

BEFORE THE 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 KASSON AND) ORDER
THE TOWN OF MANTORVILLE PUSUANT TO)
MINNESOTA STATUTES 414)

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

WHEREAS, said joint resolution requests that certain property be annexed to the City of Kasson pursuant to M.S. 414.0325, Subd. 1; and

WHEREAS, M.S. 414.0325, M.S. 414.11, and M.S. 414.12 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 August 13, 2002, the Director of the Office of Strategic and Long Range Planning has reviewed and accepted the resolution for orderly annexation;

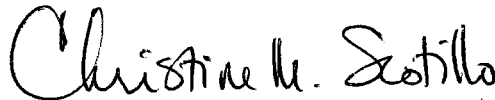
IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the joint resolution to the City of Kasson, Minnesota, the same as if it had originally been made a part thereof:

That part of the Southeast Quarter of Section 28, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows: Commencing at the southwest corner of the Southeast Quarter of said section 28; thence North 00 degrees 03 minutes 58 seconds West (NOTE: All bearings are based on the Dodge County Coordinate System, HARN

'96 Adjustment) along the west line of said Southeast Quarter for a distance of 561.00 feet (34 Rods) and to the POINT OF BEGINNING; thence South 89 degrees 41 minutes 20 seconds East, parallel with the south line of said Southeast Quarter, for a distance of 480.00 feet; thence North 00 degrees 03 minutes 58 seconds West, parallel with the west line of said Southeast Quarter, for a distance of 418.68 feet to the south line of 11th Street N.E.; thence North 89 degrees 54 minutes 19 seconds West, parallel with the north line of said Southeast Quarter, for a distance of 479.99 feet to the west line of said Southeast Quarter; thence South 00 degrees 03 minutes 58 seconds East along said west line for a distance of 416.87 feet to the point of beginning. Said tract contains 3.7 Acres more or less. Said tract is subject to an easement for Trunk Highway No. 57 along the west side. Said tract is subject to any other easements or encumbrances of record.

Dated this 13th day of August, 2002.

For the 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". The signature is written in dark ink and is positioned above the printed name and title.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-807-1, the Director of Strategic and Long Range Planning finds and makes the following comment:

Paragraph 4 states the agreement shall be in effect for five years. End dates or ending mechanisms are problematic in that they appear to run afoul of the act of conferring jurisdiction to the Director, Paragraph 3. Once jurisdiction is conferred, it cannot be taken away by written consent of the parties. Jurisdiction ends when all the designated area is annexed. The issue whether jurisdiction could be "given back" by the Director upon written request of the parties to the agreement to mutually end their agreement has not been addressed.

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.

Chuo