

OA-1258-1 Moorhead
Joint Resolution Signed: 4-17-06

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

ORDER

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

WHEREAS, said resolution requests that certain property be annexed to the City of Moorhead 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; and

WHEREAS, on May 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 Moorhead, Minnesota, the same

as if it had originally been made a part thereof:

Sect-15 Twp-139 Range-048 .50 AC BEG. 1271.3' W & 33' N OF SE CORNER; N & S 208.7'; E & W 104.35'.

Sect-15 Twp-139 Range-048 1.27 AC BEG AT SE COR OF SEC 15; N 308.86'; W 221.73'; S 308.86' & E 221.73' TO BEG.

S $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section-28 Township-139 North, Range 48 West of the Fifth Principal Meridian, , Clay County, Minnesota, LESS the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$

Sect-27 Twp-139 Range-048 80.70 AC S1/2 NW1/4

Sect-27 Twp-139 Range-48 80.00 AC S2NE4

The West 208.71 feet of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section-29 Township-139 North, Range 48 West of the Fifth Principal Meridian, Clay County, Minnesota, LESS Right of Way along US Highway 75.

All of Government Lot 6 of Section 30-139-48, including a 30 foot wide road easement previously recorded, that runs along the frontage of the former Town and Country Subdivision AND All of Government Lot 1 of Section 25-139-49

Sect-31 Twp-139 Range-048 NW1/4

Dated this 11th day of May, 2006.

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

Christine M. Scotillo

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

OA-1258-1 Moorhead

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1258-1, the Chief Administrative Law Judge finds and makes the following comment:

Paragraph 6 of the agreement provides for a division of tax revenue from the annexed area, based upon a one time payment by the city. 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.

Cms