

OA-1179-1 Maple Lake
City Resolution No. 2005-20
Town Resolution No. 2005-4

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF MAPLE)
LAKE AND THE TOWN OF MAPLE LAKE) O R D E R
PURSUANT TO MINNESOTA STATUTES 414)

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

WHEREAS, said joint resolution requests that certain property be annexed to the City of Maple 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 August 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 Maple Lake, Minnesota, the same as if it had originally been made a part thereof:

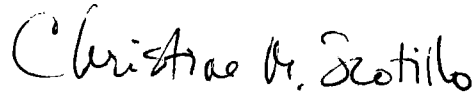
The Southwest Quarter of the Southeast Quarter of Section 31, Township 121, Range 26, Wright County, Minnesota.

Less and Except all that part of the Southwest Quarter of Southeast Quarter of Section 31, Township 121, Range 26, described as follows: Commencing at the Northwest corner of

said Southwest Quarter of Southeast Quarter; thence Easterly along the North line to the Easterly right-of-way line of County Road No. 8; thence Southeasterly along said road line, 308 feet for a point of beginning of herein described tract; thence Easterly parallel with the North line of said Southwest Quarter of Southeast Quarter, 320 feet; thence Southerly parallel with the West line of said Southwest Quarter of Southeast Quarter, 150 feet; thence Westerly parallel with the North line of said Southwest Quarter of Southeast Quarter, 237 feet more or less to the Easterly line of County Road No. 8; thence Northwesterly to the point of beginning.

Dated this 10th day of August, 2005.

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

A handwritten signature in cursive script, reading "Christine M. Scotillo".

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1179-1, the Chief Administrative Law Judge finds and makes the following comment:

In item No. 6 "Taxable Reimbursement", section of the agreement a financial obligation is imposed on the developer of the subject property to reimburse the Township for lost tax revenue. Such a provision appears to be inconsistent with Minn. Stat. Sec. 414.036, which provides for optional reimbursement from the municipality to the township in substantially equal payments over a period of time to bear some relationship to the amount of time required to provide municipal services to the subject property.

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*