

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

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

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

WHEREAS, a joint resolution was received from the City of Farmington and the Town of Empire indicating their desire that certain property be annexed to the City of Farmington 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 February 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 Farmington, Minnesota, the same

as if it had originally been made a part thereof:

The South One-half of the Southeast Quarter of Section 7, Township 114, Range 19, Dakota County, Minnesota, lying westerly of the westerly right of way of Minnesota State Highway Number 3.

TOGETHER WITH:

The North One-half of the Northeast Quarter of Section 18, Township 114, Range 19, Dakota County, Minnesota, lying westerly of the westerly right of way of Minnesota State Highway Number 3.

TOGETHER WITH:

That part of the Northwest Quarter of Section 18, Township 114, Range 19, Dakota County, Minnesota, lying easterly of the easterly right of way of the Soo Line Railroad.

TOGETHER WITH:

That part of the Northeast Quarter of the Southwest Quarter, the Northwest Quarter of the Southeast Quarter and the South One-half of the Northeast Quarter, all in Section 18, Township 114, Range 19, Dakota County, Minnesota, lying westerly and northerly of the following described line and easterly of the easterly right of way line of the Soo Line Railroad:

Commencing at the northeast corner of said South One-half of the Northeast Quarter; thence North 89 degrees 51 minutes 17 seconds West, assumed bearing along the north line of said South One-half of the Northeast Quarter, a distance of 1737.91 feet to the point of beginning of the line to be described; thence South 12 degrees 35 minutes 45 seconds West, a distance of 1579.23 feet; thence South 67 degrees 58 minutes 19 seconds West, a distance of 1637.35 feet to said easterly right of way line of the Soo Line Railroad and said line there terminating.

TOGETHER WITH:

That part of the West One-half of Section 18, Township 114, Range 19, Dakota County, Minnesota, lying westerly of the westerly right of way line of the Soo Line Railroad and northerly and easterly of the following described line:

Commencing at the southwest corner of the Southwest Quarter of said Section 18; thence North 00 degrees 05 minutes 40 seconds West, assumed bearing, along the west line of said Southwest Quarter, a distance of 721.13 feet to the point of beginning of the line to be described; thence South 80 degrees 27 minutes 24 seconds East, a distance of 606.62

feet; thence South 35 degrees 26 minutes 04 seconds East, a distance of 766.11 feet to said south line of the Southwest Quarter and said line there terminating.

Total area of Annexation Number 2 is 429.46 acres.

IT IS FURTHER ORDERED: That pursuant to Minn. Stat. 414.036, the Town of Empire will be reimbursed by the City of Farmington in accordance with the terms of Joint Resolution No. R18-07 signed by the City of Farmington and the Town of Empire on January 23, 2007.

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

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



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

OA-607-3 Farmington

MEMORANDUM

In ordering the annexation contained in Docket No. OA-607-3, the Chief Administrative Law Judge finds and makes the following comment:

Planning in the area designated for orderly annexation must be provided for by one of three provisions set forth in Minnesota Statutes Section 414.0325, Subd. 5. The joint resolution does not make reference to which of the three statutory provisions the parties have agreed on to govern planning in the designated area.

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*