

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)
 AGREEMENT BETWEEN THE CITY OF SAUK RAPIDS)
 AND THE TOWN OF MINDEN PURSUANT TO) ORDER
 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 indicating their desire that certain property be annexed to the City of Sauk Rapids 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, Reorganization Order No. 192, effective March 8, 2005, has transferred the duties of the Director to the Chief Administrative Law Judge.

WHEREAS, on September 13, 2007, the Chief Administrative Law Judge 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

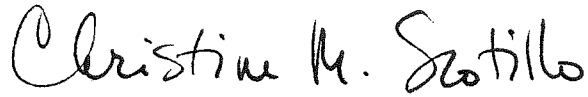
as if it had originally been made a part thereof:

All that part of the East Half of the Northeast Quarter (E½ NE ¼) of Section Twenty-nine (29), Township Thirty-six (36) North, Range Thirty (30) West, Fourth Principal Meridian, lying Northerly of the Northerly line of the Burlington Northern and Santa Fe Railway Company right-of-way (now abandoned), Benton County, Minnesota.

IT IS FURTHER ORDERED: That pursuant to Minn. Stat. 414.036, the Town of Minden will be reimbursed by the City of Sauk Rapids in accordance with the terms of the Joint Resolution signed in 2002 by the City of Sauk Rapids and the Town of Minden.

Dated this 13th day of September, 2007.

For the Chief Administrative Law Judge
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, flowing style.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-845-8, the Chief Administrative Law Judge finds and makes the following comment:

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 Chief Administrative Law Judge. 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.

Cms