San with

BOARD OF RAMSEY

COUNTY COMMISSIONERS

STATE OF MINNESOTA

OFFICE OF THE SECRETARY

EUGENE A. MONICK

COUNTY AUDITOR



COMMISSIONERS

JOSEPH E. DILLON CHAIRMAN

WILLIAM E. CARLSON JOHN E. DAUBNEY EDWARD K. DELANEY HAROLD F. GOODRICH ROY P. NADEAU ED SALVERDA

RAMSEY COUNTY COURT HOUSE SAINT PAUL 2 MINNES OTA

August 28, 1959

Hon. Joseph L. Donovan Secretary of State State Capitol St. Paul 1, Minn.

Dear Sir:

GEM LAKE

The southeasterly corner of subject village is bounded in the description so that the limits extend southerly along the westerly right-of-way line of the Northern Pacific Railway which extends southerly from the City of White Bear Lake to the City of St. Paul to where that westerly right-of-way line meets the south line of Lot 10, Auditor's Subdivision No. 84; thence west along said south line of Lot 10 and its extension to the centerline of State Trunk Highway #61; thence northerly along the centerline of said highway to the centerline of County Road E; thence west along the said centerline of County Road E, etc.

After the filing of the incorporation document, it was discovered that a portion of City View Garden Lots annexed to the Village of Vadnais Heights by ordinance #17 on March 17, 1959, extended easterly of the centerline of Trunk Highway #61 and had therefore inadvertently been included in the petition for incorporation of Gem Lake. The portion of City View Garden Lots lying easterly of the centerline of Trunk Highway #61 is all of Lot 1 except a small triangular portion in the northwest corner and a portion of Lot 2 said Addition easterly of a line run approximately from the southwest corner of Lot 2 to the northeast corner of Lot 2. A triangular portion of Lot 1 in the southeast corner consisting of approximately 1/3 of the area of the lot lies easterly of the right-of-way of Trunk Highway #61.

This confliction of territory was referred to the County Attorney for an opinion as to its effect upon the incorporation of Gem Lake. The reply of Mr. Thomas M. Quayle, Assistant County Attorney, which we believe is self-explanatory, follows in toto:

"Your letter to the County Attorney dated July 10, 1959, relating to the incorporation of the Village of Gem Lake has been referred to the undersigned for consideration and reply.

"I have considered the facts as stated in your letter, and I

#14174

have also studied the case of State ex rel. Northern Pump vs. Village of Fridley, 233 Minn. 442, as cited in your letter, and I have examined the Statutes relating to the incorporation of villages applicable to this proceeding. With reference to this situation you ask the following questions:

- 1. Is the incorporation of Gem Lake valid excepting therefrom any portion of City View Garden Lots?
- 2. If the answer to question No. 1 is affirmative:
 - (a) Is any formal action necessary to set off the conflicting portion of City View Garden Lots from Gem Lake?
 - (b) If the answer to (2) (a) is affirmative, please advise what action should be taken and by whom.

"In reply, you are advised that this office is of the opinion that question No. 1 is answered in the affirmative, and that the incorporation of the Village of Gem Lake is valid as against the objection that it contains land previously incorporated into the Village of Vadnais Heights. This situation is clearly within the scope of the doctrine announced in the above cited case. Also, this case answers the question 2. (a), by holding that no formal action is necessary to set off the conflicting portion because its inclusion in the Gem Lake proceedings was void from the beginning. Therefore, you are advised to proceed in your administrative duties as though the overlapping area had never been included in the Petition or the proceedings for the incorporation of Gem Lake, and to consider this area as a part of the Village of Vadnais Heights."

We respectfully request that you take notice of the effectthis situation has on the boundary of Gem Lake and exclude any portion of the City View Garden Lots plat from said Village.

Yours very truly,

EUGENE A. MONICK, County Auditor

Wal

JDS:is

. Swan, Executive Secretary

RECEIVED

SEP 1 - 1959

SECRETARY OF STATE CORPORATION DIVISION

I, JOSEFF L. BONTVAN, Scenatary of State of the State of Minneapta, and keeper of the Great Seal of said State, do horeby oortilfy:

That on the first day of July, 1959 at 4:00 o'clock pass, there was I led in this effice a certified copy of certain papers in connection with the incorporation of the Villege of Gon Lake, Mancey County, Minnesott, i.e., Petition for Incorporation, dated March 18, 1959, stating the resident population to be 355 person with Concus Lint, a map of the area, Resolution of the County Board and subsequent Resolution of the County Beard, Notice of Election and Froof of Posting, Oaths of Inspectors and Certificate of Inspectors, all contained in our Official Doomone File No. 14174.

> IN UITHISS WINDOW, I have horounto set my hand and caused the Great Seal of the State of Manesota to aid. forlike officed of which-clear day of July,

A. D., 1959.

NECESTARY.

OF

STATE.

#14174

COUNTY OF RAMSEY

STATE OF MINNESOTA

OFFICE OF

EUGENE A. MONICK

COUNTY AUDITOR



RAMSEY COUNTY COURT HOUSE SAINT PAUL 2 MINNESOTA

JAMES C. STROUD CHIEF DEPUTY

DIVISION SUPERVISORS

WILLIAM J. PETERS ACCOUNTING

JOHN A. KLEIN

JAMES D. SWAN, JR.

CLARENCE B. KAMMERER PURCHASING AND ELECTIONS

July 1, 1959

Hon. Joseph L. Donovan Secretary of State State Capitol St. Paul 1, Minnesota

Dear Sir:

We are transmitting herewith a certified copy of the original document in the matter of the incorporation of the village of Gem Lake. The document consists of copies of the following:

> Certificate of Rugene A. Monick, County Auditor, as to the correctness of said document.

The original petition, including the affidavit of six voters resident within the area for at least two years prior to the date of the petition.

The census list.

A map of the area.

The original resolution of the County Board setting the time and place for the election.

A subsequent resolution of the County Board amending the original resolution by appointing three Judges of Election, and three alternate Judges of Election.

The original Notice of Election and the proof of Posting of Said Notice of Election by Deputy Sheriff Milton D. Fagely.

The Certificates of the Judges of Election as to the results of the Election held June 30, 1959.

The oaths of the Judges of Election attached to said Certificates.

We are submitting a duplicate of this letter with the request that you indicate thereon the time and date of the filing in your office of the document and certificate of the County Auditor, returning said duplicate with the messenger who delivers the document to your office.

ours very truly,

EUGENE A. MONICK County Auditor

EAM:f

STATE OF MINNESOTA
DEPARTMENT OF STATE
JUL 1 - 1959 - 3:30 F.m.

Besideary of State

COUNTY OF RAMSEY

OFFICE OF

STATE OF MINNESOTA

EUGENE A. MONICK

COUNTY AUDITOR



RAMSEY COUNTY COURT HOUSE SAINT PAUL 2 MINNESOTA

JAMES C. STROUD CHIEF DEPUTY

DIVISION SUPERVISORS

WILLIAM J. PETERS
ACCOUNTING

JOHN A. KLEIN

JAMES D. SWAN, JR. COUNTY BOARD

CLARENCE B. KAMMERER PURCHASING AND ELECTIONS

OFFICE OF COUNTY AUDITOR RAMSEY COUNTY, MINNESOTA)

I, Eugene A. Monick, duly elected and qualified County Auditor in and for Ramsey County, Minnesota, do hereby certify that I have compared the hereto attached copies of the documents on the incorporation of the village of Gem Lake with the originals thereof on file in my office.

That the original petition was filed in my office on March 19, 1959.

That the original resolution was adopted by the Board of Ramsey County Commissioners and filed in my office on June 1, 1959, and an amendment thereof was adopted by the Board of Ramsey County Commissioners and filed in my office on June 8, 1959.

That Notice of Election was filed in my office on June 2, 1959.

That the Proof of Posting said Notice of Election was filed in my office on June 10, 1959.

That the Certificates of Inspectors and Affidavits of Inspectors were filed in my office on July 1, 1959.

I further certify that the said documents are true and correct copies of said originals and the whole thereof.

WITNESS My hand and official seal this 1st day

County Auditor Ramsey County, Minnesota

CERTIFICATE OF INSPECTORS

We the undersigned Electors, residents in the area, having been appointed by the County Board of Ramsey County to act as judges of a special election on the incorporation of the village of Gem Lake held June 30, 1959, between the hours of 8 a.m. and 8 p.m. hereby certify that:

The eforesaid election was duly held and the electors of the area cast their ballots at Hoffman's Corner Hall located at the southeast corner of the intersection of State Trunk Highway No. 61 and County Road "E"

A map of the area proposed to be incorporated was prominently displayed during the election showing the boundaries of the affected territory.

Each voter was over twenty-one years of age, and a duly qualified voter within the territory described to be incorporated as the village of Gem Lake and has so resided therein for not less than thirty days, and in the State of Minnasota for not less than six months.

We have convessed the ballots cast at such election and found:

THE	TOTAL :	NUMBER	OF BAL	lots cast	IS	****	· * #	, <u> </u>
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The National Flag was displayed on a suitable staff over the voting place during all the hours of voting.

We further certify that the above statements are true.

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OATHS OF INSPECTORS

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Eileen Bigeloy	Mortha W. Daniels
The Schifshy, b	eing first duly sworn upon oath, depose
and say that they are the inspectors of El	ection appointed by the County Board of
Ramsey County as set forth in the foregoin	g Certificate of Inspectors and know the
contents thereof and that the same is true	of their knowledge.
	Celle Megelon
Subscribed and sworn to before me this	Elleen Bigelow
30 th day of June, 1959,	Montha lo. Daniela
9 37 0 11/2 20 3 514	Marcha W. Daniels
Motary Public, Ramsey County, Minnesota My Commission expires 2 21,1961	Telen Schilsky
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STATE OF MINNESOTA
FILE STATE
JUL 1 - 1959
Secretary of State

COUNTY BOARD FILE #1766 RESOLUTION #9-5151

WHEREAS The Board of County Commissioners in session on June 1, 1959, adopted Resolution #9-5143 setting the time and place for an election to determine the question of the incorporation of a village to be known as Gem Lake;

NOW, THEREFORE, BE IT RESOLVED That aforesaid Resolution #9-5143 be and it hereby is amended to provide for the appointment of electors to act as Judges of said election, and

BE IT FURTHER RESOLVED That Eileen Bigelow, Martha W. Daniels and Helen Schifsky, residents of the area proposed to be incorporated as the village of Gem Lake, be and they are hereby appointed electors to act as Judges of the said election, and that Henry L. Hoffman, Virginia G. Opstad and Richard Arcand, residents of said area, be and they are hereby appointed alternate electors to act as Judges of said election in the event of the inability or failure of the electors to so act, and

BE IT FURTHER RESOLVED That the aforesaid electors and alternate electors are directed to conduct the said election in accordance with the statutes in such case made and provided and insofar as is practicable in accordance to the law regulating the election of town officers, and

BE IT FURTHER RESOLVED That a copy of this Resolution be attached to and made a part of aforesaid Resolution $\frac{4}{9}$ -5143 and of the Notice of Election by Eugene A. Monick, County Auditor, all of which, together with copies of the petition referred to in Resolution #9-5143, are to be posted in three public places within the area of said proposed village.

Dated: June 8 1959

EUGENE A. MONICK County Auditor

D Swan Deputy County Auditor Ramsey County Minnesota

STATE OF MINNESOTA DEPARTMENT OF STATE JUL 1 - 1959 Egge S. Dan

Secretary of State

NOTICE OF ELECTION

FOR or AGAINST

THE INCORPORATION OF THE VILLAGE OF "GEM LAKE"

I, EUGENE A. MONICK, County Auditor of Ramsey County, Minnesota, do hereby certify that the attached petition asking that the territory therein described be incorporated as the Village of "Gem Lake" and asking that an election be hold for such purpose, was duly presented to the Board of County Commissioners of said County at a meeting thereof held in the Court House in the City of Saint Paul, on the 23rd day of March, 1959, and that on the 1st day of June, 1959, the said Board of County Commissioners duly adopted a resolution directing the undersigned to give notice that an election would be held on the 30th day of June, 1959, and resolving to appoint on June 8, 1959, certain residents of the area in said proposed Village, as electors to act as Judges of said election.

NOW, THEREFORE, Pursuant to said resolution:

NOTICE IS HEREBY GIVEN TO THE Voters of the area described in the said petition that an election will be held at Hoffman's Corner Hall, located at the southeast corner of the intersection of State Trunk Highway No. 61 and County Road "E" in the area of the said proposed Village on the 30th day of June, 1959, between the hours of 8:00 a.m. and 8:00 p.m. at which election the voters of the said area described in said petition may vote FOR or AGAINST the incorporation of said area as the Village of "Gem Lake".

DATED: June 2, 1959

MUGENE A. MONICK

County Auditor of Ramsey County, Minn.

RESOLUTION NO. 9-5143

COUNTY BOARD FILE NO. 1766

WHEREAS A petition was on March 19, 1959, filed with the County Auditor of Ramsey County, Minnesota, requesting that certain land situate in the Town of White Bear, County of Ramsey and State of Minnesota, described as follows, to-wit:

Beginning at the intersection of the center line of Labore Road and the southeasterly line of the right-of-way of the Morthern Pacific Railway which extends from the City of White Bear Lake, Minnesota, southwesterly to Minneapolis, Minnesota; thence northeasterly along said southeasterly right-of-way line to the southerly line of the Northern Pacific Railway right-of-way that connects the right-of-way first above-mentioned with the right-of-way of the Northern Pacific Railway which extends southerly from the City of White Bear Lake, Minnesota, to the City of Saint Paul, Minnesota; thence easterly on a curve along the southerly line of said connecting right-of-way to the westerly line of said right-of-way extending to Saint Paul, Minnesota; thence southerly along said westerly line to the point where that line meets the south line of Lot 10, Auditor s Subdivision No. 84; thence west along said south line of said Lot 10 and said south line extended west, to the center line of State Trunk Highway No. 61.; thence northerly along said center line of said highway to the center line of County Road E; thence west along said center line of County Road E to the center line of Labore Road; thence northerly along said center line of Labore Road to the point of

be incorporated as a Village to be known as "Gem Lake" under the provisions of Minnesota Statutes Annotated Sections 412.011 et sec., and

WHEREAS The petition sets out that it describes territory with an area of 712 acres more or less, being more than one section, including lands which have been platted into lots and blocks in the manner provided by law and also including unplatted lands adjoining such platted area so conditioned as to be subjected to village government; that the population of the area is 333 actual residents which exceeds 100 persons for each section in the area; and

WHEREAS The petition is attached to a census list verified by the oaths of six voters who declare that the census was accurately taken on March 15, 1959, and ending on March 15,1959; and that the statements made in said petition are true, and

WHEREAS The petition further sets out that the proposed name of the Village is "Gem Lake", and .

WHEREAS Said petition is signed by 49 voters who declare they have resided continuously in the area for at least two years prior to the date of the petition.

NOW, THEREFORE, BE IT RESOLVED By the Board of Ramsey County Commissioners that the statements contained in said petition are true to the satisfaction of said Board and that the petition be and it hereby is found to be sufficient, and

BE IT FURTHER RESOLVED That an election be held at Hoffman's Corner Hall, located at the southeast corner of the intersection of State Trunk Highway No. 61 and County Road "E" on the 30th day of June, 1959, which voting place is within the area described in the petition, where those duly qualified and actually residing within the said area may vote for or against said incorporation, and

PETITION FOR INCORPORATION of VILLAGE OF GEM LAKE

TO:

The Board of County Commissioners of the County of Ramsey, State of Minnesota.

I.

Petitioners request that the Board of County Commissioners call an election on the question of incorporation as a village of the following described territory situated in Ramsey County, Minnesota, to wit:

Beginning at the intersection of the center line of Labore Road and the southeasterly line of the right-of-way of the Northern Pacific Railway which extends from the City of White Bear Lake, Minnesota, southwesterly to Minneapolis, Minnesota; thence northeasterly along said southeasterly right-of-way line to southerly line of the Northern Pacific Railway right-of-way that connects the right-of-way first above-mentioned with the right-of-way of the Northern Pacific Railway which extends southerly from the City of White Dear Lake, Minnesota, to the City of Saint Paul, Minnesota; thence easterly on a curve along the southerly : line of said connecting right-of-way to the westerly line of said right-of-way extending to Saint Paul, Minnesota; thence southerly along said westerly line to the point where that line meets the south line of Lot 10, Auditor's Subdivision No. 84; thence west along said south line of said Lot 10 and said south line extended west, to the center line of State Trunk Highway No. 61; thence northerly along said center line of said highway to the center line of County Road E; thence west along said center line of County Road E to the center line of Labore Road; thence northerly along said center line of Labore Road to the point of beginning.

TT.

The said territory contains a resident population of not less than 100 persons, it is not included within the limits of any incorporated municipality, it includes land which has been platted into lots and blocks in the manner provided by law, and the unplatted lands adjoining such platted areas are so as properly conditioned/to be subjected to village government.

III.

The said territory embraces approximately 712 acres, the number of actual residents thereon is 333, and the proposed name of the village is Village of Gem Lake.

IV.

The undersigned petitioners are voters who have resided continuously within the territory proposed to be incorporated for at least two (2) years prior to the date hereof, and said petitioners presently reside in said territory.

BE IT FURTHER RESOLVED That the polls for said election be open between the hours of 8:00 a.m. and 8:00 p.m. on said date, and

BE IT FURTHER RESOLVED That an amendment to this resolution to be resolved June 8, 1959, certain persons will be appointed electors to act as Judges of said election and will be directed to conduct the said election in accordance with the Statutes in such case made and provided and insofar as is practicable in accordance with the law regulating the election of town officers, and

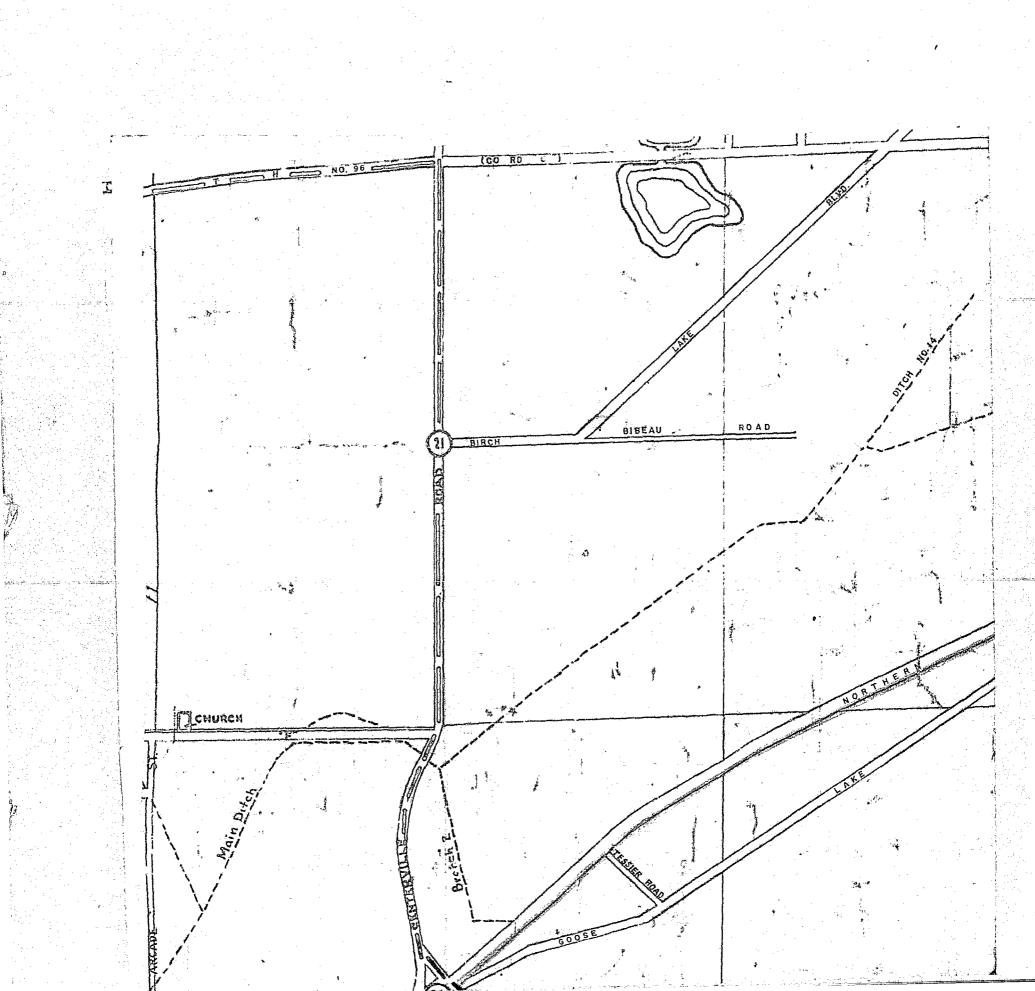
BE IT FURTHER RESOLVED That Eugene A. Monick, County Auditor, be and he is hereby directed to cause copies of the said petition, together with a notice of said election to be posted in three public places within the area of said proposed Village.

Dated: June 2, 1959

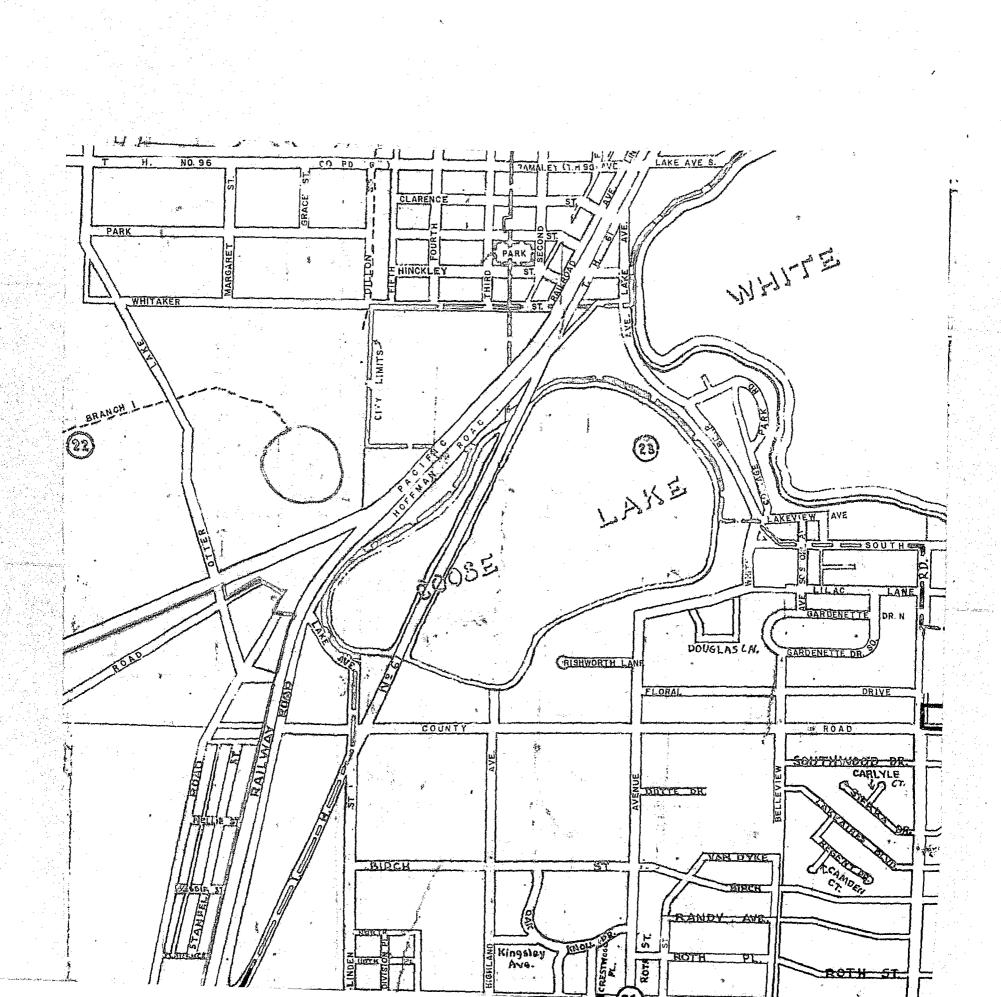
EUGENE A. MONICK COUNTY AUDITOR of

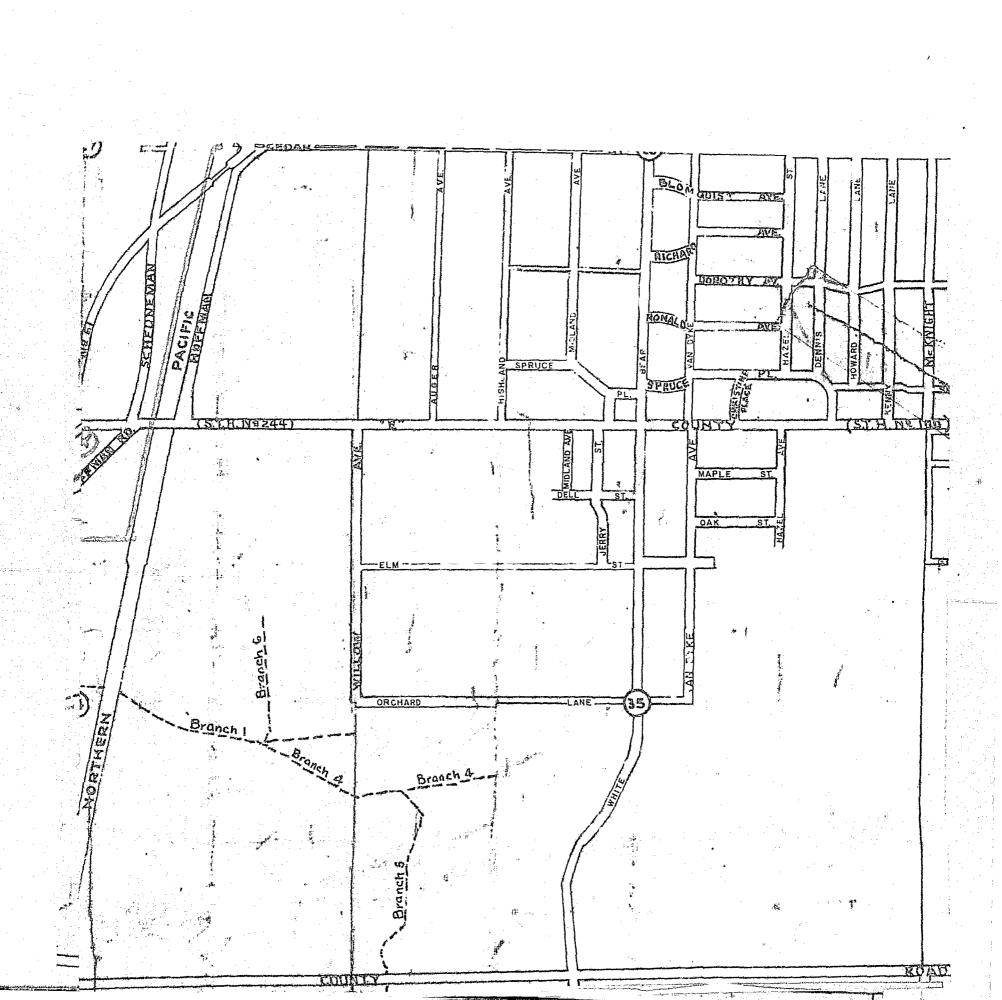
RAMSEY COUNTY, MINNESOTA

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 1 - 1959
Secretary of State



PROPOSED. Branch 4 VILLA GE OF GEM LAKE submitted to Co. Bd. 3/23/59 HOFFWAN CORNER HALL EIRUM RD Brorch 3 JELY SI LAKE AVE S.





Attached hereto and made a part hereof is a census list showing the buildings in said area used as residences and the number of people living in each.

Dated this 18th day of March, 1959.

Henry L. Hoffman

Anne D. Morgan

Fred C. Roth

Fred II. Mattson

Lloyd LaBore

George J. Vincent

Raymond A. Tessier

Oliver J. Tessier

Duesty LaBore

Harry A. Conklin

August Schuneman

Richard J. Arcand

Barbara W. Bemis

Betty K. Lotz

Aurore A. Nooman

Dorothy T. Spreck

Edith L. Opstad

O. J. Opstad

Virginia G. Opstad

Elizabeth M. Braun

Allen R. Hansen

Evelyn Sauve

Joseph Braun

Catherine Rothstein

John E. P. Morgan

Lucy Braun

Mrs. Bernice Braun

Robert Braun

Pete H. Spreck

John H. Daniels

George A. Brehm

Ethelyn H. Brehm

Wathena Ingham

Cranford W. Ingham

Helen M. Schifsky

Martha W. Daniels

Jorgen A. Nelsen

Gloria E. Cheska

Richard M. Cheska

Eileen Bigelow

John M. Spreck

John F. Gray, Jr.

John R. Noonan

Mathias Braun

Richard Lehman

Amabe LaBore

Jacob Rothstein

Mrs. Fred H. Mattson

Arthur Birkeland

STATE OF MINNESOTA,) ss County of Ramsey.)

HENRY L. HOFFMAN, WATHENA INGHAM, BARBARA W. BEMIS, MARTHA W. DANIELS, VIRGINIA OPSTAD AND EILEEN BIGELOW, being first duly sworn, hereby declare that they took the census which is attached hereto and made a part hereof, beginning on March 15, 1959, and completed on March 15, 1959; that said census was accurately taken, and that the statements in the foregoing petition are true.

/s/ Henry L. Hoffman

/s/ Wathena Ingham

/s/ Barbara W. Bemis

/s/ Martha W. Daniels

/s/ Virginia G. Opstad

/s/ Eileen Digelow

Subscribed and sworn to before me
this 18th day of March, 1959
/s/ Henry D. Flasch
Notary Public, Ramsey County, Minn.
My Commission expires Jan. 21, 1961



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SEGNATURE OF EEDENS TAKER Mrs. Ashalf O. Gutal 3/15/17

Carrier of

Note: The law requires that we report "Eulldings in ores wood for Residences" and "Number of people living in buildings".

		STREET	Nouse au	MBCA	PEOPLE	<u> Iving i</u>	A GUILDINE	
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SIGNATURE	OF CENSUS TAKER Lilia Hydro	. 3/10/19
Note; The	law requires that we report "Buildings in area	used for

Residences" and "Number of people living in buildings".

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	STREET HOUSE	NUMBER	PEOPLE LIVING IN BUILDING	
l.	Goose Lake Rd.	1101	Dettman. Edward 13	3
. 20		1225	Fraser, Vincent	7
36		1270	Spreck, Peter 4.	3
4°		1270	Bigelow, Eileen	3
5.	1	1299	Braun, Joseph	a
б _о	And the second s	1330	White, Mrs Eduin	•
7.	1 gm	1345	Braun, Robert	3
8.	er Na policina de la Santa de La Calabara Na calabara de la Calaba	1370	Morgan J.E.P.	2.
9.	A CONTRACTOR	1400	Braun, Betty	4
10.	***	1401	Braun, Malijias	ಪ
11.				30
12.		· · · · · · · · · · · · · · · · · · ·		
13. 14.				
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Village of Gem Lake

STATE OF MINNESOTA'

OFFICE OF MINNESOTA'

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