

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 September 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 29, Township 107 North Range 16 West Dodge County, Minnesota, described as follows:

Commencing at the southeast corner of the Southeast Quarter of said Section 29; thence

North 00 degrees 00 minutes 01 seconds East (NOTE: All bearings are on the Dodge County Coordinate System, HARN 1996 Adjustment) along the east line of said Southeast Quarter for a distance of 153.00 feet to the northeast corner of Bigelow-Voigt Second Subdivision; thence North 89 degrees 41 minutes 29 seconds West along said north line for a distance of 300.00 feet to the POINT OF BEGINNING; thence continue North 89 degrees 41 minutes 29 seconds West along said north line for a distance of 1157.58 feet; thence North 00 degrees 19 minutes 25 seconds West for a distance of 701.55 feet; thence South 82 degrees 36 minutes 24 seconds East for a distance of 138.82 feet; thence North 89 degrees 45 minutes 29 seconds East for a distance of 66.77 feet; thence South 89 degrees 41 minutes 29 seconds East for a distance of 114.67 feet; thence North 74 degrees 16 minutes 51 seconds East for a distance of 70.53 feet; thence South 77 degrees 28 minutes 56 seconds East for a distance of 128.29 feet; thence North 70 degrees 55 minutes 56 seconds East for a distance of 82.59 feet; thence South 65 degrees 59 minutes 01 seconds East for a distance of 128.93 feet; thence South 89 degrees 59 minutes 59 seconds East for a distance of 753.47 feet to said the east line of said Southeast Quarter; thence South 00 degrees 00 minutes 01 seconds West along said east line for a distance of 357.00 feet; thence North 89 degrees 41 minutes 29 seconds West for a distance of 300.00 feet; thence South 00 degrees 00 minutes 01 seconds West for a distance of 300.00 feet to the POINT OF BEGINNING;

EXCEPTING THEREFROM; The East 410.00 feet thereof.

Said Parcel contains 16.3 acres, more or less.

Said Parcel is subject to any easements or encumbrances of record.

Dated this 13th day of September, 2002.

For the Director of the Office of Strategic &
Long Range Planning
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-807-2, 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.

CWS