

OA-1128-1 Mayer
City Resolution No. 12-13-2004-19
Town Resolution Signed 11-4-04

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

ORDER

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

WHEREAS, said resolution requests that certain property be annexed to the City of Mayer pursuant to M.S. 414.0325;

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; and

WHEREAS, on March 10, 2005, the Chief Administrative Law Judge 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 Mayer, Minnesota, the same

as if it had originally been made a part thereof:

The south 33.00 feet of the Southwest Quarter of Section 32, Township 117, Range 25.

AND

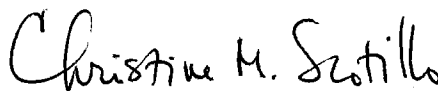
The south 33.00 feet of the Southeast Quarter of the Southeast Quarter of Section 31, Township 117, Range 25.

AND

The south 33.00 feet of that part of the Southwest Quarter of the Southeast Quarter of Section 31, Township 117, Range 25 lying easterly of the west 1,297.02 feet thereof.

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 black ink that reads "Christine M. Scotillo". The signature is written in a cursive, flowing style.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

OA-1128-1 Mayer

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1128-1, the Chief Administrative Law Judge finds and makes the following comment:

The authority to impose the type of charge identified in paragraph 6 of the agreement, is unclear. Reimbursement for taxable property annexed by order pursuant to Minnesota Statute Section 414.0325 is an optional provision authorized by the statute. 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