

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE ORDERLY ANNEXATION )  
AGREEMENT BETWEEN THE CITY OF ROGERS ) ORDER  
AND THE TOWN OF HASSAN PURSUANT TO )  
MINNESOTA STATUTES 414 )  
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WHEREAS, a joint resolution for orderly annexation was adopted by the City of Rogers and the Town of Hassan; and

WHEREAS, a resolution was received from the City of Rogers indicating their desire that certain property be annexed to the City of Rogers 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, Reorganization Order No. 192, effective March 8, 2005, has transferred the duties of the Director to the Chief Administrative Law Judge; and

WHEREAS, on March 15, 2007, the Chief Administrative Law Judge 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 Rogers, Minnesota, the same as if it had originally been made a part thereof:

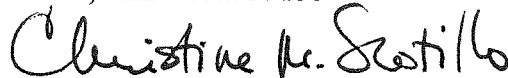
ALL THAT PART OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ SECTION 21, TOWNSHIP 120 NORTH, RANGE 23 WEST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST ¼ OF THE SOUTHEAST ¼; THENCE EASTERLY ALONG THE NORTH LINE OF SAID NORTHWEST ¼ OF THE SOUTHEAST ¼ A DISTANCE OF 318.54 FEET; THENCE ON AN ASSUMED BEARING OF SOUTH 0

DEGREES 14 MINUTES 28 SECONDS EAST PARALLEL WITH THE WEST LINE OF SAID NORTHWEST ¼ OF THE SOUTHEAST ¼ A DISTANCE OF 322.65 FEET; THENCE SOUTH 74 DEGREES 19 MINUTES 19 SECONDS EAST 257.59 FEET TO THE ACTUAL POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE NORTH 74 DEGREES 19 MINUTES 19 SECONDS WEST 257.59 FEET; THENCE NORTH 0 DEGREES 14 MINUTES 28 SECONDS WEST 322.65 FEET TO SAID NORTH LINE; THENCE NORTH 89 DEGREES 44 MINUTES 07 SECONDS EAST ALONG SAID NORTH LINE 1011.20 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST ¼ OF THE SOUTHEAST ¼; THENCE SOUTH 0 DEGREES 02 MINUTES 08 SECONDS EAST ALONG THE EAST LINE OF SAID NORTHWEST ¼ OF THE SOUTHEAST ¼ A DISTANCE OF 532.35 FEET TO ITS INTERSECTION WITH A LINE BEARING SOUTH 79 DEGREES 55 MINUTES 30 SECONDS EAST FROM THE ACTUAL POINT OF BEGINNING; THENCE NORTH 79 DEGREES 55 MINUTES 30 SECONDS WEST 774.09 FEET TO THE ACTUAL POINT OF BEGINNING.

PID #22-120-23 42 0009.

Dated this 15<sup>th</sup> day of March, 2007.

For the Chief Administrative Law Judge  
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, flowing style.

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-992-23, the Chief Administrative Law Judge 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. The joint resolution does not make reference to which of the three statutory provisions the parties have agreed on to govern planning in the designated area.

Section 13.01 states the agreement will terminate on August 15, 2030 in all respects . . . . End dates or ending mechanisms are problematic in that they appear contrary to the act of conferring jurisdiction to the Chief Administrative Law Judge. 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 Chief Administrative Law Judge 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.

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