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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1425

03/11/2013 Authored by Falk, Metsa, Peppin, Newberger and Drazkowski
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to local government; providing for effect of orderly annexation
1.3 agreement; limiting the annexation by ordinance of certain parcels; amending
1.4 Minnesota Statutes 2012, sections 414.0325, subdivision 6; 414.033, by adding a
1.5 subdivision.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2012, section 414.0325, subdivision 6, is amended to read:

1.8 Subd. 6. **Validity, effect of orderly annexation agreement.** An orderly annexation
1.9 agreement is a binding contract upon all parties to the agreement and is enforceable in the
1.10 district court in the county in which the unincorporated property in question is located.
1.11 The provisions of an orderly annexation agreement are not preempted by any provision
1.12 of this chapter unless the agreement specifically provides so. If an orderly annexation
1.13 agreement provides the exclusive procedures by which the unincorporated property
1.14 identified in the agreement may be annexed to the municipality, the municipality shall not
1.15 annex that property by any other procedure. Property subject to an orderly annexation
1.16 agreement is not subject to any type of annexation by any city not a party to the orderly
1.17 annexation agreement, and any petition or other filing by a nonparty city shall be denied as
1.18 soon as the parcel to be annexed is identified as being subject to an orderly annexation
1.19 agreement. An ordinance adopted by a city not a party to the orderly annexation seeking
1.20 to annex property subject to an orderly annexation is void.

1.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.

1.22 Sec. 2. Minnesota Statutes 2012, section 414.033, is amended by adding a subdivision
1.23 to read:

2.1 Subd. 14. **Subdivision of land.** When (1) a parcel of land is subdivided from a
2.2 larger parcel, and (2) the original parcel, before subdivision, was larger in acreage than a
2.3 parcel otherwise eligible for annexation under this section, then neither the subdivided
2.4 parcel nor the remainder of the original parcel may be annexed under this section during
2.5 the five years following the subdivision.

2.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.