

C E R T I F I C A T E

STATE OF MINNESOTA)
COUNTY OF RENVILLE) ss
VILLAGE OF FAIRFAX)

I, H. O. Fullerton, do hereby certify that I am the duly appointed, qualified and acting Clerk of the Village of Fairfax in the County of Renville and State of Minnesota, and the official custodian of its books and records; that I have compared the attached copies of:

1. Petition for Annexation
2. Resolution adopted by Village Council of Village of Fairfax, Minnesota, on March 21, 1955.
3. Notice of Election
4. Affidavit of Posting
5. Certificate of Election

with the Originals thereof on file in my office; and that the attached copies are true and correct copies of said Originals.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Village of Fairfax this 6th day of April, 1955.

H. O. Fullerton

Clerk - Village of Fairfax, Minnesota

12482

4:00 p.m.
J. J. ...
...

P E T I T I O N

TO THE VILLAGE COUNCIL OF THE VILLAGE OF FAIRFAX, RENVILLE COUNTY, MINNESOTA:

The undersigned petitioners do hereby represent and state:

I

That they are legal voters residing within a territory not included in, but adjacent to the Village of Fairfax, Minnesota, a Municipal Corporation organized and existing under and by virtue of the laws of the State of Minnesota; said territory being within the boundaries described as follows, to-wit:

Commencing at the Northwest corner of the Southeast Quarter ($SE\frac{1}{4}$) of Section Five (5) in Township One Hundred Twelve (112) North, Range Thirty-two (32) West, Renville County, Minnesota; thence East along the North line of said Southeast Quarter of said Section Five (5) to the West side of the Right-Of-Way of Minnesota State Trunk Highway Number Four (4); thence Southerly along the West side of said Right-Of-Way to the point where the West side of said Right-Of-Way meets the West line of the Southeast Quarter ($SE\frac{1}{4}$) of Section Eight (8) in Township One Hundred Twelve (112) North, Range Thirty-two (32) West, Renville County, Minnesota; and thence North along the West line of said Southeast Quarter ($SE\frac{1}{4}$) of said Section Eight (8), the West line of the Northeast Quarter ($NE\frac{1}{4}$) of said Section Eight (8), and the West line of said Southeast Quarter of said Section Five (5) to the point of beginning.

II

That no part of said territory is more than one and one-half miles from the present corporate limits of said Village of Fairfax.

III

That on the 14th day of March, 1955, your petitioners caused to be taken, and did take a census of the resident population of said territory, and found that there are, on the date hereof, at least One Hundred and Seventy-seven (177) persons actually residing within said territory.

IV

That said territory contains approximately Seventy-five (75) acres.

V

That your petitioners propose that said territory be annexed to said Village of Fairfax and become a part thereof.

WHEREFORE, Your petitioners pray the Village Council of said Village of Fairfax to call an election for the determination of such proposed annexation,

in accordance with the Statutes in such case made and provided.

Dated March 15th, 1955.

(Signed) Elmer J. Kiecker

(Signed) Leo G. Jandl

(Signed) Kenneth Hess

(Signed) Max Schroeder

(Signed) Paul Kern

(Signed) Oscar Steeber

(Signed) Louis G. Borth

(Signed) Theresa Schefus

STATE OF MINNESOTA)
) ss
COUNTY OF RENVILLE)

Elmer J. Kiecker, Leo G. Jandl, Kenneth Hess, Max Schroeder, Paul Kern, Oscar Steeber, Louis G. Borth and Theresa Schefus, being first duly sworn, depose and say, each for himself, that he is one of the petitioners named in and who subscribed the foregoing petition; that he has read the said petition and knows the contents thereof; and that the same is true of his own knowledge; and all the petitioners herein do further depose and say that the census of the resident population of said territory was accurately taken by them on March 14th, 1955.

(Signed) Elmer J. Kiecker

(Signed) Leo G. Jandl

(Signed) Kenneth Hess

(Signed) Max Schroeder

(Signed) Paul Kern

(Signed) Oscar Steeber

(Signed) Louis G. Borth

(Signed) Theresa Schefus

Subscribed and sworn to before me
this 15th day of March, 1955.

(Signed) W. C. Nelson

W. C. Nelson,

Notary Public, Renville County, Minn.,
My Commission expires Dec. 8th, 1956.

(S E A L)

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Filed in my office this 21st day of March, 1955.

(Signed) H. O. Fullerton

Clerk, Village of Fairfax, Minnesota.

RESOLUTION ADOPTED BY VILLAGE COUNCIL OF VILLAGE OF

FAIRFAX, MINNESOTA, ON MARCH 21, 1955

The following resolution was introduced by Trustee Dittmer, who moved its adoption:

WHEREAS, there is an area of land containing approximately 75 acres, and adjacent to but not included in the Village of Fairfax, Minnesota, no part of which is more than one and one-half miles from the present corporate limits of said Village, said territory being within the boundaries described as follows, to-wit:

Commencing at the Northwest Corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section Five (5) in Township One Hundred Twelve (112) North, Range Thirty-two (32) West, Renville County, Minnesota; thence East along the North line of said Southeast Quarter of said Section Five (5) to the West side of the Right-Of-Way of Minnesota State Trunk Highway Number Four (4); thence Southerly along the West side of said Right-Of-Way to the point where the West side of said Right-Of-Way meets the West line of the Southeast Quarter (SE $\frac{1}{4}$) of Section Eight (8) in Township One Hundred Twelve (112) North, Range Thirty-two (32) West, Renville County, Minnesota; and thence North along the West line of said Southeast Quarter (SE $\frac{1}{4}$) of said Section Eight (8), the West line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Eight (8), and the West line of said Southeast Quarter (SE $\frac{1}{4}$) of said Section Five (5) to the point of beginning, and

WHEREAS, Elmer J. Kiecker, Leo G. Jandl, Kenneth Hess, Max Schrodder, Paul Kern, Oscar Staebler, Louis G. Borth and Theresa Schefus, being legal voters of said area, did on the 14th day of March, 1955, cause to be taken and did take a census of the resident population of said territory, and found that there were, on that date, at least One Hundred Seventy-seven (177) persons residing within said territory, and did, on the 21st day of March, 1955, file in the office of the Village Clerk of said Village of Fairfax, a petition proposing that said territory be annexed to said Village and become a part thereof, and praying the Village Council of said Village of Fairfax to call an election for the determination of such proposed annexation, in accordance with the Statutes in such case made and provided, and

WHEREAS, the Village Council of said Village of Fairfax finds that the annexation of said territory would be to the best interests of the Village and of said territory.

SO THEREFORE, BE IT HEREBY RESOLVED, that an election be held on the annexation of said territory on Tuesday, the 5th day of April, 1955, between the hours of 9:00 o'clock A.M. and 5:00 o'clock P.M. at Lammers Lumber Company in said territory.

BE IT FURTHER RESOLVED that Paul Kern, Anton Seesz and Clara Steeber, three residents of said territory be, and they hereby are, appointed as Judges of said Election; and that the Clerk cause ten days' posted notice of said Election to be given, and furnish to said Judges sufficient ballots and election supplies, at the expense of the Village of Fairfax.

The motion for the adoption of the foregoing Resolution was duly seconded by Trustee Berdan, and upon being put to a vote, the following voted in favor thereof: Glenn M. Nelson, Albert Dittmer, Roland Berdan and George Nelson, and the following voted against the same, None, whereupon said Resolution was declared to have been duly adopted.

NOTICE OF ELECTION

WHEREAS, Elmer J. Kiecker, and others, have filed a Petition proposing the annexation to the Village of Fairfax, Minnesota, of the territory being within the boundaries described as follows, to-wit:

Commencing at the Northwest Corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section Five (5) in Township One Hundred Twelve (112) North, Range Thirty-two (32) West, Renville County, Minnesota; thence East along the North line of said Southeast Quarter (SE $\frac{1}{4}$) of said Section Five (5) to the West line of the Right-Of-Way of Minnesota State Trunk Highway Number Four (4); thence Southerly along the West side of said Right-Of-Way to the point where the West side of said Right-Of-Way meets the West line of the Southeast Quarter (SE $\frac{1}{4}$) of Section Eight (8) in Township One Hundred Twelve (112) North, Range Thirty-two (32) West, Renville County, Minnesota; and thence North along the West line of said Southeast Quarter (SE $\frac{1}{4}$) of said Section Eight (8), the West line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Eight (8), and the West line of said Southeast Quarter of said Section Five (5) to the point of beginning.

NOTICE IS HEREBY GIVEN, THAT AN ELECTION WILL BE HELD ON THE ANNEXATION OF SAID TERRITORY ON TUESDAY, THE FIFTH DAY OF APRIL, 1955, BETWEEN THE HOURS OF 9:00 O'CLOCK A.M. AND 5:00 O'CLOCK P.M. AT LAMMERS LUMBER COMPANY IN SAID TERRITORY, TO DETERMINE BY VOTE THE FOLLOWING QUESTION:

SHALL THE TERRITORY ABOVE DESCRIBED BE ANNEXED TO AND BECOME A PART OF THE VILLAGE OF FAIRFAX, RENVILLE COUNTY, MINNESOTA?

Dated March 21st, 1955.

BY ORDER OF THE COUNCIL OF THE VILLAGE OF FAIRFAX, MINNESOTA.

(Signed) H. O. Fullerton
Village Clerk

A F F I D A V I T O F P O S T I N G

STATE OF MINNESOTA)
) ss
COUNTY OF RENVILLE)

Leo G. Jandl, being first duly sworn, deposes and says that on the 22nd day of March, 1955, he posted the attached Notice of Election in three prominent places within the territory described therein, to-wit:

One Copy Thereof on the Front of "Eddie's Store" in said territory.

One Copy Thereof on the Front of "Lammers Lumber Company" in said territory.

One Copy Thereof on the Front of "Kiecker Brothers Service Station" in said territory.

(Signed) Leo G. Jandl

Subscribed and sworn to before me
this 22nd day of March, 1955.

(Signed) W. G. Nelson
W. G. Nelson,
Notary Public, Renville County, Minn.,
My Commission expires Dec. 8th, 1956.
(S E A L)

C E R T I F I C A T E O F E L E C T I O N

We, the undersigned, do hereby certify that a Special Election was held on the 5th day of April, 1955, at Lemmers Lumber Company in the territory hereinafter described, being the time and place where it was directed to be held by the Village Council of the Village of Fairfax in the County of Renville and State of Minnesota; that Paul Kern and Anton Saesz, two qualified voters of said territory who had before such time been designated and appointed by said Village Council to act as Judges of said Election, were present before the opening of the polls; that Clara Stoeber, a qualified voter of said territory, who had before such time been designated and appointed by said Village Council to serve as a Judge of said Election, neglected or refused to serve, and the electors present at the time and place named for opening the polls elected Belores Braun, a qualified voter of said territory, to serve as a Judge of said Election; that the Judges so appointed and elected were present at the hour of 9:00 o'clock A.M., and each of them duly took and subscribed an oath to faithfully discharge the duties required of them at such Election; and that the said Judges, being duly qualified, forthwith opened the polls by proclamation, and that the Election proceeded by ballot without adjournment or intermission until closed.

That the subject voted on at such Election, as stated in the notice thereof, was:
Shall there be annexed to the Village of Fairfax, Renville County, Minnesota, the territory being with the boundaries described as follows:

Commencing at the Northwest Corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section Five (5) in Township One Hundred Twelve (112) North, Range Thirty-two (32) West, Renville County, Minnesota; thence East along the North line of said Southeast Quarter (SE $\frac{1}{4}$) of said Section Five (5) to the West line of the Right-Of-Way of Minnesota State Trunk Highway Number Four (4); thence Southerly along the West side of said Right-Of-Way to the point where the West side of said Right-Of-Way meets the West line of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Eight (8) in Township One Hundred Twelve (112) North, Range Thirty-two (32) West, Renville County, Minnesota; and thence North along the West line of said Southeast Quarter (SE $\frac{1}{4}$) of said Section Eight (8), the West line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Eight (8) and the West line of said Southeast Quarter (SE $\frac{1}{4}$) of said Section Five (5) to the point of beginning.

At 5:00 o'clock in the afternoon of said day the polls were closed, proclamation thereof having been made by one of the Judges thirty minutes previous thereto. The

Judges then proceeded to publicly count and canvass the votes cast; and that the following is a true statement of the results of the counting and canvass of said votes:

Total Number Of Ballots Cast	<u>Eighty-Seven</u>	<u>87</u>
Total Number of Ballots Cast For Annexion	<u>Fifty-Two</u>	<u>52</u>
Total Number of Ballots Cast Against Annexion	<u>Thirty-Five</u>	<u>35</u>
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Totals - - - - -	<u>87</u>	<u>87</u>

IN WITNESS WHEREOF, we have hereunto subscribed our names this 5th day of April, 1955.

(Signed) Paul Kern

(Signed) Anton Seess

(Signed) Delores Braun
Judges Of Election

STATE OF MINNESOTA)
) ss
COUNTY OF BEHNDVILLE)

Paul Kern, Anton Seess and Delores Braun, each being first duly sworn, depose and say that they are the Judges of Election who made and subscribed the foregoing Certificate of Election; that they have read said Certificate of Election and know the contents thereof; and that the same is true of their own knowledge.

(Signed) Paul Kern

(Signed) Anton Seess

(Signed) Delores Braun

Subscribed and sworn to before me
this 5th day of April, 1955.

(Signed) W. G. Nelson
W. G. Nelson,
Notary Public, Behdville County, Minn.,
My Commission expires Dec. 8th, 1955.

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