

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 Monticello, Minnesota, the same

as if it had originally been made a part thereof:

That part of Government Lot 2, Section 8, Township 121, Range 24, Wright County, Minnesota lying southerly of the center line of County Road No. 39, per WRIGHT COUNTY HIGHWAY RIGHT-OF-WAY PLAT NO. 6, according to the recorded plat thereof, said Wright County and easterly of the east line of HARTWIG'S RIVER ROAD ACRES, according to the recorded plat thereof, said Wright County, as monumented.

Together with:

That part of the East Half of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter of Section 17, Township 121, Range 24, said Wright County lying easterly of RIVERSIDE ACRES, according to the recorded plat thereof, said Wright County, as monumented.

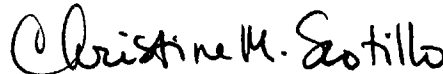
Together with:

Outlots B and C, said RIVERSIDE ACRES, as monumented.

Subject to an easement for County Road No. 39 and subject to all other easements of record, if any. Containing 102.47 acres, more or less.

Dated this 11th day of May, 2006.

For the Chief Administrative Law Judge
658 Cedar Street, Room 300
St. Paul, MN 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-1061-10, the Chief Administrative Law Judge finds and makes the following comment:

Paragraph/item 6 and a portion of 7 of the agreement provides for a division of tax revenue from an annexed area, based upon a one time cash payment. 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 Chief Administrative Law Judge.

Paragraph 15 states the agreement shall remain in full force and effect until certain events occur. 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. Jurisdiction ends when all the designated area is annexed. The issue whether jurisdiction could be "given back" by the Chief Administrative Law Judge 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.

CWS