39 seconds West along said south line to the POINT OF BEGINNING.

Said Parcel contains 32.22 acres more or less.

Said Parcel is subject to any easements or encumbrances of record.

Dated this 13th day of October, 2003.

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



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

OA-807-5 Kasson

MEMORANDUM

In ordering the annexation contained in Docket No. OA-807-5, the Acting Director finds and makes the following comment:

Paragraph 4 states the agreement shall be in effect for five years. End dates or ending mechanisms are problematic in that they appear to run afoul of the act of conferring jurisdiction to the Director. Paragraph 3. 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. 