

**40A.121 ANNEXATION PROCEEDINGS.**

Subdivision 1. **Annexation prohibited.** Land within an agricultural preserve that is within a township may not be annexed to a municipality under chapter 414, unless the chief administrative law judge of the state Office of Administrative Hearings finds that either:

- (1) the owner or the county has initiated termination of the zone under section 40A.11;
- (2) because of size, tax base, population or other relevant factors, the township would not be able to provide normal governmental functions and services; or
- (3) the zone would be completely surrounded by lands within a municipality.

Subd. 2. **Exception.** This section does not apply to annexation agreements approved under chapter 414 prior to creation of the zone.

**History:** *1Sp1985 c 13 s 140; 1989 c 313 s 10; 2003 c 2 art 5 s 3; 2008 c 196 art 2 s 2*