

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF PRIOR LAKE)
AND THE TOWN OF SPRING LAKE PURSUANT TO)
MINNESOTA STATUTES 414)

ORDER

WHEREAS, a joint resolution for orderly annexation was adopted by the City of Prior Lake and the Town of Spring Lake; and

WHEREAS, a resolution was received from the City of Prior Lake indicating their desire that certain property be annexed to the City of Prior Lake 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 of land 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 March 10, 2005, 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 Prior Lake, Minnesota, the same as if it had originally been made a part thereof:

That part of the South Half of the Northeast Quarter of Section 5, Township 114, Range 22 lying northerly, easterly, northeasterly, northerly northwesterly and northerly of a line described as follows:

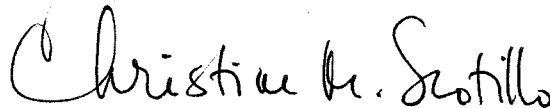
Beginning at the northwest corner of the South 831.24 feet of said South Half of the Northeast Quarter, said point being 1783.30 feet south of the northwest corner of said Northeast Quarter, as measured along the west line of said Northeast Quarter; thence South 89 degrees 40 minutes 58 seconds East, assuming the south line of said Northeast Quarter bears South 89 degrees 40 minutes 58 seconds East, along the north line of said South 831.24 feet of the South Half of the Northeast Quarter, a distance of 1190.85 feet to a point on the east line of the West 1190.81 feet

of said South Half of the Northeast Quarter; thence South 00 degrees 48 minutes 32 seconds West, along said east line of the West 1190.81 feet of the South Half of the Northeast Quarter, a distance of 365.81 feet to a point on the north line of the South 465.44 feet of said South Half of the Northeast Quarter; thence South 89 degrees 40 minutes 58 seconds East, along said north line of the South 465.44 feet, a distance of 361.63 feet to a point distant 1552.48 feet easterly of the northwest corner of said South 465.44 feet; thence South 35 degrees 40 minutes 58 seconds East, a distance of 280.00 feet; thence South 89 degrees 40 minutes 58 seconds East, parallel to the north line of said South 465.44 feet, a distance of 150.00 feet; thence North degrees 15 minutes 02 seconds East, a distance of 534.67 feet to a point on said north line of the South 465.44 feet, distance of 285.00 feet westerly of the east line of said South Half of the Northeast Quarter; thence South 89 degrees 40 minutes 58 seconds East, along said north line of the South 465.44 feet, a distance of 285.00 feet, to the east line of said South Half of the Northeast Quarter and said line there terminating.

EXCEPTING THEREFROME the West 856.80 feet of said South Half of the Northeast Quarter.

Dated this 10th day of March, 2005.

For the Chief Administrative Law Judge
658 Cedar Street, Room 300
St. Paul, Minnesota 55155

A handwritten signature in cursive script that reads "Christine M. Scotillo".

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-967-7, the Chief Administrative Law Judge finds and makes the following comment:

Paragraph No. 13 states the 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 by submission of this agreement to this office, 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.

A handwritten signature in cursive script, likely belonging to the Chief Administrative Law Judge, is located at the end of the text.