

OA-1313-1 Nashwauk
City Signed Resolution 12-26-06
Township Signed Resolution 1-02-07

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

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

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

WHEREAS, said joint resolution requests that certain property be annexed to the
City of Nashwauk 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 January 16, 2007, 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 Nashwauk, Minnesota, the same

as if it had originally been made a part thereof:

All of Section 2, Township 56, Range 23 - 640 acres

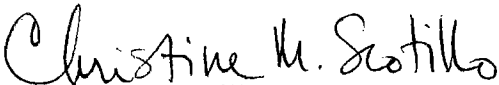
All of Section 3, Township 56, Range 23 - 640 acres

The North 1/2 of Section 10, Township 56, Range 23 - 340 acres

IT IS FURTHER ORDERED: That pursuant to Minn. Stat. 414.036, the Town of Greenway will be reimbursed by the City of Nashwauk in accordance with the terms of the Joint Resolution signed by the City of Nashwauk on December 26, 2006 and the Town of Greenway on January 2, 2007.

Dated this 16th day of January, 2007.

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-1313-1, the Chief Administrative Law Judge finds and makes the following comment:

Recent legislative amendments to Chapter 414 became effective on August 1, 2006.

Included in the amendments is a new subdivision that requires published notice prior to adopting an orderly annexation agreement. Minn. Stat. Sec. 414.0325, Subd. 1b states:

Subd. 1b. Notice of intent to designate an area. At least ten days before the municipality or township adopts an orderly annexation agreement, a notice of the intent to include property in an orderly annexation area must be published in a newspaper of general circulation in both the township and municipality. The notice must clearly identify the boundaries of the area proposed to be included in the orderly annexation agreement and the date, time, and place of the public informational meeting to be held as provided in section 414.0333. The cost of providing notice must be equally divided between the municipality and the township, unless otherwise agreed upon by the municipality and the township.

The Joint Resolution for Orderly Annexation referenced above was signed after the effective date of the new law changes and therefore would have been subject to the Notice of intent to designate requirement of Minn. Stat. Sec. 414.0325 Subd. 1b.

For future reference, any new orderly annexation agreements must comply with this notice requirement. 