

Bond Case Briefs

Municipal Finance Law Since 1971

ANNEXATION - MINNESOTA

Bridgewater Tp. v. City of Dundas

Court of Appeals of Minnesota - December 23, 2013 - Not Reported in N.W.2d - 2013 WL 6725834

Bridgewater Township shares a common boundary with the City of Dundas in Rice County. On July 12, 2004, the township and the city entered into a contract known as an Orderly Annexation Agreement, providing for annexation of certain pieces of township land (the annexation area) to the city.

A dispute arose between the parties regarding which entity was granted planning and zoning authority in the annexation area. Prior to the agreement, the Dundas City Council had planning and zoning authority in the city, and the Dundas Planning Commission served in an advisory capacity to the city council. The annexation agreement required Dundas to expand its planning commission to include three residents of Bridgewater. Bridgewater claimed the agreement also granted the newly expanded planning commission authority over all planning and zoning in the annexation area. Dundas claimed the agreement granted that authority to the Dundas City Council, with the new planning commission serving only in an advisory capacity.

The district court granted summary judgment for Dundas and entered judgment declaring that the annexation agreement unambiguously vested planning and zoning authority in the annexation area to the city. The district court concluded that Bridgewater's proposed interpretation of the agreement would lead to absurd results and fail to give effect to all of the agreement's provisions.

The Court of Appeals reversed and remanded, holding that the annexation agreement unambiguously granted planning and zoning authority in the annexation area to the planning commission.