

DEPARTMENT OF ADMINISTRATION

STATE OF MINNESOTA

BEFORE THE ACTING DIRECTOR OF

STRATEGIC AND LONG RANGE PLANNING

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

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

WHEREAS, a resolution was received from the City of Kasson indicating their desire that certain property be annexed to the City of Kasson 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 pursuant to said subdivisions; and

WHEREAS, on August 14, 2003, the Acting Director 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:

Mantorville Township Road 185 being designated as an easement 66 feet wide, 33 feet on each side of the existing road centerline, lying on or near the section line between Section 33 and Section 34, Township 107 North, Range 16 West, Dodge County, Minnesota, the

road centerline being described as follows: Beginning at a point on said section line at the Southerly right of way line of County State Aid Highway 34; thence southerly on or near the said section line approximately 1,650 feet, and there terminating.

Dated this 14th day of August, 2003.

For the Acting Director
658 Cedar Street - Room 300
St. Paul, Minnesota 55155

A handwritten signature in black ink that reads "Christine M. Scotillo". The signature is written in a cursive style with a large, stylized 'C' and 'S'.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

OA-807-4 Kasson

MEMORANDUM

In ordering the annexation contained in Docket No. OA-807-4, the Acting Director 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. 