

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE ORDERLY ANNEXATION )  
AGREEMENT BETWEEN THE CITY OF WILLMAR )  
AND THE TOWN OF ST. JOHN'S PURSUANT TO ) ORDER  
MINNESOTA STATUTES 414 )  
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WHEREAS, a joint resolution for orderly annexation was adopted by the City of Willmar and the Town of St. John's; and

WHEREAS, said joint resolution requests that certain property be annexed to the City of Willmar 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 March 15, 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 Willmar, Minnesota, the same

as if it had originally been made a part thereof:

The East 2040 feet of the Southeast Quarter (SE ¼) of Section 23, Township 119, Range 36.

**ALSO**

The Southeast Quarter of Section 23, except the East 2040 feet thereof; the Southeast Quarter of the Southwest Quarter of Section 23 except that part of the Southeast Quarter of the Southwest Quarter of said Section 23 described as follows:

That part of Southeast Quarter of the Southwest Quarter of Section 23, Township 119 North, Range 36 West, St. Johns Township, Kandiyohi County, Minnesota, which lies westerly of the county ditch, described as follows: Commencing at the northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 23; thence on an assumed bearing of South 88°27'00" West, along the north line of the Southeast Quarter of the Southwest Quarter of said Section 23, a distance of 558.48 feet to the centerline of County Ditch Number 19 which is the point of beginning of the land to be described; thence continuing on a bearing of South 88°27'00" West, along the said north line, a distance of 770.16 feet to the west line of the Southeast Quarter of the Southwest Quarter of said Section 23; thence South 0°05'45" West, along said west line, a distance of 1321.14 feet to the south line of the Southeast Quarter of the Southwest Quarter of said Section 23; thence North 88°31'00" East, along said south line, a distance of 585.49 feet to centerline of said ditch; thence North 13°00'00" West, along the centerline of said ditch 319.51 feet; thence North 4°30'00" East, along the centerline of said ditch 300.00 feet; thence North 21°30'00" East, along the centerline of said ditch a distance of 770.00 feet to the point of beginning.

And that part of the Northeast Quarter of the Southwest Quarter of Section 23, which lies Easterly of the County ditch and is described as follows: Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 23; thence on an assumed bearing of South 88°27'00" West, along the South line of the Northeast Quarter of the Southwest Quarter of said Section 23 a distance 558.48 feet to the center line of County ditch #19; thence North 25°00'00" East along the center line of said ditch a distance of 540 feet; thence North 38°30'00" East along the center line of said ditch a distance of 535 feet to the East line of the Northeast Quarter of the Southwest Quarter of said Section 23; thence South 0°11'28" West, along the East line of the Northeast Quarter of the Southwest Quarter of said Section 23 a distance of 893 feet to the point of beginning, all being in Township 119, Range 36. Totaling 188.67 acres more or less.

IT IS FURTHER ORDERED: That pursuant to Minn. Stat. 414.036, the Town of St.

John's will be reimbursed by the City of Willmar in accordance with the terms of Joint

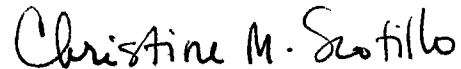
Resolution No. 13 signed by the City of Willmar on November 6, 2006 and the Town of St.

John's on October 17, 2006.

IT IS FURTHER ORDERED: That the tax rate of the City of Willmar on the property herein ordered annexed shall be increased in substantially equal proportions over a period of six years to equality with the tax rate of the property already within the city.

Dated this 15<sup>th</sup> day of March, 2007.

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 script is cursive and fluid.

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1317-1, 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.

*Cms*