

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

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

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

WHEREAS, a joint resolution was received from the City of Paynesville and Paynesville
Township indicating their desire that certain property be annexed to the City of Paynesville
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 June 19, 2006, 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 Paynesville, Minnesota, the same

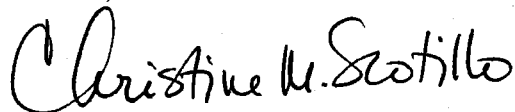
as if it had originally been made a part thereof:

That part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and that part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15, Township 122 North, Range 32 West, Stearns County, Minnesota, described as follows: Beginning at the Southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence North $00^{\circ}31'54''$ East (assumed bearing) along the West line thereof, a distance of 1563.08 feet to the Southeasterly right of way line of Minnesota Trunk Highway 23; thence Northeasterly along a non-tangential curve concave to the Northwest, a distance of 156.65 feet, radius of 2034.86 feet, having a central angle of $04^{\circ}24'39''$, chord bearing of North $55^{\circ}22'16''$ East, chord length of 156.61 feet; thence North $53^{\circ}09'56''$ East tangent to said curve, along said right of way line, a distance of 218.37 feet to the Southerly right of way line of the Soo Line Railroad; thence South $78^{\circ}26'34''$ East, along said right of way line, a distance of 309.91 feet; thence South $11^{\circ}33'26''$ West, a distance of 542.86 feet; thence South $00^{\circ}31'54''$ West, parallel with the West line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, a distance of 1200.00 feet to the South line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence North $88^{\circ}44'56''$ West, along said South line, a distance of 502.01 feet to the point of beginning.

Containing 20.39 acres, more or less.

Dated this 19th day of June, 2006.

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



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1220-1 the Chief Administrative Law Judge finds and makes the following comment:

Paragraph 9(iii) of the orderly annexation agreement provides for a division of tax revenue from an annexed area. 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.

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 'Cms', is located at the end of the text block.