

DAMIEN F. TOVEN & ASSOCIATES

A LIMITED LIABILITY COMPANY

Date: June 20, 2024

ATTN: Michele McPherson
City Administrator
City of Princeton
705 2nd St. N.
Princeton, MN 55371

RE: Annexation of Pontious Property
Parcel ID No. 16-031-0100

Ms. McPherson;

At the June 13, 2024 regular meeting of the Princeton City Council, a public hearing was held on the above application for annexation pursuant to Minnesota Statute Section 414.033, Subd. 2(3).

At that public hearing, comments were submitted by the township indicating that it did not believe the property in question could be annexed into the city because it did not meet the statutory requirement that the property “abut” City of Princeton property.

Minnesota Statute Section 414.011 Subd. 6 defines the terms abut, abuts or abutting as “areas whose boundaries at least touch one another **at a single point**, including areas whose boundaries would touch but for an intervening roadway, railroad, waterway or parcel of publicly owned land.”

Attached for your review is a copy of a GIS map showing the property that is the subject of the annexation as well as surrounding properties.

It is my understanding that the property that is to be annexed is Parcel No. 16-031-0100. It is also my understanding that that the property identified with Parcel No. 24-032-4900 is property that is currently within the boundaries of the City of Princeton.

As can be seen on the attached map, the Southwest corner of Parcel No. 16-031-0100 touches the Northeast corner of Parcel No. 24-032-4900 at a single point. As such, it does meet the definition of abutting City property.

During the public hearing, comment was made regarding County Road 33 bisecting the City parcel. While not explicitly stating so, I assume the township’s argument was that because the county road bisected the City’s property, that the City property did not “abut” the property to be annexed at the corner in question.

However, as noted in Minnesota Statute Section 414.011 Subd. 6, abutting properties include “areas whose boundaries would touch but for an intervening roadway, railroad, waterway or parcel of publicly owned land.”

Based upon my review of the application material and maps provided, it is my opinion that the the property that is to be annexed into the City of Princeton does abut City property and meets the statutory requirements for annexation.

I would note that all of the application material for this annexation was also submitted to the Municipal Boundary Adjustments Unit of the State of Minnesota Office of Administrative Hearings, and they concur that the property to be annexed does meet the statute requirements for annexation.

Sincerely,

Damien F. Toven

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