

OA-1030-1 Montrose
City Resolution No. 2004-09
Town Resolution No. 04-03

DEPARTMENT OF ADMINISTRATION
STATE OF MINNESOTA
BEFORE THE DIRECTOR OF
STRATEGIC AND LONG RANGE PLANNING

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF MONTROSE)
AND THE TOWN OF MARYSVILLE PURSUANT TO)
MINNESOTA STATUTES 414)

ORDER

WHEREAS, a joint resolution for orderly annexation was adopted by the City of
Montrose and the Town of Marysville; and

WHEREAS, said joint resolution requests that certain property be annexed to the City of
Montrose 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

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

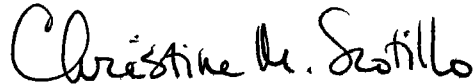
Tract One: The South half of the East half of the Southeast Quarter except the Great
Northern Railway right of way, containing 35 acres, more or less, in Section 34, Township
119, Range 26, excepting therefrom tract in Book 209 of Deeds, page 5;

AND

Tract Two: The West half of the Southwest Quarter of the Southwest Quarter except the Great Northern Railway right of way, containing 18 acres, more or less, in Section 35, and also excepting that part of the Southwest Quarter of Southwest Quarter of Section 35, Township 119, Range 26, Wright County, Minnesota, described as follows: Commencing at the Southwest corner of said Section; thence North along the section line 417.2 feet for a point of beginning of herein described tract; thence East at right angles, 242.0 feet; thence North parallel with West line of Section 35, 180.0 feet; thence West parallel with the first described course, 242.0 feet to the West line of said Section 35; thence South 180.0 feet to the point of beginning. Containing 1.0 acres more or less. Subject to town road easement on the West 33.0 feet thereof.

Dated this 13th day of May, 2004.

For the Director
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, flowing style.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1030-1, the Director finds and makes the following comment:

Section 4 of the agreement imposes a financial obligation on the property owners of the subject property to reimburse the Township for lost tax revenue. Chapter 414 of Minnesota Statutes contains no authority for the Township, or the City, to obligate the property owner in any way as part 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 of 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.

A handwritten signature in black ink, appearing to be "CWS", is located at the end of the text block.