DEPARTMENT OF ADMINISTRATION

STATE OF MINNESOTA

BEFORE THE DIRECTOR OF

STRATEGIC AND LONG RANGE PLANNING

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IN THE MATTER OF THE ORDERLY ANNEXATION) AGREEMENT BETWEEN THE CITY OF PARK RAPIDS) AND THE TOWN OF TODD PURSUANT TO MINNESOTA) STATUTES 414)	ORDER

_____

WHEREAS, a joint resolution for orderly annexation was adopted by the City of Park

Rapids and the Town of Todd; and

WHEREAS, a resolution was received from the City of Park Rapids indicating their

desire that certain property be annexed to the City of Park Rapids pursuant to M.S. 414.0325;

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, on November 10, 2004, the Director has reviewed and accepted the
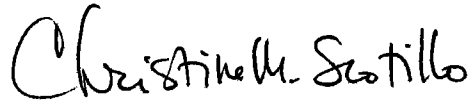
resolution for orderly annexation;

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 Park Rapids, Minnesota, the same

as if it had originally been made a part thereof:

All that part of the Southwest Quarter of the Southeast Quarter (SW¼ SE¼) of Section Fourteen
(14), Township One Hundred Forty (140), Range Thirty-five (35), described as follows, to-wit:
Commencing at a point where the East boundary line of U.S. Highway #71 as laid out and
established in the year of 1950 over and across said Section, intersects the South boundary line of

the SW¼ SE¼, said Section, Township, Range; thence extending Northerly on and along the East right of way line of said highway, a distance of 800 feet to the point of beginning of the land hereby conveyed, said point of beginning being immediately adjacent to the Northwest corner of the tract of land heretofore conveyed to Leo P. Falconer and Helen Falconer, his wife, as described in deed dated June 15, 1948, and recorded in the office of the Register of Deeds, for said County and State, in Book 82 of Deeds, page 282; thence extending Northerly on and adjacent to the East boundary line of said U.S. Highway #71, a distance of 100 feet to the point of intersection between U.S. Highway #71 and Old Itasca Road; thence extending further Northerly upon and adjacent to East right of way line of Old Itasca Road, a distance of 15 feet; thence Easterly to the water's edge of Fish Hook River at a point 80 feet Northerly from the Northeast corner of the tract heretofore conveyed to Leo P. Falconer and Helen Falconer, his wife; thence Southerly along the water's edge of Fish Hook River, a distance of approximately 80 feet to the Northeast corner of the tract of land heretofore conveyed to Leo P. Falconer and Helen Falconer, his wife; thence Westerly along and adjacent to the North boundary line of said tract, heretofore conveyed to Leo P. Falconer and Helen Falconer, his wife, to the point of beginning of the tract hereby conveyed. Subject to Boundary Line Agreement dated August 29, 1975 and filed September 10, 1975 at 11:30 a.m. in Book H of Miscellaneous on page 168.

Dated this 10th day of November, 2004.

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

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

M E M O R A N D U M

In ordering the annexation contained in Docket No. OA-854-2, the Director 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.

Paragraph 2 e., on page 3 of the agreement refers to detachment of land to the Township if certain conditions are not fulfilled within 3 years of the effective date of an annexation. Such language does not create an "automatic" detachment. Once land is annexed, it can only be detached by complying with the requirements of Minnesota Statutes Sec. 414.06.

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. *CMW*