

## About Annexation...

The current MN statutes that guide annexation have been in place since the early 1990's and identifies three separate parties who are part of the process: 1-The land owner, 2- The township the land being annexed is in, 3- The municipality annexing the land. If two of the three parties agree that the land currently in a township should be annexed, the land will be annexed without the third party needing to consent.

This was not always the way the annexation laws worked in Minnesota, and Nininger Township was at the heart of this change. In the early 1990's a landowner of property located in Nininger Township by the name of Winston R. Wallin wanted the City of Hastings to annex his property so that he could develop the 250-acre property into the Wyndham Hills development. Nininger Township objected to the annexation of the property and MN District Courts ruled that the land was not to be annexed. It is widely believed that Winston R. Wallin, who was a former President and Chief Operating Officer of Pillsbury, and was at the time the CEO of Medtronic, used his political connections with state legislators in St. Paul to have the statutes governing annexation changed while the case was being appealed. The result was that Minnesota Courts ultimately ruled in favor of Winston R. Wallin's property being annexed by the City of Hastings. This case was the legal precedence governing how MN annexation laws are currently viewed by the courts. On January 19, 1993, the first Orderly Annexation Agreement under the newly passed statutes was signed by Nininger Chairman, Bob Rotty. That document was sent to the Minnesota Municipal Board and filed on February 26, 1993. A copy of that document is attached.

There are some rules that do need to be followed. Among them is that the township that is losing the parcel of land will continue to receive tax revenue which that parcel would have generated for not less than two or no more than eight years after it is annexed (MN Statute 414.036) provided the township agrees to an Orderly Annexation Agreement. If the township does not agree, they forgo the tax revenue, and the annexation will still proceed. In addition, a municipality may be required to provide utility services to the annexed parcel within a certain period of time. Another rule is that the city annexing the parcel of land needs to file an Application for Annexation with the State and may only annex up to 120 acres at a time but may submit multiple Applications for Annexation.

What does mean for Nininger moving forward? If a landowner in Nininger approaches either the City of Hastings or the City of Rosemount wanting their land to be annexed and either of those municipalities agrees, there is nothing that Nininger Township can do to stop it.