

BEFORE THE ACTING DIRECTOR OF THE OFFICE OF  
STRATEGIC AND LONG RANGE PLANNING  
OF THE STATE OF MINNESOTA

IN THE MATTER OF THE ORDERLY ANNEXATION )  
 AGREEMENT BETWEEN THE CITY OF ST. CLOUD AND ) ORDER  
 THE TOWN OF MINDEN PURSUANT TO MINNESOTA )  
 STATUTES 414 )

WHEREAS, a joint resolution for orderly annexation was adopted by the City of St. Cloud and the Town of Minden; and

WHEREAS, a resolution was received from the City of St. Cloud requesting that certain property be annexed to the City of St. Cloud pursuant to M.S. 414.0325; and

WHEREAS, M.S. 414.0325 states that in certain circumstances the Director of the Office 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, on January 17, 2003, the Acting Director of the Office of Strategic and Long Range Planning has reviewed and accepted the resolution for orderly annexation;

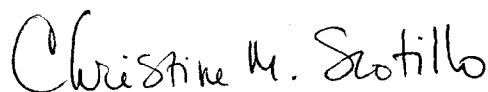
IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the joint resolution to the City of St. Cloud, Minnesota the same as if it had originally been made a part thereof:

That part of Trunk Highway No. 23 right-of-way shown on Minnesota Department of Transportation Right Of Way Plat No. 05-7, located in the Northeast Quarter of Section 28, Township 36

North, Range 30 West of the 4<sup>th</sup> Principal Meridian, Benton County Minnesota described as follows: Commencing at the southeast corner of said Northeast Quarter; thence South 88 degrees, 36 minutes, 16 seconds West, assumed bearing along the south line of said Northeast Quarter, a distance of 372.03 feet to a point designated as B22 on said plat and the point of beginning of the land to be described; thence South 88 degrees, 36 minutes, 16 seconds West, continuing on said south line, a distance of 102.21 feet; thence North 13 degrees, 19 minutes, 45 seconds West a distance of 205.18 feet; thence North 76 degrees, 40 minutes, 15 seconds East a distance of 496.85 feet to a point designated as TB5 on said plat; thence South 0 degrees, 55 minutes, 53 seconds East a distance of 70.95 feet to a point designated as TB4 on said plat; thence South 76 degrees, 40 minutes, 15 seconds West a distance of 365.62 feet to a point designated as B19 on said plat; thence South 13 degrees, 19 minutes, 45 seconds East a distance of 23.00 feet to a point designated as B20 on said plat; thence South 76 degrees, 40 minutes, 15 seconds West a distance of 16.00 feet to a point designated as B21 on said plat; thence South 13 degrees, 19 minutes, 45 seconds East a distance of 134.02 feet to said point of beginning and depicted in map form in Exhibits B and C, in accordance with the Joint Resolution as to Orderly Annexation adopted by the City on February 12, 2001, and by the Town on February 13, 2001.

Dated this 17<sup>th</sup> day of January, 2003.

For the Acting Director of the Office of Strategic  
& Long Range Planning  
658 Cedar Street - Room 300  
St. Paul, Minnesota 55155

A handwritten signature in cursive script that reads "Christine M. Scotillo".

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-746-11, the Acting Director of Strategic and Long Range Planning finds and makes the following comment:

Paragraph/item 8 of the agreement provides for a division of tax revenue from an annexed area, based upon a 9 year schedule. By making this order, no determination is made as to the effectiveness of such a schedule. Minnesota Statutes Section 414.036 allows for a reimbursement to the township of property taxes of substantially equal payments over a period of not less than two nor more than six years. Including such a provision in an order under Minnesota Statutes Section 414.0325 is discretionary with the Director.

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*