

OA-1321-1 Becker
City Signed Resolution 3-6-07
Town Signed Resolution 2-26-07

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

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

WHEREAS, said resolution requests that certain property be annexed to the City of Becker 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 April 11, 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 Becker, Minnesota, the same as if it had originally been made a part thereof:

The South Half of the Southeast Quarter of the Southwest Quarter, Section 24,
Township 34, Range 29, Sherburne County, Minnesota.

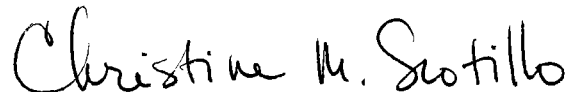
AND

The Northeast Quarter of the Northwest Quarter and the Northwest Quarter of the Northwest Quarter, all in Section 25, Township 34, Range 29, Sherburne County, Minnesota.

IT IS FURTHER ORDERED: That pursuant to Minn. Stat. 414.036, the Town of Becker will be reimbursed by the City of Becker in accordance with the terms of the Joint Resolution signed by the City of Becker on March 6, 2007 and the Town of Becker on February 26, 2007.

Dated this 11th day of April, 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-1321-1, 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.

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

CWS