

DEPARTMENT OF ADMINISTRATION

STATE OF MINNESOTA

BEFORE THE DIRECTOR OF

STRATEGIC AND LONG RANGE PLANNING



IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF PRIOR LAKE)
AND THE TOWN OF SPRING LAKE PURSUANT TO)
MINNESOTA STATUTES 414)

ORDER

WHEREAS, a joint resolution for orderly annexation was adopted by the City of Prior Lake and the Town of Spring Lake; and

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

WHEREAS, on March 18, 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 Prior Lake, Minnesota, the same as if it had originally been made a part thereof:

Area 4.2

The North 40.5 rods of the Northwest Quarter of the Southwest Quarter of Section 12, Township 114, Range 22, Scott County, Minnesota.

And also the South ¼ of the Southeast Quarter of the Northeast Quarter of Section 11, Township 114, Range 22, Scott County, Minnesota.

And also that part of the Northwest Quarter of the Southeast Quarter of Section 11, Township 114, Range 22, Scott County, Minnesota, lying Northeasterly of Mushtown Road.

And also that part of the Northeast Quarter of the Southeast Quarter of Section 11, Township

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114, Range 22, Scott County, Minnesota, which lies Northerly of Jackson Estates, according to the recorded plat thereof Scott County, Minnesota, and Northeasterly of Mushtown Road.

Area 4.3

That part of the North-half of Section 10, Township 114, Range 22, Scott County, Minnesota, lying Southeasterly of the Southeasterly right-of-way line of State Trunk Highway No. 13.

And also that part of the Northwest Quarter of the Southwest Quarter of Section 10, Township 114, Range 22, Scott County, Minnesota, lying Southeasterly of the Southeasterly right-of-way line of State Trunk Highway No. 13, lying Northerly of Maple Knoll and Maple Knoll 2ND Addition, according to said plats on file and of record in the office of the County Recorder, in said County, and lying Northerly of the Easterly extension of the Northerly line of Maple Drive, as dedicated in said plats.

And also that part of the Northeast Quarter of the Southwest Quarter of Section 10, Township 114, Range 22, Scott County, Minnesota, lying North of the South 180.00 feet thereof.

And also Government Lot 2, Section 10, Township 114, Range 22, Scott County, Minnesota, except that part of said Government Lot 2 described as follows:

Beginning at a point 1176.65 feet North of the Southwest corner of the Southwest Quarter of the Southeast Quarter of said Section 10; thence East 818.53 feet; thence North 372.78 feet, thence West 818.53 feet; thence South 372.78 feet to the point of beginning.

And also Government Lot 5, Section 11, Township 114, Range 22, Scott County, Minnesota.

And also that part of Government Lot 4, Section 11, Township 114, Range 22, Scott County, Minnesota, lying Westerly of County Road No. 23.

And also that part of Government Lot 4, Section 11, Township 114, Range 22, Scott County, Minnesota, which lies Easterly of Mushtown Road, Westerly of Windstar, according to the recorded plat thereof, in said County, and Northwesterly of O'Rourke Addition, according to the recorded plat thereof, in said County.

And also all of Maple Acres and O'Rourke Addition, according to the recorded plats thereof, Scott County, Minnesota.

And also that part of the East-half of the Northwest Quarter of Section 11, Township 114, Range 22, Scott County, Minnesota, described as follows:

Beginning at the intersection of the Southerly line of Maple Acres, according to the recorded plat thereof in said County, and the centerline of County Road 23; thence South 394.21 feet; thence East 241.30 feet; thence North 546.37 feet to said Southerly line; thence Southwesterly 285.27 feet, along said Southerly line, to the point of beginning.

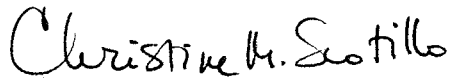
Area 4.4

The East-half of the Northeast Quarter of Section 4, Township 114, Range 22, Scott County, Minnesota.

IS FURTHER ORDERED: That the tax rate of the City of Prior Lake on the property herein ordered annexed shall be increased in substantially equal proportions over a period of four years to equality with the tax rate of the property already within the city.

Dated this 18th day of March, 2004.

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



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

OA-967-3 Prior Lake

MEMORANDUM

In ordering the annexation contained in Docket No. OA-967-3, the Director finds and makes the following comment:

Paragraph No. 13 states the agreement shall expire on December 31, 2025. End dates or ending mechanisms are problematic in that they appear to run afoul of the act of conferring jurisdiction to the Director. Once jurisdiction is conferred by submission of this agreement to this office, 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