

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 SAUK )  
RAPIDS AND THE TOWN OF MINDEN PURSUANT ) ORDER  
TO MINNESOTA STATUTES 414 )  
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WHEREAS, a joint resolution for orderly annexation was adopted by the City of Sauk Rapids and the Town of Minden; and

WHEREAS, a resolution was received from the City of Sauk Rapids requesting that certain property be annexed to the City of Sauk Rapids pursuant to M.S. 414.0325, Subdivision 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 of land pursuant to said subdivisions; and

WHEREAS, on July 15, 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 Sauk Rapids,

Minnesota the same as if it had originally been made a part thereof:

The Southwest Quarter of the Southwest Quarter, (SW ¼, SW ¼) of Section 19,  
Township 36 North, Range 30 West of the 4<sup>th</sup> Principal Meridian, Benton County,  
Minnesota.

Dated this 15<sup>th</sup> day of July, 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-845-1, the Director of Strategic and Long Range Planning finds and makes the following comment:

Paragraph/item 8 of the agreement provides for a division of tax revenue from an annexed area, based upon a 10 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.

Paragraph/item 21 of the agreement states the parties agree that they will, at a minimum, either meet or request the Joint Planning Board to consider potential changes and adjustments to this Agreement every 5 years beginning in January of 2005. Unless the parties have agreed to an extension, this Agreement shall expire on December 31, 2025. 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

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. *ems*