

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **ANNEXATION - MINNESOTA**

### **In re Annexation of Certain Real Property to City of Proctor From Midway Township**

**Court of Appeals of Minnesota - April 9, 2018 - N.W.2d - 2018 WL 1701904**

Adjacent city and adjacent township sought review of administrative order approving annexing city's annexation of certain land.

The District Court vacated administrative order. Annexing city appealed.

The Court of Appeals held that:

- Statutory subdivision governing initiation of annexation, for an area that has been designated as in need of orderly annexation, does not preclude other methods of annexation within the designated area beyond the two methods listed in that subdivision, and
- Orderly annexation statute, providing that provisions of an orderly annexation agreement are not preempted by statute unless agreement specifically provides so, and that if an orderly annexation agreement provides the exclusive procedures by which an unincorporated property may be annexed to municipality, municipality shall not annex that property by any other procedure, does not preclude a nonparty to an orderly annexation agreement from seeking to annex real property within the designated area by ordinance.