

BEFORE THE ACTING 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 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 the Office 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 December 13, 2002, the Acting Director of the Office of Strategic and Long Range Planning has reviewed and accepted the resolution for orderly annexation;

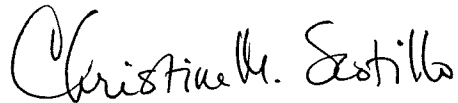
IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the joint resolution to the City of Prior Lake, Minnesota, the same as if it had originally been made a part thereof:

The Southwest Quarter of the Northwest Quarter, and Government Lot 4, all in Section 4,

Township 114, Range 22, Scott County, Minnesota.

Dated this 13<sup>th</sup> day of December, 2002.

For the Acting Director of the Office of Strategic &  
Long Range Planning  
658 Cedar Street, Room 300  
St. Paul, Minnesota 55155

A handwritten signature in black ink, reading "Christine M. Scotillo". The signature is written in a cursive style with a large, stylized "C" at the beginning.

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. A-2148(OA)-9, the Acting Director of Strategic and Long Range Planning finds and makes the following comment:

The authority to impose the type of charge identified in Paragraph 4 of the joint resolution, is questionable. Chapter 414 of Minnesota Statutes contains no authority for the Township or the City, to financially obligate the property owner as a condition of a boundary adjustment. The issuance of this order makes no determination as to the legality or validity of these provisions of the agreement. Any issue that may arise relative to the application or interpretation of these sections will be the sole responsibility the signatories to the agreement.

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*