

OA-1224-1 Owatonna
City Signed Resolution 11-15-05
Town Signed Resolution 12-6-05

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

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

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

WHEREAS, M.S. 414.0325 states that in certain circumstances the Director of the Office 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 January 11, 2006, 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 Owatonna, Minnesota, the same

as if it had originally been made a part thereof:

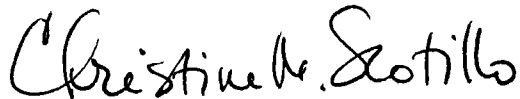
The east 50 feet of the Northwest Quarter of Section 5, Township 107 North, Range 20 West lying north of Colonial Manor Addition, Owatonna, Minnesota; and

The west 50 feet of the Southwest Quarter of the Northeast Quarter of Section 5, Township 107 North, Range 20 West; and

The west 50 feet of the Southeast Quarter of Section 5, Township 107 North, Range 20 West lying north of Wildung 2nd Addition.

Dated this 11th day of January, 2006.

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

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1224-1, the Chief Administrative Law Judge finds and makes the following comment:

Paragraph 3 of the agreement provides for the city to reimburse the township... “the equivalent of two and one-half years of tax revenues including L.G.A.s received by the Township from the subject property based on taxes due and payable in 2005.” 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 not state funds 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.

CWS