

BEFORE THE DIRECTOR OF 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 SAUK)
RAPIDS AND THE TOWN OF MINDEN PURSUANT) ORDER
TO MINNESOTA STATUTES 414)

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:

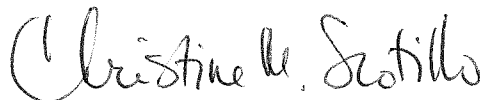
All that part of the Northwest Quarter (NW ¼) of Section 19, Township 36 North, Range 30 West, Fourth Principal Meridian, Benton County, Minnesota, Excepting therefrom the following: 1. All that part thereof lying Northerly of the centerline of Benton County

State Aid Road Number Three (3):

2. The South 50 feet of the north 848.2 feet of the West 100 feet thereof.
3. The South 175 feet of the North 1023.2 feet of the West 204 feet thereof.
4. That part of the Northwest Quarter (NW $\frac{1}{4}$), of Section 19, Township 36 North, Range 30 West, Benton County, described as follows: Commencing at the northwest corner of said Section 19: thence South 00 degrees 16 minutes 31 seconds West, assumed bearing, along the west line of said Section 19, a distance of 775.08 feet to the center line of Benton County Highway Number 3 and the actual point of beginning; thence continue South 00 degrees 16 minutes 31 seconds West along said west line 23.60 feet to the north line of the South 50.00 feet of the North 848.20 feet of the said Northwest Quarter; thence North 88 degrees 17 minutes 21 seconds East along said line 100.06 feet to the east line of the West 100.00 feet of the said Northwest Quarter; thence South 00 degrees 16 minutes 31 seconds West along said line 50.03 feet to the south line of the North 848.20 feet of the Northwest Quarter; thence North 88 degrees 17 minutes 21 seconds East along said line 104.06 feet to the east line of the west 204.00 feet; thence South 00 degrees 16 minutes 31 seconds West along said line 175.11 feet to the south line of the North 1023.20 feet; thence North 78 degrees 26 minutes 55 seconds East 285.33 feet; thence North 63 degrees 18 minutes 36 seconds East 423.49 feet; thence North 22 degrees 52 minutes 45 seconds West 423.50 feet to the center line of said Benton County Highway Number 3; thence South 58 degrees 43 minutes 22 seconds West along said center line 146.97 feet; thence South 60 degrees 49 minutes 08 seconds West continuing along said center line 653.43 feet to the point of beginning. Containing 6.24 acres, more or less.

Dated this 15th 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-845-2, 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.

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