

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF FREEDOM

NINTH JUDICIAL DISTRICT

IN THE MATTER OF THE PETITION
OF THE CITY OF ALBERT LEA,
MINNESOTA TO ANNEX CERTAIN
ADJOINING UNINCORPORATED TERRI-
TORY, INCLUDING HOMERESIDE
ADDITION, THE PACKING PLANT OF
WILSON AND COMPANY AND OTHER AREA
DESCRIBED IN THE PETITION PURSUANT
TO THE LAWS OF 1959, CHAPTER 686,
SECTION 3.

ORDER

The above entitled matter came on for hearing before the Court on February 6, 1961. The Municipal Commission of the State of Minnesota appeared by its Counsel, John F. Caroy, Jr., Assistant Attorney General, the City of Albert Lea appeared by its Counsel, Robert C. Tuvason, City Attorney, the Township of Albert Lea appeared by its Counsel, John R. Peterson, Township Attorney, and Wilson & Co., Inc., appeared by its Counsel, Ralph H. Peterson and Thomas R. Butler, Waighen, Sturte, Peterson & Butler, Albert Lea, Minnesota.

It appearing that the Municipal Commission of the State of Minnesota has filed an order of annexation in the above entitled matter on February 6, 1961 with said annexation to be effective March 1, 1961, and appeals therefrom have been made to this Court.

THEREFORE, IT IS HEREBY ORDERED:

(1) That the effective date of the said annexation of the territory to the City of Albert Lea be stayed for a reasonable time and until the further order of the Court.

(2) That a certified copy of this order shall be filed forthwith in the office of the Secretary of State for the State

of Minnesota, the Freeborn County Auditor and the Municipal
Commission of the State of Minnesota.

Dated this 6th day of February, 1961.

Warren F. Plunkett /s/
Judge of the District Court

#14995
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB - 8 1961
Joseph R. Johnson
Secretary of State

#14996

O.D.

21799

Doc # 2

Clerk of District Court
Franklin County, Minn.

FILED
FEB 6 - 1961

Evan H. Haff
CLERK

RECEIVED
FEB 6 - 1961
CLERK OF DISTRICT COURT
FRANKLIN COUNTY, MINN.

State of Minnesota,

County of Freeborn

} ss.

I, the undersigned clerk of the District Court in and for

said county and state, which is a court of record, do hereby certify: That I have compared the foregoing copy of ORDER* *Re: Petition City of Albert Lea, Minnesota, to annex certain adjoining unincorporated territory, Wilson & Co. et al* * *D.C. File 21792* * with the original on file in my office, and that the same is a true and correct copy of said original and of the whole thereof.

WITNESS my hand and the seal of said court this 6th day of February 19 61

EVAN K. WOLFF

Clerk.

By

Deputy.

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Joseph Robbie	Chairman
Robert W. Johnson	Vice-Chairman
Irving R. Keldsen	Secretary

IN THE MATTER OF THE PETITION OF THE CITY OF ALBERT
LEA, MINNESOTA, TO ANNEX CERTAIN ADJOINING UNINCOR-
PORATED TERRITORY INCLUDING MORNINGSIDE ADDITION,
THE PACKING PLANT OF WILSON AND COMPANY AND OTHER
AREA DESCRIBED IN THE PETITION, PURSUANT TO LAWS 1959,
CHAPTER 686, SECTION 3.

O R D E R

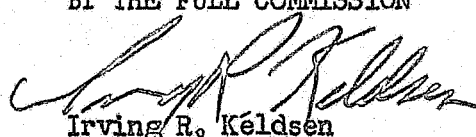
Upon the certificate of original petition: original order affirming
petition: original proofs of posting of election notice: modifying order:
certificate of election, signed and verified, of time and place of election:
and ballots cast, 114 for annexation and 103 against annexation, all duly
filed with the Secretary of State and upon all the files and records,

It is hereby determined that the annexation of property described
in the attached petition is complete except as herein ordered.

IT IS, THEREFORE, ORDERED: That pursuant to the provisions of Laws
1959, Chapter 686, Section 3, the property described in the attached petition
be, and the same is, annexed to and included in the City of Albert Lea,
Minnesota, as effectually as if it had been originally a part thereof, on
date set forth below.

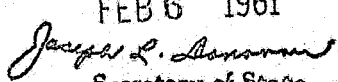
IT IS FURTHER ORDERED: That this annexation shall become final and
shall take effect and be in force on March 1, 1961, and this Order shall be
filed with the Freeborn County Auditor and the Secretary of State on
February 6, 1961.

BY THE FULL COMMISSION


Irving R. Keldsen
Secretary

etc. #1

Dated this 6th day of February, 1961

14996
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB 6 1961

Joseph L. Benson
Secretary of State

O R D E R

Upon the petition of the City of Albert Lea to annex certain adjoining unincorporated territory described in the attached Findings of Fact, which came regularly on for hearing on March 2, 1960, and March 16, 1960, and was upon each occasion duly recessed and continued pursuant to notice given at such open hearings, and which thereafter came regularly on for hearing at 10:00 o'clock in the forenoon of the 26th day of April, 1960, in the City Council Chambers of the City Hall of Albert Lea, Freeborn County, Minnesota, at which time testimony was heard and evidence taken and certain exhibits received, and the parties having presented oral argument by counsel in said City Council Chambers on the 17th day of May, 1960, and the Commission having thereafter visited the area proposed for annexation in the presence of counsel for all parties, and being fully advised in the premises, upon all of the files and records,

IT IS ORDERED: That such petition for annexation be, and it is hereby, approved.

IT IS FURTHER ORDERED: That the effective date and the date this Order shall be filed shall be July 30, 1960.

IT IS FURTHER ORDERED: That an election be held in the area proposed to be annexed, hereinafter described, pursuant to Laws 1959, Chapter 686, Section 3, Subdivision 4, on the question of whether or not such unincorporated territory should be annexed and become a part of the City of Albert Lea, Freeborn County, Minnesota:

Beginning at the center of Section 9, Township 102, Range 21 West; thence South on the West line of the Southeast Quarter of Section 9 to the South quarter corner of Section 9; thence East on the South line of Section 9 to the Southeast corner of Section 9; thence North on the East line of Section 9 to the South right-of-way line of the C.M. St. P. & P.R.R.; thence East on the South right-of-way of the C.M. St. P. & P.R.R. to the East line of Morningside Addition; thence North on the East line of Morningside Addition to the North right-of-way line of S.E. Marshall St.; thence West on the North right-of-way line of S.E. Marshall St. to the Southeast corner of Lot 26, Webber's Sub; thence North on the East line of Lot 26, Webber's Sub. to the centerline of Stevens St.; thence Southwesterly on the centerline of Stevens St. to the East line of Sherburne Subdivision; thence North on the East line of Sherburne Subdivision extended to the North right-of-way of Stevens St.; thence 409.54' Southwesterly on the North right-of-way line of Stevens St.; thence 284.55' North on the West line of Lot 24, Webber's Sub.; thence West on the North line of Lots 23, 22, 21, 20, and 19, Webber's Sub. to the West line of Lot 19, Webber's Sub; thence South on the West line of Lot 19, Webber's Sub. to the centerline of Stevens St.; thence North-easterly on the centerline of Stevens St. to the East line of Lot 19

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Webber's Sub.; thence South on the East line of Lot 19, Webber's Sub. to the North line of the Southwest 1/4 of Section 10; thence West on the North line of the Southwest 1/4 of Section 10 and the Southeast 1/4 of Section 9 to the centerline of the alley in Block 42, Home Addition; thence South on the centerline of said alley to the South line of Lot 1, Block 42, Home Addition; thence West on the South line of said Lot 1, to the center of Ulstad Ave.; thence North on the centerline of Ulstad Ave. to the North line of the Southeast one quarter of Section 9; thence West on the North line of the Southeast 1/4 of Section 9 to the center of the alley in Block 39, Home Addition; thence South on the centerline of said alley to the South line of Lot 8, Block 39, Home Addition; thence West on the South line of said Lot 8 to the centerline of St. Thomas Ave.; thence North on the centerline of St. Thomas Ave. to the North line of the Southeast 1/4 of Section 9; thence West on the North line of the Southeast 1/4 of Section 9 to the center of the alley in Block 37, Home Addition; thence South on the centerline of said alley to the South line of Lot 9, Block 37, Home Addition; thence West along the South line of said Lot 9 to the centerline of Pillsbury Ave.; thence North on the centerline of Pillsbury Ave. to the North line of the Southeast 1/4 of Section 9; thence West along the North line of said Southeast 1/4 to the West line of Lot 5, Block 36, Home Addition; thence North 25° 32' West a distance of 300.3'; thence South 89° 32' West a distance of 137'; thence South 42° 57' West a distance of 386.1' to an intersection with the North line of the Southeast 1/4 of Section 9; thence West on said North line a distance of 301.1' to the point of beginning in the township of Albert Lea, County of Freeborn and State of Minnesota

IT IS FURTHER ORDERED: That such election be held on the 23rd day of August, 1960, at the following polling place within the area proposed to be annexed, the Albert Lea Seed House on East Main Street, and that the polls be opened at said polling place from 7 o'clock a.m. until 8 o'clock p.m. on such day.

IT/IS FURTHER ORDERED: That the following three electors residing in the area proposed to be annexed act as judges of the election and that such election be conducted so far as practicable in accordance with the laws regulating the election of town officers: Mrs. Jeanne Dugstad, 1708 S.E. Marshall, Albert Lea, Minn.

Mr. Oswald Hanson, 1807 S.E. Marshall, Albert Lea, Minn.

Mrs. E. L. Farmer, 205 Morningside, Albert Lea, Minn.

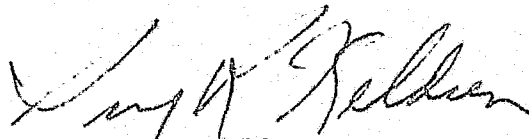
Only voters residing in the territory described in the legal description above shall be entitled to vote. The ballots will bear the words "For Annexation" and "Against Annexation," with a square before each of the phrases, in one of which the voter will make a cross to express his choice. The ballots and election supplies shall be provided by the petitioners.

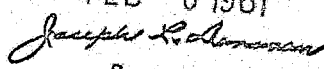
IT IS FURTHER ORDERED: That the petitioners cause a copy of this Order approving the petition for annexation to be posted not less than 20 days before the 23rd day of August, 1960, in three public places in the area proposed

for annexation, and to be published in the Albert Lea Tribune a medium of official and legal publication of general circulation in the area proposed for annexation, two weeks before the 23rd day of August, 1960.

Signed this 30 day of June, 1960.

BY THE MINNESOTA MUNICIPAL COMMISSION:


Irving R. Keldsen
Secretary

#14996
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB - 6 1961

Secretary of State

A-79

JAN 27 1967

STATE OF MINNESOTA,
ss
County of Freeborn

Eldon Wettlaufer, being first duly sworn on oath does depose and say:

1. That he did cause to be accurately conducted, a census of the area set forth in the attached Resolution No. 443 of the City of Albert Lea as adopted by the City Council January 25, 1960.

Beginning at the Southeast corner of the Southwest quarter of the Southwest quarter of Section 8, Township 102, Range 21 West; thence North along the quarter section line an approximate distance of 1200' to the North line of the C.M. St. P. & P. R.R.; thence Northwesterly along the North line of the C.M. St. P. & P. R.R. to a point 75' East of the North-South line between Sections 7 and 8, said 75' measured perpendicular to the section line; thence North on a line parallel to and 75' distant from said section line to the centerline of Clark St.; thence westerly along the centerline of Clark St. to the West right-of-way line of T.H. 13; thence South along the West right-of-way of T.H. 13 to the South line of the C.M. St. P. & P. R.R. said point also being the Northeast corner of Graceland Cemetery; thence Westerly along the South line of C.M. St. P. & P. R.R., said line also being the North line of Graceland Cemetery and Garden Villa Subdivision to a line parallel to and 100' West of the West line of the East one-half of Section 7; thence South along the line parallel to and 100' West of the West line of the East one-half of Section 7 to the North line of Block 1, Wedgewood Addition; thence West along the North line of said Block 1 a distance of 411.3' to the West line of Block 1, Wedgewood Addition; thence South along the West line of Block 1 and 2, Wedgewood Addition to the South line of Block 2, Wedgewood Addition; thence East along the South line of Wedgewood Addition a distance of 299.3' to a line parallel to and 163' West of the West line of the Southeast quarter of Section 7; thence South along the line parallel to and 163' West of the West line of the Southeast quarter of Section 7 to a line parallel to and 110' South of the South line of Section 7; thence East along a line parallel to and 110' South of the South line of Section 7 to a point 337.2' West and 110' South of the Southeast corner of the Southwest quarter of the Southeast quarter of Section 7; thence North 110' to the East-West line of Sections 7 and 18; thence East along the Section line of 7 and 18 a distance of 145.6'; thence North 215.7'; thence East 192', said point being on the West line of the Southeast quarter of the Southeast quarter of Section 7; thence North along said line a distance of 368.8'; thence East to the West right-of-way line of T.H. 69; thence South along the West right-of-way line of T.H. 69 to the intersection of the West right-of-way line of T.H. 69 and a line parallel to and 110' South of the East-West line between Sections 7 and 18; thence East along said line to the Southwest corner of Outlot "A", Blak's Subdivision; thence Northeasterly along the West line of Blake's Subdivision and Blake's 2nd Subdivision to the Northeast corner of Lot 12, Block 2, Blake's 2nd Subdivision; thence Southeast along the East line of Blake's 2nd Subdivision to the Southeast corner of Lot 12, Block 2, Blake's 2nd Subdivision; thence South 110' to the Southeast corner of Outlot "B", Blake's

Subdivision; thence East along a line parallel to and 110' South of the East-West line between Sections 8 and 17 to the East line of the Northwest quarter of the Northwest quarter of Section 17; thence North 110' to the Southeast corner of the Southwest quarter of the Southwest quarter of Section 8, said point being the point of beginning, lying and being in Albert Lea Township, County of Freeborn and State of Minnesota.

2. And that said resolution is attached hereto and made a part hereof.
3. Said census was conducted between November 15, 1959 and December 5, 1959.
4. The information contained in said census is true and correct according to affiant's best information, knowledge and belief.
5. Affiant has read the Petition requesting annexation of the area which was passed by the City Council on January 25, 1960 and is familiar with the contents thereof and generally believes, on information and belief that the matters therein contained are true and correct.

Edgar L. Wettlaufer

Subscribed and sworn to before
me this 28 day of January, 1960

Elmer G. Hagen

ELMER G. HAGEN
Notary Public, Freeborn County, Minn.
My Commission Expires Dec. 19, 1962

HOUSEHOLDER	ADDRESS	NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
Mr. & Mrs. Roman Weiss	295 Garfield	0	2	2	2	Owner
Mr. Arthur Hill	297 Garfield	0	1	1	1	Owner
Mr. & Mrs. Earl Hemmenway	293 Garfield	0	2	2	2	Owner
Mr. & Mrs. John Licht	101 Garfield	3	2	5	2	Owner
Mr. & Mrs. Elton Groe	291 Garfield	0	2	2	2	Apt. ab Renter
Mr. & Mrs. Arthur Jacobson	301 S. Garfield	0	2	2	2	Owner
Mr. & Mrs. Geo. R. Stevens	303 S. Garfield	0	2	2	2	Owner
Mr. & Mrs. Robert H. Masquot	315 S. Garfield	5	2	7	2	Renter
Mr. & Mrs. M. J. Helmer	310 S. Garfield	0	2	2	2	Owner
Vacant	314 S. Garfield	-	-	-	-	Owned
Mr. & Mrs. Edward Carlson	306 S. Garfield	1	2	6	2	Owner- Renter
Mr. & Mrs. Oscar Herem	302 S. Garfield	2	2	4	2	Owner
Mr. Lloyd Hamilton	1213 Eberhardt	0	1	1	1	Owner Renter
Mr. & Mrs. Robert W. Black	301 St. Thomas	1	2	3	3	Owner
Mr. & Mrs. Tom Simbeck	303 St. Thomas	1	2	6	2	Owner- Rent
Mr. John Berg	303 $\frac{1}{2}$ St. Thomas	0	1	1	1	Owner- Renter
Vacant	305 St. Thomas					Owner-
Mr. Fred Johnston	305 $\frac{1}{2}$ St. Thomas	0	1	1	1	Owner- Renter
Vacant	307 St. Thomas	-	-	-	-	Owner-
Vacant	309 St. Thomas	-	-	-	-	Owner-

NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
0	2	2	2	Owner
0	1	1	1	Owner
0	2	2	2	Owner
3	2	5	2	Owner
0	2	2	2	Apt. above Jakes Body Shop Renter
0	2	2	2	Owner
0	2	2	2	Owner
5	2	7	2	Renter
0	2	2	2	Owner
-	-	-	-	Owned by Helmer
1 $\frac{1}{2}$	2	6	2	Owner-Ray Hemenway Renter
2	2	4	2	Owner
0	1	1	1	Owner - Bob Black Renter
1	2	3	3	Owner
1 $\frac{1}{2}$	2	6	2	Owner-Bob Black Rent
0	1	1	1	Owner-Bob Black Renter
				Owner-Bob Black
0	1	1	1	Owner-Bob Black Renter
-	-	-	-	Owner-Bob Black
-	-	-	-	Owner-Bob Black

HOUSEHOLDER	ADDRESS	NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
Mr. & Mrs. Jesse Zamora	311 St. Thomas	3	2	5	2	Owner
Mr. & Mrs. Eliceo Perez	306 St. Thomas	3	5	8	5	Owner-C Renter
Mr. & Mrs. Roger Levine #3	304 St. Thomas	0	2	2	2	Renter
Mr. & Mrs. Larry Schell #2	302 St. Thomas	3	2	5	2	Renter
Barbra Ann Jensen #1	302 St. Thomas	1	1	2	1	Renter
Mr. & Mrs. Floyd Brown	1301 Eberhardt	1	2	3	3	Owner
Mr. John Christian	1301 1/2 Eberhardt	0	1	1	1	Renter
Mr. & Mrs. Anton C. Renchin	1303 Eberhardt	1	2	3	2	Owner
Mr. & Mrs. Arthur Tusen	319 S. Columbus		4	4	4	Owner
Mr. & Mrs. J. B. Sande	321 Columbus		2	2	2	Owner
Mrs. Evelyn Tollefson Mrs. Doris Almquist	310 Columbus	3	2	5	2	Mrs. Geo Renter
Now in City	-	0 -	-	-	-	-
Mr. & Mrs. Arthur Johnson	306 Columbus	0	2	2	2	Mrs. Geo Rent
Vacant	304 Columbus	-	-	-	-	(Bob B
Vacant	302 Columbus	-	-	-	-	(After
Vacant	1st. place So. of Murphey Freight	-	-	-	-	
Leonard Halvorson						
Mr. & Mrs. Harry Halvorson	210 Columbus	0	3	3	3	Owner
Lee Judd	Also 210 Columbus	0	1	1	1	Harry Ha Renter
Mr. John Butenhoff	End S. Columbus	0	1	1	1	Renter
Henry Bergestad	S. End St. Peter	0	1	1	1	Owner-B Renter
Nels Jensen	S. End Columbus	0	1	1	1	Owner-St Renter

NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE		
2	5	2	Owner	
5	8	5	Owner-Chris Hvobol Renter	
2	2	2	Renter	} One House- Owner- Floyd Brown
2	5	2	Renter	
1	2	1	Renter	
2	3	3	Owner	
1	1	1	Renter	
2	3	2	Owner	
1	1	1	Owner	
2	2	2	Owner	
2	5	2	Mrs. Geo. Slater - Owner Renter	
-	-	-	-	
2	2	2	Mrs. Geo. Slater - Owner Rent	
-	-	-	(Bob Black Looks	
-	-	-	(After these 2 places	
-	-	-		
3	3	3	Owner	} On Same Lot
1	1	1	Harry Halvorson - Owner Renter	
1	1	1	Renter	
1	1	1	Owner-Blake & Ryan Renter	
1	1	1	Owner-Stan Berglund Renter	

HOUSEHOLDER	ADDRESS	NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
Bertha E. Nelson John A. Nelson	322 St. Peter	0	2	2	2	Owner
Mr. Edward Rogers	310 St. Peter	0	1	1	1	Owner-M Rent
Mr. & Mrs. Donald Heckes	308 St. Peter	5	2	7	2	Owner
Mr. & Mrs. William Lombard	306 St. Peter	3	3	6	3	Owner - Renter
Mr. & Mrs. Harold Guckenberg	304 St. Peter	1	2	3	2	Owner
Irene Reese	209 Ulstad	0	1	1	1	Owner
Mr. & Mrs. Orville Reese	207 Ulstad	3	2	5	2	Owner
Mr. & Mrs. Danny Galleger	205 Ulstad	3	2	5	2	Renter
Mr. & Mrs. Jerome Solland	203 Ulstad	2	2	4	2	Owner
Mr. & Mrs. Engel Brigston	202 Ulstad	0	2	2	2	Owner
Vacant	204 Ulstad	-	-	-	-	Owner-R
Mr. & Mrs. Murris Flatness	1517 Eberhardt	7	2	9	2	Owner
Mr. & Mrs. Melvin Conklin	206 S. Ulstad	1	2	3	2	Owner- Rent
Mr. & Mrs. Arnold Brandt	208 S. Ulstad	2	2	4	2	Owner
Mr. & Mrs. Edward Johnson	208 $\frac{1}{2}$ S. Ulstad	3	2	5	2	Owner
Mr. Albert Stam	S. Ulstad		2	2	2	Owner
Walter Steinbeck	S. Ulstad	1	1	2	2	Owner
Vacant	S. Ulstad	-	-	-	-	Owner-
Archie Hanson	106 S. Ulstad		2	2	2	Owner
Mr. & Mrs. Ray Searle	107 S. Ulstad		2	2	2	Owner

NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
0	2	2	2	Owner
0	1	1	1	Owner-Mrs. Eastlund Rent
5	2	7	2	Owner
3	3	6	3	Owner - Bill Lindahl Renter
1	2	3	2	Owner
0	1	1	1	Owner
3	2	5	2	Owner
3	2	5	2	Renter
2	2	4	2	Owner
0	2	2	2	Owner
-	-	-	-	Owner-Eastlund
7	2	9	2	Owner
1	2	3	2	Owner-John Dilling Rent
2	2	4	2	Owner
3	2	5	2	Owner
	2	2	2	Owner
1	1	2	2	Owner
-	-	-	-	Owner-Joe Patchel
	2	2	2	Owner
	2	2	2	Owner

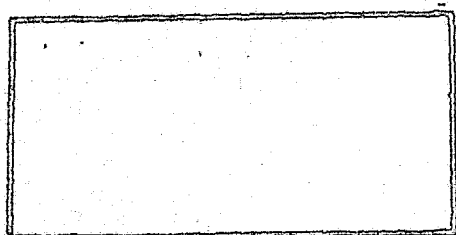
HOUSEHOLDER	ADDRESS	NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
Mr. & Mrs. Robert Donahue	1610 Eberhardt	4	2	6	2	Owner-Rent
Mr. & Mrs. Wm. Fulkson	1606 Eberhardt	2	2	4	2	Owner
Mr. & Mrs. Walter Olson	1608 Eberhardt	0	3	3	3	Owner
Mr. & Mrs. Michol Jacobs	1612 Eberhardt	0	2	2	2	Owner
Mr. & Mrs. Jim Penia	1609 Eberhardt	0	2	2	2	Owner
Mr. & Mrs. Nitividad Duenes	1607 Eberhardt	7	2	9	2	Owner
Mr. & Mrs. Refugio Silva	1702 Eberhardt	1	2	3	2	Owner
Mr. & Mrs. August Sonksen	1608 S.E. Marshall		4	4	4	Owner
Mr. & Mrs. Algot Bengtson	1610 S.E. Marshall	0	2	2	2	Owner
Mr. & Mrs. Oscar Bjornstad	1622 S.E. Marshall	1	2	3	2	Owner
Mrs. Kathern McKee	103 David	1	2	3	2	Owner-Renter
Mr. & Mrs. Eugene Gehleff	105 David	1	2	3	2	Owner-Renter
Mrs. Mable Dammen	106 David	0	1	1	1	Owner
Mr. & Mrs. Ambrose Stencel	104 David	3	2	5	2	Owner
Mr. & Mrs. Eugene Berg	102 David	0	2	2	2	Owner-Renter
Mr. & Mrs. Roy Knutson	111 Charolett	2	2	4	2	Owner
Mrs. Maxie Guess						
Mr. & Mrs. Ruford McNeese	1715 Eberhardt	1	3	4	3	Owner-Renter
Mr. & Mrs. Geo. G. Anderson	1713 Eberhardt	4	2	6	2	Owner
Mr. & Mrs. Elmer Schreiber	1711 Eberhardt	5	2	7	2	Owner-Rent
Mr. & Mrs. Iwen Greenwood	1709 Eberhardt	5	2	7	2	Owner
Vacant	1700 Eberhardt	-	-	-	-	-

NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
4	2	6	2	Owner-Eastlund Rent
2	2	4	2	Owner
0	3	3	3	Owner
0	2	2	2	Owner
0	2	2	2	Owner
7	2	9	2	Owner
1	2	3	2	Owner
	4	4	4	Owner
0	2	2	2	Owner
1	2	3	2	Owner
1	2	3	2	Owner-Seymor Flanigan Renter
1	2	3	2	Owner-Geo. Runden Renter
0	1	1	1	Owner
3	2	5	2	Owner
0	2	2	2	Owner-Chuck Wiggins Renter
2	2	4	2	Owner
1	3	4	3	Owner-Wm. Taylor Renter
4	2	6	2	Owner
5	2	7	2	Owner-Henry Jensen Rent
5	2	7	2	Owner

HOUSEHOLDER	ADDRESS	NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
Marion King Mrs. Aletha King	1705 Eberhardt	1	2	3	3	Sylvia Owner
Mr. & Mrs. Leo Frank	1701 Eberhardt	2	2	4	2	Owner
Vacant	1703 Eberhardt	-	-	-	-	Owner
Mrs. Inger Brott	108 David	3	1	4	1	Owner Renter
Mr. Leo Aumentado	1704 Eberhardt	0	1	1	1	Owner Renter
Mr. & Mrs. Phillip Felber	1706 Eberhardt	2	4	6	4	Owner
Mr. & Mrs. Raymond Grevhair	1710 Eberhardt	2	2	4	2	Owner
Mr. Harvey Brott	1708 Eberhardt	0	2	2	2	Owner Rent
Mr. & Mrs. Eugene Baker	1712 Eberhardt	2	2	4	2	Owner
Mr. & Mrs. L. D. Jacobson	1714 Eberhardt	4	2	6	2	Owner Renter
Mr. & Mrs. Herman Olson	201 Charlott	3	2	5	2	Owner
Mr. & Mrs. Herman A. Schmidt	203 Charlott	0	2	2	2	Owner
Mr. & Mrs. Edgar Hansen	202 Charlott	2	2	4	2	Owner
Mr. & Mrs. Joseph Parry	200 Charlott	3	2	5	2	Owner
Mr. & Mrs. William W. Taylor	1718 Eberhardt	0	2	2	2	Owner
Mr. & Mrs. Ing Goldberg	1716 Eberhardt	1	2	3	2	Owner
Mr. & Mrs. Francis R. Poole	112 Charlott	1	2	3	2	Owner
Mr. & Mrs. Curtis Longseth	110 Charlott	3	2	5	2	Owner Renter
Mr. & Mrs. Norris Brackey	106 Charlott	1	2	3	2	Owner Renter

NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
1	2	3	3	Sylvia King-Mpls. Owner
2	2	4	2	Owner
-	-	-	-	Owner-Oscar Anderson, in rest home.
3	1	4	1	Owner-Chet Holton Renter
0	1	1	1	Owner-Phil Felber Renter
2	4	6	4	Owner
2	2	4	2	Owner
0	2	2	2	Owner-Leonard Krikeva Rent
2	2	4	2	Owner
4	2	6	2	Owner-Art Jacobson Renter
3	2	5	2	Owner
0	2	2	2	Owner
2	2	4	2	Owner
3	2	5	2	Owner
0	2	2	2	Owner
1	2	3	2	Owner
1	2	3	2	Owner
3	2	5	2	Owner-Eldred Hillman Renter
1	2	3	2	Owner-is Ross Asher Renter

THE PRECEDING



DOCUMENT(S)

HAVE BEEN

REFILMED

TO ENSURE

LEGIBILITY



NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
1	2	3	3	Sylvia King-Mpls. Owner
2	2	4	2	Owner
-	-	-	-	Owner-Oscar Anderson, in rest home.
3	1	4	1	Owner-Chet Holton Renter
0	1	1	1	Owner-Phil Felber Renter
2	4	6	4	Owner
2	2	4	2	Owner
0	2	2	2	Owner-Leonard Krikeva Rent
2	2	4	2	Owner
4	2	6	2	Owner-Art Jacobson Renter
3	2	5	2	Owner
0	2	2	2	Owner
2	2	4	2	Owner
3	2	5	2	Owner
0	2	2	2	Owner
1	2	3	2	Owner
1	2	3	2	Owner
3	2	5	2	Owner-Eldred Hillman Renter
1	2	3	2	Owner-is Ross Asher Renter

HOUSEHOLDER	ADDRESS	NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
Mr. & Mrs. Vernon N. Johnson	104 Charlott	2	2	4	2	Owner
Mr. & Mrs. Faye Severtson	100 Charlott	4	2	6	2	Owner
Mr. & Mrs. Elmer Cafourek	103 Charlott		3	3	3	Owner
Mrs. Clara Anderson	107 Charlott	0	1	1	1	Owner
Mr. & Mrs. John Bolinger	109 Charlott	1	3	3	2	Could not owner - I
Mr. & Mrs. Larry Brandvig	1716 S.E. Marshall	1	2	3	2	Owner-Rent
Mr. & Mrs. Lawrence Swenson	1714 Marshall	3	2	5	2	Owner-Renter
Mr. & Mrs. Leo S. Jordan	1712 Marhsall	0	2	2	2	Owner
Mr. & Mrs. Myron Stiles	1712½ Marshall	1	2	3	2	Owner-Renter
Mr. & Mrs. Lloyd Dugstad	1708 Marshall	2	3	5	3	Owner
Mr. & Mrs. Joseph J. Johnson	1706 Marshall	0	2	2	2	Owner
Mr. & Mrs. Joe Velez	1702 Marshall	1	2	3	2	Owner
Mr. & Mrs. Orville D. Peterson	1804 Marshall	4	2	6	2	Owner
Mr. & Mrs. L. P. Carlson	1806 Marshall	0	2	2	2	Owner
Mr. & Mrs. Ruben Calderson	1808 Marshall	6	2	8	2	Owner
Mr. & Mrs. Oswald Hanson	1807 Marshall	0	3	3	3	Owner
Mr. & Mrs. L.S. Witter	1805 Marshall	2	3	5	3	Owner
Mrs. Minnie Olson	1803 Marshall	0	1	1	1	Owner
Mr. & Mrs. Arnold Blanchard	1715 Marshall	3	2	5	2	Owner
Mr. & Mrs. Stuart Nichols	200 Fenton	2	2	4	2	Owner-Rent

NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
2	2	4	2	Owner
4	2	6	2	Owner
	3	3	3	Owner
0	1	1	1	Owner
1	3	3	2	Could not contact owner - Infor. from neighbor
1	2	3	2	Owner-Mr. L. P. Carlson Renter
3	2	5	2	Owner-Harry Halverson Renter
0	2	2	2	Owner
1	2	3	2	Owner-Leo Jordan Renter
2	3	5	3	Owner
0	2	2	2	Owner
1	2	3	2	Owner
4	2	6	2	Owner
0	2	2	2	Owner
6	2	8	2	Owner
0	3	3	3	Owner
2	3	5	3	Owner
0	1	1	1	Owner
3	2	5	2	Owner
2	2	4	2	Owner-Orville Trusdell Renter

HOUSEHOLDER	ADDRESS	NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
Mr. Orville Groe	#5 Fenton	0	2	2	2	Owner
Mr. & Mrs. Alvin Houchin	202 Fenton	1	2	3	2	Owner
Mrs. Olga Espe	204 Fenton	0	3	3	3	Owner-At Renter
Vacant	203 Fenton	-	-	-	-	Owner-Gu
Mrs. Joanne Wilkens	#3 Fenton	2	1	3	1	Owner-Gu Renter
Mr. & Mrs. Elmer Nesby	1711 S.E. Marshall	0	2	2	2	Owner
Mr. & Mrs. Perry Olson	1709 S.E. Marshall	0	2	2	2	Renter -
Mrs. & Mrs. Kenneth Rickert		4	2	6	2	
Mr. & Mrs. Vern Reinken	206 Fenton	4	2	6	2	Owner
Mr. & Mrs. Jens Henry Jensen	208 Fenton	4	2	6	2	Owner
Vacant	210 Fenton	-	-	-	-	Jens Hen New hous
Mr. & Mrs. Paul Schnarr	212 Fenton	1	2	3	2	Owner
Mr. Carl Olson	214 Fenton	0	1	1	1	Owner
Mr. & Mrs. Ruben Jacobson	216 Fenton					
Mr. & Mrs. Lloyd Mueller	215 Fenton	3	2	5	2	Owner
Mr. & Mrs. Gustof Eckblad	209 Fenton		3	3	3	Owner
Mr. & Mrs. Harry Tufte	207 Fenton		3	3	3	Owner
Mr. & Mrs. Ernest Bangert	1900 S.E. Marshall	1	2	3	2	Owner
Mr. & Mrs. H.S. Wood	211 Fenton	0	2	2	2	Owner
Mr. & Mrs. Carl Tusen	213 Fenton	5	2	7	2	Owner
Mr. & Mrs. Ruben Seberson	1902 Fenton	1	2	3	2	Owner
Mr. & Mrs. Alvin Siemer	1905 Fenton	4	2	6	2	Rent -

NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
0	2	2	2	Owner
1	2	3	2	Owner
0	3	3	3	Owner-Alvin Houchin Renter
-	-	-	-	Owner-Gus Sonksen
2	1	3	1	Owner-Gus Sonksen Renter
0	2	2	2	Owner
0 h	2 2	2 6	2 2	Renter - Owner-Elmer Nesby
4	2	6	2	Owner
4	2	6	2	Owner
-	-	-	-	Jens Henry Jensen, owner New house in process of building
1	2	3	2	Owner
0	1	1	1	Owner
3	2	5	2	Owner
	3	3	3	Owner
	3	3	3	Owner
1	2	3	2	Owner
0	2	2	2	Owner
5	2	7	2	Owner
1	2	3	2	Owner
4	2	6	2	Rent - Owner-Ralph Erlandson

HOUSEHOLDER	ADDRESS	NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
Mr. & Mrs. Arthur Berg	1903 Marshall	5	2	7	2	Owner
Mr. & Mrs. Grover Jackson	1901 Marshall	0	2	2	2	Owner
Mrs. Rose Rasmusen	1912 Marshall	0	1	1	1	Owner
Mr. & Mrs. Donald Stanley	1910 Marshall	1	2	3	2	Owner-Mrs. Renter
Mr. Terry Smith	1910 $\frac{1}{2}$ Marshall	0	1	1	1	Renter
Mr. & Mrs. Roger Sorenson	Morningside Add.	2	2	4	2	Owner
Mr. & Mrs. Robert Perreault	104 Morningside Add.	4	2	6	2	Owner
Mr. & Mrs. Wallace Lunning	106 Morningside Add.	1	3	4	3	Owner
Mr. & Mrs. Jerome Baer	Morningside Add.	1	2	3	2	Owner-Ha Renter
Mr. & Mrs. Elzo Peterson	Morningside Add.	3	2	5	2	Owner
Mr. & Mrs. Okei Halverson	Morningside Add.	6	2	8	2	Owner-Ro Rent
Mr. & Mrs. Harry Chance	Morningside Add.	4	2	6	2	Owner
Mr. & Mrs. Kenneth Zimmerman	Morningside Add.	3	2	5	2	Owner
Mr. & Mrs. C. R. Ortberg	Morningside Add.	2	2	4	2	Owner
Mr. & Mrs. Laverne Ryan	204 Morningside Add.	0	2	2	2	Owner
Mr. & Mrs. Donald Tangeman	Morningside Add.	3	2	5	2	Owner
Mr. & Mrs. Elwood Anderson	Morningside Add.	1	2	3	2	Rent
Mr. & Mrs. Allen Rudolph	Morningside Add.	3	2	5	2	Owner
Mr. & Mrs. Don Bruesewitz	Morningside Add.	0	2	2	2	Owner
Mr. & Mrs. Floyd Prihoda	Morningside Add.	6	2	8	2	Owner
Mr. & Mrs. Victor Spilde	Morningside Add.	0	2	2	2	Owner

	NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
	5	2	7	2	Owner
	0	2	2	2	Owner
	0	1	1	1	Owner
	1	2	3	2	Owner-Mrs. Elmer Nelson, LeCenter, Renter Minn.
	0	1	1	1	Renter
	2	2	4	2	Owner
dd.	4	2	6	2	Owner
dd.	1	3	4	3	Owner
	1	2	3	2	Owner-Hazel O'Rourke Renter
	3	2	5	2	Owner
	6	2	8	2	Owner-Roy Severson Rent
	4	2	6	2	Owner
	3	2	5	2	Owner
	2	2	4	2	Owner
dd.	0	2	2	2	Owner
	3	2	5	2	Owner
	1 3	2 2	3 5	2 2	Rent Owner
	0	2	2	2	Owner
	6	2	8	2	Owner
	0	2	2	2	Owner

HOUSEHOLDER	ADDRESS	NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
Mr. & Mrs. E.L. Farmer	205 Morningside	2	2	4	2	Owner
Mr. & Mrs. Duane Van Ryswyk	203 Morningside	3	2	5	2	Owner
Mr. & Mrs. C. A. Bailey	201 Morningside	1	2	3	2	Owner
Vacant	207 Morningside	-	-	-	-	
Mr. & Mrs. Merlyn Sorby	Morningside N	2	2	4	2	Owner
Mr. & Mrs. Floyd Krueger	Morningside	2	2	4	2	Owner
Janet Kraft	103 Morningside	2	1	3	1	Owner
Mr. & Mrs. Lowell Peik	C-11 - Morningside Bimlich Lane	2	2	4	2	Owner
Mr. & Mrs. Donald Stencel	Bimlich Lane	0	2	2	2	Owner
Mr. & Mrs. William Stone	Bimlich Lane	0	2	2	2	Owner
Mr. & Mrs. Robert Hacker	Bimlich Lane	1	2	3	2	Owner
Mrs. Betty Roche	Bimlich Lane	2	1	3	2	Owner
Mrs. Harry Holtz	Bimlich Lane	0	1	1	1	Owner
Mr. & Mrs. Gordon Knudtson	Rt.#3 - Austin Rd.	2	2	4	2	Owner
Mr. & Mrs. Sylvan Foss	Rt.#3 - Austin Rd.	3	2	5	2	Owner
Mr. & Mrs. Donald Pysher	Old Austin Road	2	2	4	2	Marian C Rent
Mr. & Mrs. Ernest Johnson	Old Austin Road	0	2	2	2	Owner
Mr. & Mrs. Reuben Dahle	Old Austin Road	6	2	8	2	Glen Of Rent
Mr. & Mrs. S.L. Johnson	110 N. Fenton	2	2	4	2	Owner
Mr. & Mrs. Ross Severson	Rt.#2 Stevens	0	2	2	2	Owner
Mr. & Mrs. Matt Paczkowski	Rt.#2 Stevens		3	3	3	Owner

NO. OF CHILDREN	NO. OF ADULTS	TOTAL PERSONS RESIDING HERE	NO. OF PERSONS OF VOTING AGE HERE	
2	2	4	2	Owner
3	2	5	2	Owner
1	2	3	2	Owner
-	-	-	-	
2	2	4	2	Owner
2	2	4	2	Owner
2	1	3	1	Owner
2	2	4	2	Owner
0	2	2	2	Owner
0	2	2	2	Owner
1	2	3	2	Owner
2	1	3	2	Owner
0	1	1	1	Owner
2	2	4	2	Owner
3	2	5	2	Owner
2	2	4	2	Marian Grant - Northwood Rent
0	2	2	2	Owner
6	2	8	2	Glen Off - Emmons, Minn. Rent
2	2	4	2	Owner
0	2	2	2	Owner
3	3	3	3	Owner

[illegible]

[illegible]

4-19
RESOLUTION NO. 443

Introduced by Councilman Gordon R. Quinlivan

Seconded by Councilman R. Blakeslee

WHEREAS the City Council does verily believe, that certain properties contained within the following described boundaries:

Beginning at the center of Section 9, Township 102, Range 21 West; thence South on the West line of the Southeast Quarter of Section 9 to the South quarter corner of Section 9; thence East on the South line of Section 9 to the Southeast corner of Section 9; thence North on the East line of Section 9 to the South right-of-way line of the C.M. St. P. & P.R.R.; thence East on the South right-of-way of the C.M. St. P. & P.R.R. to the East line of Morningside Addition; thence North on the East line of Morningside Addition to the North right-of-way line of S.E. Marshall St.; thence West on the North right-of-way line of S.E. Marshall St. to the Southeast corner of Lot 26, Webber's Sub; thence North on the East line of Lot 26, Webber's Sub. to the centerline of Stevens St.; thence Southwesterly on the centerline of Stevens St. to the East line of Sherburne Subdivision; thence North on the East line of Sherburne Subdivision extended to the North right-of-way of Stevens St.; thence 409.54' Southwesterly on the North right-of-way line of Stevens St.; thence 284.55' North on the West line of Lot 24, Webber's Sub.; thence West on the North line of Lots 23, 22, 21, 20 and 19, Webber's Sub. to the West line of Lot 19, Webber's Sub.; thence South on the West line of Lot 19, Webber's Sub. to the centerline of Stevens St.; thence Northeasterly on the centerline of Stevens St. to the East line of Lot 19, Webber's Sub.; thence South on the East line of Lot 19, Webber's Sub. to the North line of the Southwest 1/4 of Section 10; thence West on the North line of the Southwest 1/4 of Section 10 and the Southeast 1/4 of Section 9 to the centerline of the alley in Block 42, Home Addition; thence South on the centerline of said alley to the South line of Lot 1, Block 42, Home Addition; thence West on the South line of said Lot 1 to the center of Ulstad Ave.; thence North on the centerline of Ulstad Ave. to the North line of the Southeast one quarter of Section 9; thence West on the North line of the Southeast 1/4 of Section 9 to the center of the alley in Block 39, Home Addition; thence South on the centerline of said alley to the South line of Lot 8, Block 39, Home Addition; thence West on the South line of said Lot 8 to the centerline of St. Thomas Ave.; thence North on the centerline of St. Thomas Ave. to the North line of the Southeast 1/4 of Section 9; thence West on the North line of the Southeast 1/4 of Section 9 to the center of the alley in Block 37, Home Addition; thence South on the centerline of said alley to the South line of Lot 9, Block 37, Home Addition; thence West along the South line of said Lot 9 to the centerline of Pillsbury Ave.; thence North on the centerline of Pillsbury Ave. to the North line of the Southeast 1/4 of Section 9; thence West along the North line of said Southeast 1/4 to the West line of Lot 5, Block 36, Home Addition; thence North 25° 32' West a distance of 300.3'; thence South 89° 32' West a distance of 137'; thence South 42° 57' West a distance of 386.1' to an intersection with the North line of the Southeast 1/4 of Section 9; thence West on said North line a distance of 301.1' to the point of beginning in the township of Albert Lea, County of Freeborn and State of Minnesota,

are adjacent to and abut on the corporate limits of the City of Albert and are so conditioned so as to properly be annexed to the City of Albert Lea;

NOW THEREFORE the City Council does hereby petition the Municipal Annexation Commission as permitted by Laws 1959, Chapter 686 (Minnesota Statutes, Section 414.01 et seq.) for the annexation of said area to the City of Albert Lea.

BE IT RESOLVED that City Council does make certain findings in accordance with the procedural requirements of Laws 1959, Chapter 686, Section 3, which are as follows:

RESOLUTION NO. 443 CONTINUED

1. The proposed area to be annexed contains 226 acres of which approximately 88 acres is Albert Lea Lake bottom and is included in the description only to join with an existing part of Albert Lea Lake within the City making a reasonable City Limits boundary.
2. The area contains 636 persons residing therein of which approximately 358 are adults.
3. The Area is primarily residential with some vacant and undeveloped properties; a few commercial and service businesses and a major industry consisting of the meat packing plant of Wilson & Co.
4. The area is very mixed in character and has developed without zoning, subdivision controls or planning. Many of the buildings are substandard and interspersed with other residences.
5. The area is served by private septic tanks and cess pools and private wells except that Wilson & Co. is in the process of building their own sewage disposal plant. There are many instances of improper sewage disposal, surface leaching from septic tanks and septic overflow to the lake.
6. There is no storm drainage in the area and considerable washing of gravel streets and ponding of water.
7. The area is now zoned by Albert Lea Township under an ordinance passed in 1958.
8. There is no comprehensive street planning in the area and many of the streets dead end or building has been done where there are no platted streets. Some of the area is small lots of metes & bonds descriptions.
9. Fire protection is inadequate by the township and many fire hazards exist. Recently a small quouset bldg. with one entrance burned with loss of life.
10. Police protection is furnished by the County Sherriff only. During the recent Wilson strike the City furnished a major proportion of the local police protection even though the plant is outside the City. The township furnished no police whatsoever.
11. The City Council has caused a census to be taken of the area and has prepared topographic maps of the area for sewer and water service planning.

NOW BE IT RESOLVED by the City Council of Albert Lea that this petition, together with the census taken be transmitted to the Municipal Commission for further proceedings and annexation of the area in the manner provided by law.

BE IT FURTHER RESOLVED, that publication of this Resolution be dispensed with under the provisions of Sec. 21 of the Charter of the City of Albert Lea.

Introduced Read and Passed January 25, 1960

Niles R. Shoff

Mayor

Filed and Attested January 26, 1960

(Seal)

William Aanerud

Secretary of the Council

STATE OF MINNESOTA }
County of Freeborn } ss.
City of Albert Lea }

I hereby certify that I have compared the within Instrument with the original instrument now on file in my office, and that it is a true and correct copy of the same, and of the whole thereof.

Dated January 26, 1960

William Aanerud

City Clerk

By _____ Deputy

SUMMARY STATEMENT OF VOTES

For Special Election [relating to Annexation of certain
Adjoining Unincorporated Territory including Morningside
Addition, The Packing Plant of Wilson and Company and
Other Area described in the Petition.]

Pursuant to Laws 1959, Chapter 686, Section 3.

State of Minnesota)
County of Freeborn)
Township of Albert Lea)

At an election held at the Albert Lea Seed House, at the Intersection of
Highway 16 and 65 and Fenton Ave. in the Township of Albert Lea, County of Freeborn,
State of Minnesota, on the 23rd day of August, 1960, the following votes were
cast and counted:

For Annexation - Received One hundred fourteen (114) votes
spell out

Against Annexation - Received One hundred three (103) votes
spell out

Total No. of persons actually present and voting was Two hundred twelve (212)
spell out

Total No. of ballots received by mail was Five (5)
spell out

Total No. of names on Election Register was Two hundred seventeen (217)
spell out

Total No. of ballots actually cast & counted Two hundred seventeen (217)
spell out

Total No. of blank ballots found in ballot box was None (0)
spell out

Total No. of defective ballots cast and not counted was None (0)
spell out

Total No of spoiled ballots returned by voters was None (0)

The polls were kept open between the hours of 7 A.M. and 8 P.M.

We hereby certify that the foregoing returns are correct.

Subscribed to and sworn
to before me this 23rd
day of August, 1960

William Aanerud

WILLIAM AANERUD
City Clerk
City of Albert Lea, Minn.

Sue Farmer

Leanne Kugstad

Gerald Hanson
Judges of Election

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Joseph Robbie	Chairman
Robert W. Johnson	Vice-Chairman
Irving R. Keldsen	Secretary

IN THE MATTER OF THE PETITION OF THE CITY OF
ALBERT LEA, MINNESOTA, TO ANNEX CERTAIN AD-
JOINING UNINCORPORATED TERRITORY INCLUDING
MORNINGSIDE ADDITION, THE PACKING PLANT OF
WILSON AND COMPANY AND OTHER AREA DESCRIBED
IN THE PETITION, PURSUANT TO LAWS 1959,
CHAPTER 686, SECTION 3.

After extensive hearings with ample opportunity for all parties to be heard, introduce evidence and cross examine, the Minnesota Municipal Commission on June 30, 1960, issued a proposed order containing Findings of Fact, Conclusions of Law and ordering approval of a petition by the City of Albert Lea for annexation thereto of a certain area of the township of Albert Lea and ordering an election to be held August 23, 1960, for a determination by the residents of the area to be annexed whether a majority of said residents therein were in favor of annexation. Said order was effective and signed July 30, 1960. Prior thereto, pursuant to the Rules of Practice of the Municipal Commission, a copy of this proposed order was mailed to all parties 20 days prior to July 30, 1960. On August 23, 1960, an election was held pursuant to the Commission Order of July 30, 1960. A certificate was filed on August 24, 1960, in the Commission's office by the judges setting forth that a canvass of the ballots had been completed and that a majority of the votes cast were for annexation. On September 7, 1960, the Municipal Commission issued a proposed annexation Order, which by its term was to be filed and become effective September 30, 1960, and a copy of said order was sent to all interested parties. On September 22, 1960, Wilson & Co., Inc., filed a Petition and Motion dated September 21, 1960, with the Commission, and the matter came on for hearing on the 13th day of October, 1960, and on October 20, 1960, Wilson & Co., Inc., amended, modified and supplemented their motion of September 21, 1960, and all parties filed their Memorandum briefs.

O R D E R

Upon all files and records herein and after hearing arguments of counsel and being fully advised in the premises,

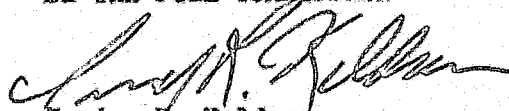
IT IS ORDERED:

1. That Wilson & Co., Inc.'s Petition and Motion (4) of September 21, 1960, as modified October 20, 1960 (4), I and II for amendment to and vacation of and additions to certain Findings of Fact proposed by the Commission on June 30, 1960, and mailed to all parties within two weeks thereafter and made a part of the order filed July 30, 1960, is hereby denied.
2. Wilson & Co., Inc.'s Petition and Motion (4) of September 21, 1960, as modified October 20, 1960, (4), III to vacate the Conclusions of Law of the Commission's Order of July 30, 1960, is hereby denied.
3. Wilson & Co., Inc.'s Petition and Motion of September 21, 1960 (4) as modified October 20, 1960 (4), IV for the amendment of and vacation of the Commission's Order filed July 30, 1960, is hereby denied.
4. Wilson & Co., Inc.'s Petition and Motion of September 21, 1960, (4) as modified October 20, 1960 (4), V to reconsider and reverse the Municipal Commission's rulings made during the hearing held prior to July 30, 1960, is hereby denied.
5. Wilson & Co., Inc.'s Petition and Motion of September 21, 1960 (4) as modified October 20, 1960, (4), VI and VII to vacate all proceedings held after July 30, 1960, and VIII to re-open the proceedings and conduct further hearings is hereby denied.
6. Wilson & Co., Inc.'s Petition and Motion of September 21, 1960 (4), as modified October 20, 1960 (4): The effective date of the Annexation Order of the territory to the City of Albert Lea is stayed until March 1, 1961, to permit the appellants to perfect all appeals without prejudice to their rights.
7. Wilson & Co., Inc.'s Petition and Motion of September 21, 1960 (4) as modified October 20, 1960 (4), II and III to contest the annexation election held August 23, 1960, and the canvass completed on August 24, 1960, is hereby denied as contrary to statutory procedure set forth in Laws, 1959, Chapter 675, Article X.

IT IS FURTHER ORDERED: That the effective date of this order and the date this order shall be filed shall be February 6, 1961, and a copy of the proposed order shall be mailed to all interested parties 20 days prior to the effective date.

Dated this 6th day of February, 1961


BY THE FULL COMMISSION


Irving R. Keldsen
Secretary

MEMORANDUM OPINION

The Minnesota Municipal Commission has considered in great detail the motions of Wilson & Co., Inc. The motions relating to amendment, vacation and addition to the Findings of Fact involve proposals that are inconsistent with the Findings of the Commission as supported by the entire record, or not inconsistent but superfluous and immaterial or involve Conclusions of Law which the Commission has already decided upon the entire record. As to the motions relating to the amendment of the Conclusions of Law and Order of the Commission, the Municipal Commission has already ruled on most of the other objections by Wilson & Co., Inc. As to the examination of ballots, the Municipal Commission Law provides in Section 3, subdivision 4 that the election shall be conducted so far as practicable "in accordance with the laws regulating the election of town officers." The said election Laws 1957, Chapter 675, relating to town elections, in Article II, Section 6 (M.S.A. 205.06, subdivision 3) provide for contested elections. In Laws 1959, Chapter 675, Article X there is provision for questioning the declared result upon "other questions submitted by popular vote," (M.S.A. 209.08). Said provision for examination of ballots is restricted to action by the District Court upon complaint "within ten days after the canvass is completed," (M.S.A. 209.08; 209.09). The Commission Law, Section 3, subdivision 4, limits the persons who may participate in the election to "Only the voters residing within the territory described in the Commission's Order." If the only persons entitled to participate in the election are foreclosed by Law from contesting the same, it does not seem that Wilson & Co., Inc., non-voter, should have greater rights. Unless such greater rights are provided by Statute, they cannot be recognized by the Commission. As to the stay of the Commission's Order to March 1, 1961, the Court, of course, can extend the stay to the extent that it deems proper.

BY THE FULL COMMISSION

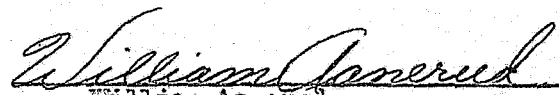

Irving R. Keldson
Secretary

I, William Aanerud, City Clerk of the City of Albert Lea, Minnesota do hereby certify that on the 14th day of September, 1960 I posted copies of the Order for annexation of property to the City of Albert Lea. Said area including Morningside Addition, The Packing Plant of Wilson and Company and other areas and were posted by me at the following locations:


1. At intersection of Eberhardt Street and Garfield Ave in Township of Albert Lea, Freeborn County.
2. At intersection of Eberhardt Street and Ulstad Ave. in Township of Albert Lea, Freeborn County.
3. At Entrance to Albert Lea Seed House, corner of East Main Street and Fenton Ave. in Township of Albert Lea, Freeborn County.

Said order having been prepared by the Minnesota Municipal Commission, signed by its Secretary and dated September 7, 1960.

Dated Sept. 15, 1960


William Aanerud
City Clerk, City of Albert Lea, Minn.

Subscribed and sworn to
before me this 15th day
of September, 1960


Notary Public

ELMER G. HAGEN
Notary Public, Freeborn County, Minn.
My Commission Expires Dec. 19, 1962

IT IS ORDERED: That such petition for annexation be, and it is hereby, approved.

IT IS FURTHER ORDERED: That the effective date and the date this Order shall be filed shall be July 30, 1960.

IT IS FURTHER ORDERED: That an election be held in the area proposed to be annexed, hereinafter described, pursuant to Laws 1959, Chapter 886, Section 3, Subdivision 4, on the question of whether or not such unincorporated territory should be annexed and become a part of the City of Albert Lea, Freeborn County, Minnesota:

Beginning at the center of Section 9, Township 102, Range 21 West; thence South on the West line of the Southeast Quarter of Section 9 to the South quarter corner of Section 9; thence East on the South line of Section 9 to the Southeast corner of Section 9; thence North on the East line of Section 9 to the South right-of-way line of the C.M. St. P. & P.R.R.; thence East on the South right-of-way of the C.M. St. P. & P.R.R. to the East line of Morningside Addition; thence North on the East line of Morningside Addition to the North right-of-way line of S. E. Marshall St.; thence West on the North right-of-way line of S. E. Marshall St. to the Southeast corner of Lot 26, Webber's Sub.; thence North on the East line of Lot 26, Webber's Sub. to the centerline of Stevens St.; thence Southwesterly on the centerline of Stevens St. to the centerline of Sherburne Subdivision; thence North on the East line of Sherburne Subdivision extended to the North right-of-way of Stevens St.; thence 409.54' Southwesterly on the North right-of-way line of Stevens St.; thence 284.55' North on the West line of Lot 24, Webber's Sub.; thence West on the North line of Lots 23, 22, 21, 20, and 19, Webber's Sub. to the West line of Lot 19, Webber's Sub.; thence South on the West line of Lot 19, Webber's Sub. to the centerline of Stevens St.; thence Northeasterly on the centerline of Stevens St. to the East line of Lot 19, Webber's Sub.; thence South on the East line of Lot 19, Webber's Sub. to the North line of the Southwest 1/4 of Section 10; thence West on the North line of the Southwest 1/4 of Section 10 to the centerline of the alley in Block 42, Home Addition; thence South on the centerline of said alley to the South line of Lot 1, Block 42, Home Addition; thence West on the South line of said Lot 1, to the center of Ulstad Ave.; thence North on the centerline of Ulstad Ave. to the North line of the Southeast one quarter of Section 9; thence West on the North line of the Southeast 1/4 of Section 9 to the center of the alley in Block 39, Home Addition; thence South on the centerline of said alley to the South line of Lot 8, Block 39, Home Addition; thence West on the South line of said Lot 8 to the centerline of St. Thomas Ave.; thence North on the centerline of St. Thomas Ave. to the North line of the Southeast 1/4 of Section 9; thence West on the North line of the Southeast 1/4 of Section 9 to the center of the alley in Block 37, Home Addition; thence South on the centerline of said alley to the South line of Lot 9, Block 37, Home Addition; thence West along the South line of said Lot 9 to the centerline of Pillsbury Ave.; thence North on the centerline of Pillsbury Ave. to the North line of the Southeast 1/4 of Section 9; thence West along the North line of said Southeast 1/4 to the West line of Lot 5, Block 36, Home Addition; thence North 25° 32' West a distance of 300.3'; thence South 39° 32' West a distance of 137'; thence South 42° 57' West a distance of 386.1' to an intersection with the North line of the Southeast 1/4 of Section 9; thence West on said North line a distance of 301.1' to the point of beginning in the township of Albert Lea, County of Freeborn and State of Minnesota.

IT IS FURTHER ORDERED: That such election be held on the 23rd day of August, 1960, at the following polling place within the area proposed to be annexed, the Albert Lea Seed House on East Main Street, and that the polls be opened at said polling place from 7 o'clock a.m. until 8 o'clock p.m. on such day.

IT IS FURTHER ORDERED: That the following three electors residing in the area proposed to be annexed act as judges of the election and that such election be conducted so far as practicable in accordance with the laws regulating the election of town officers: Mrs. Jeanne Dugstad, 1703 S.E. Marshall, Albert Lea, Minn.
Mr. Oswald Hanson, 1807 S. E. Marshall, Albert Lea, Minn.
Mrs. E. L. Farmer, 205 Morningside, Albert Lea, Minn.

Only voters residing in the territory described in the legal description above shall be entitled to vote. The ballots will bear the words "For Annexation" and "Against Annexation," with a square before each of the phrases, in one of which the voter will make a cross to express his choice. The ballots and election supplies shall be provided by the petitioners.

IT IS FURTHER ORDERED: That the petitioners cause a copy of this Order approving the petition for annexation to be posted not less than 20 days before the 23rd day of August, 1960, in three public places in the area proposed for annexation, and to be published in the Albert Lea Tribune, a medium of official and legal publication of general circulation in the area proposed for annexation, two weeks before the 23rd day of August, 1960.

Signed this 30 day of June, 1960.

BY THE MINNESOTA
MUNICIPAL COMMISSION:
IRVING R. KELDSEN
Secretary
A. 5, 12

equivalent in space to at least four pages with sixteen inches long, has been issued each day, except Saturday, from a known office established in said place of publication and equipped with skilled workmen and the necessary material for preparing and printing the same; that in its makeup not less than twenty-five per cent of its news columns have been devoted to local news of interest to the community it purports to serve; that it has not wholly duplicated any other publication, and has not been entirely made up of patents, plate matter and of advertisements; that it has been circulated in and near its said place of publication to the extent of at least two hundred and forty (240) copies regularly delivered to paying subscribers and had entry as second class matter in its local postoffice; that a copy of each issue has been filed with the State Historical Society, St. Paul; and that there has been on file in the office of the County Auditor of Freeborn County, Minnesota, the affidavit of a person having knowledge of the facts, showing the name and location of said newspaper and the existence of the conditions constituting its qualifications as a legal newspaper.

That the no fees hereto attached was cut from the columns of said newspaper, and was printed and published

therein in the English language, once each week for two

successive weeks; that it was first so published on Friday

the 5th day of August, 1960

and thereafter on Friday of each week to and including the

12th day of August, 1960

and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

Subscribed and sworn to before me this 12th day of Aug., 1960

Ruth K. Johnson
Notary Public, Freeborn County, Minn.

My commission expires RUTH K. JOHNSON
Notary Public, Freeborn County, Minn.
My Commission Expires Sept. 10, 1965.

14996

AFFIDAVIT OF PUBLICATION

(Mason's Minn. Statutes 1927, Chaps. 10935, 10936, as amended by Ch. 373, G. L. 1936)

ORDER

Upon the petition of the City of Albert Lea to annex certain adjoining unincorporated territory described in the attached Findings of Fact, which came regularly on for hearing on March 2, 1960, and March 16, 1960, and was upon each occasion duly recessed and continued pursuant to notice given at such open hearings, and which thereafter came regularly on for hearing at 10:00 o'clock in the forenoon of the 26th day of April, 1960, in the City Council Chambers of the City Hall of Albert Lea, Freeborn County, Minnesota, at which time testimony was heard and evidence taken and certain exhibits received, and the parties having presented oral argument by counsel in said City Council Chambers on the 17th day of May, 1960, and the Commission having thereafter visited the area proposed for annexation in the presence of counsel for all parties, and being fully advised in the premises, upon all of the files and records,

IT IS ORDERED: That such petition for annexation be, and it is hereby, approved.

IT IS FURTHER ORDERED: That the effective date and the date this Order shall be filed shall be July 30, 1960.

IT IS FURTHER ORDERED: That an election be held in the area proposed to be annexed, hereinafter described, pursuant to Laws 1959, Chapter 636, Section 3, Subdivision 4, on the question of whether or not such unincorporated territory should be annexed and become a part of the City of Albert Lea, Freeborn County, Minnesota:

Beginning at the center of Section 8, Township 102, Range 21 West; thence South on the West line of the Southeast Quarter of Section 9 to the South quarter corner of Section 9; thence East on the South line of Section 9 to the Southeast corner of Section 9; thence North on the East line of Section 9 to the South right-of-way line of the C.M. St. P. & P.R.R.; thence East on the South right-of-way of the C.M. St. P. & P.R.R. to the East line of Morningside Addition; thence North on the East line of Morningside Addition to the North right-of-way line of S. E. Marshall St.; thence West on the North right-of-way line of S. E. Marshall St. to the Southeast corner of Lot 26, Webber's Sub.; thence North on the East line of Lot 26, Webber's Sub. to the centerline of Stevens St.; thence Southwesterly on the centerline of Stevens St. to the East line of Sherburne Subdivision; thence North on the East line of Sherburne Subdivision extended to the North right-of-way of Stevens St.; thence 409.54' Southwesterly on the North right-of-way line of Stevens St.; thence 284.55' North on the West line of Lot 24, Webber's Sub.; thence West on the North line of Lots 23, 22, 21, 20, and 19, Webber's Sub. to the West line of Lot 19, Webber's Sub.; thence South on the West line of Lot 19, Webber's Sub. to the centerline of Stevens St.; thence Northeasterly on the centerline of Stevens St. to the East line of Lot 19, Webber's Sub.; thence South on the East line of Lot 19, Webber's Sub. to the North line of the Southwest 1/4 of Section

State of Minnesota } ss.
COUNTY OF FREEBORN

William H. Layman, being duly sworn, on oath says: that he is, and

during all the times herein stated has been the Treasurer of the newspaper known as The Evening Tribune, and has full knowledge of the facts hereinafter stated; that for more than one year prior to the publication therein of the

notice

hereinafter described, said newspaper was printed and published in the City of Albert Lea, in the County of Freeborn, State of Minnesota, on each day, except Saturday; that during all said time said newspaper has been printed in the English language from its known office of publication within the City from which it purports to be issued as above stated in column and sheet form equivalent in space to at least four pages with five columns to a page, each sixteen inches long, has been issued each day, except Saturday, from a known office established in said place of publication and equipped with skilled workmen and the necessary material for preparing and printing the same; that in its makeup not less than twenty-five per cent of its news columns have been devoted to local news of interest to the community it purports to serve; that it has not wholly duplicated any other publication, and has not been entirely made up of patents, plate matter and of advertisements; that it has been circulated in and near its said place of publication to the extent of at least two hundred and forty (240) copies regularly delivered to paying subscribers and had entry as second class matter in its local postoffice; that a copy of each issue has been filed with the State Historical Society, St. Paul; and that there has been on file in the office of the County Auditor of Freeborn County, Minnesota, the affidavit of a person having knowledge of the facts, showing the name and location of said newspaper and the existence of the conditions constituting its qualifications as a legal newspaper.

notice

That the notice hereto attached was cut from the columns of said newspaper, and was printed and published

therein in the English language, once each week for two

successive weeks; that it was first so published on Friday

the 5th day of August, 1960

Friday

and thereafter on Friday of each week to and including the

12th day of August, 1960

and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

William H. Layman
12th Aug. 60