

OA-1323-1 Atwater  
City Resolution No. 2006-19  
Town Resolution No. 2006-01

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

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

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

**This Exhibit "A" is the legal description for 2.98+or- acre property owned by Bruce Haldo Slinden located in Genessee Township, Kandiyohi County, MN (Tax Parcel # 17-011-0110)**

**The East 250 feet of the SE¼ of SE¼ of Section 11, Township 119, Range 33, excepting therefrom the South 755 feet thereof and further excepting therefrom the East 150 feet of the South 830 feet thereof.**

AND

This Exhibit "A" is the legal description for 13.5+or- acre property owned by Ruby B. Almgren and Peggy J. Fossen located in Genessee Township (Part of Tax Parcel # 17-011-0090)

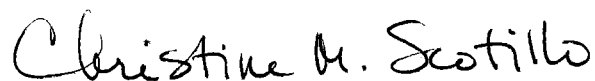
The North 468 feet of the E½ of SW¼ of SE¼ and the SE¼ of SE¼ of Section 11, Township 119, Range 33, **excepting** therefrom the East 250 feet of the SE¼ of SE¼ thereof and further **excepting** therefrom the West 472.47 feet of the E½ of SW¼ of SE¼ thereof.

Both Buyer and Seller understand that the exceptions for the metes and bounds legal description to be used on the warranty deed will be the lengthy descriptions used on previously recorded documents. The property is a tract approximately 468 feet wide and 1257.5 feet long.

IT IS FURTHER ORDERED: That pursuant to Minn. Stat. 414.036, the Town of Genessee will be reimbursed by the City of Atwater in accordance with the terms of the Addendum to the Joint Resolution signed by the City of Atwater on February 21, 2007 and the Town of Genessee on February 21, 2007.

Dated this 11<sup>th</sup> 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

M E M O R A N D U M

In ordering the annexation contained in Docket No. OA-1323-1, 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.

*Cms*