

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Thomas R. Byrne	Vice-Chairman
Edward L. Henry	Member
J. E. Rustad	Ex-Officio Member
Kenneth Brundell	Ex-Officio Member

IN THE MATTER OF THE PETITION FOR ANNEXATION OF
LAND TO THE CITY OF ALEXANDRIA, MINNESOTA

That on January 17, 1966, the City of Alexandria served notice on the Alexandria Town Board of its intention to annex certain land located in Alexandria Township to the City of Alexandria. That the land to be annexed is located in Alexandria Township, Douglas County, Minnesota, and is more particularly described as follows:

A part of the Northwest Quarter (NW $\frac{1}{4}$), Section Thirty (30), Township One Hundred Twenty-eight (128) North, Range Thirty-seven (37) West, and more particularly described as follows, to wit: To find the point of beginning commence at the iron monument which marks the point where the north line of said Northwest Quarter (NW $\frac{1}{4}$) intersects the east line of Fillmore Street in the City of Alexandria, Minnesota; thence southerly along the said east line of Fillmore Street 453.70 feet to the Northwesterly right-of-way line of Trunk Highway No. 29, which point is the point of beginning; thence from the point of beginning southerly along the east line of said Fillmore Street extended 2090 feet more or less to the north right-of-way line of County Road 83; thence easterly along the north right-of-way line of County Road 83 330 feet more or less to the west right-of-way line of County Road No. 84; thence south 66 feet to the quarter corner marking the southeast corner of said Northwest Quarter (NW $\frac{1}{4}$), Section 30, Township 128 North, Range 37 West; thence westerly along the south line of the said Northwest Quarter (NW $\frac{1}{4}$), Section 30, 2435 feet more or less to the southwest corner of the Northwest Quarter (NW $\frac{1}{4}$), Section 30, thence north along the west line of said Northwest Quarter (NW $\frac{1}{4}$), Section 30, 100 feet more or less to the right-of-way line of Trunk Highway No. 29; thence northeasterly along said right-of-way line 2920 feet more or less to the point of beginning; excepting therefrom that certain tract of land annexed by Alexandria City Ordinance No. 167 described as follows:

That part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 30, Township 128 North, Range 37 West of the 5th P.M. and more particularly

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described as follows, to-wit: To find the point of beginning commence at the southeast corner of said Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), of Section 30, thence North 00° 41' East 66.0 feet to an iron monument marking the intersection of the east line of said Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) and the northerly right-of-way line of the County Road, said monument to be point of beginning, thence from the point of beginning South 89° 09' West and along said northerly right-of-way line of County Road a distance of 535.5 feet to the southeast corner of the 0.48 acre tract as deeded and recorded in Book 70 of Deeds, page 551, Douglas County, Minnesota; thence north 00° 51' West and along the east line of said tract 120.0 feet, thence south 89° 09' West and along the north line of said tract 176.9 feet to the easterly right-of-way line of Trunk Highways 29 and 27, thence Northeasterly and along said right-of-way which is 75.0 feet from and parallel to a 3° center line curve, a distance of 396.4 feet to the P.T. of said curve on said right-of-way, thence North 45° 02' East and continuing on the said right-of-way line 669.6 feet, thence south 00° 41' West 890.3 feet to the point of beginning and containing 8.26 acres more or less.

And also excepting therefrom, that certain tract of land annexed by Alexandria City Ordinance No. 179 and described as follows, to-wit: That part of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 30, Township 128, Range 37, described as follows: Beginning at a point 576 feet west of the southeast corner of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), thence west along the forty line 284 feet; thence north 98.8 feet to the southeasterly right-of-way limits of Trunk Highway No. 29, thence in a northeasterly direction for 22.5 feet along the said southeasterly right-of-way limits; thence east 267.7 feet; thence south 115 feet to the point of beginning, said tract containing 0.747 acres more or less; and that part of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 30, Township 128, Range 37 described as follows: Beginning at a point 860 feet west along the forty line from the southeast corner of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), thence west and along the forty line to the southeasterly right-of-way of Trunk Highway No. 29; thence in a northeasterly direction along said right-of-way line to a point 98.8 feet north of the point of beginning; thence south 98.8 feet to the point of beginning, said tract containing 0.112 acres more or less.

That the Alexandria Town Board objected to the annexation of said land and that a hearing on said annexation came before the Municipal Commission at the City Hall in the City of Alexandria, Minnesota, on the 1st day of June, 1966, at eleven o'clock A. M., Robert W. Johnson, Chairman, and Edward L. Henry, Member, attended the hearing, together with J. E. Rustad and Kenneth Brundell, Ex-Officio members, and Irving R. Keldsen, Secretary.

The City of Alexandria was represented by Morris A. Grover, City Attorney, and the Alexandria Town Board by Norman Lund,

Chairman of the Town Supervisors.

The Commission, having duly considered the testimony of the witnesses, the exhibits received in evidence and all other evidence, upon all the files and records, being fully advised in the premises, makes and enters the following:

FINDINGS OF FACT

I.

Due, timely and adequate legal notice of the hearing herein, including adjourned sessions thereof, was posted, published, served and filed. . . .

II.

The land to be annexed is at least seventy-five per cent surrounded by the City of Alexandria.

III.

The area to be annexed is approximately thirty-two acres as compared to approximately 3200 acres in the City of Alexandria.

IV.

The assessed valuation of the area to be annexed is \$3,378.00 as compared to the assessed valuation of the City of Alexandria of \$3,484,146.00.

V.

The assessed valuation of Alexandria Township is approximately \$1,000,000.00.

VI.

The City of Alexandria is a growing community, having increased its population from 6,700 in 1960 to approximately 7,000 in 1965. That since 1960 the expansion of the City of Alexandria has been generally to the South into Alexandria Township, and to land which has formerly been agricultural in nature. While there is land available for expansion in any direction from the City to a certain extent, still the trend to expansion has been to the South.

VII.

InterState Highway 94 is in the process of construction approximately two and one-half miles South of the City of Alexandria. Highway 29 presently is a one-lane highway passing through the City of Alexandria and running south to Glenwood, Minnesota, and the

intersection of Highway 55. However, this Highway is being expanded to a two-lane expressway, which will connect in an interchange with the Highway 94.

VIII.

Because of the expected increase of traffic from the south because of Highway 94, commercial development has been growing south of the city. This commercial development includes the Viking Motel, Western Lumber Supply Company, Fleet Farm Wholesale Store, and also the Alexandria Municipal Airport. This increased commercial development would indicate further expansion to the south because of Highway 94 as well as Highway 29 expressway.

IX.

Alexandria Township abuts the City of Alexandria on the south and is the only township from which land may be annexed to the south.

X.

While it is probable taxes will increase in the area to be annexed it appears that the increase in the taxation will be equivalent to the benefits received. Water and sewer lines are presently available immediately abutting upon the area to be annexed and the City of Alexandria is presently planning a water and sewer extension through the annexed area.

XI.

Fire protection will be available to the annexed area without cost after annexation, whereas presently the residents of the area pay two mills for city fire protection. This two mill rate will, of course, no longer be paid for this protection after annexation.

XII.

Police protection from the City of Alexandria is readily available and in fact the City has been supplying police protection to this area as part of its regular patrols of the City areas immediately surrounding the area to be annexed. In addition, the City will provide for maintenance of the streets in the area.

XIII.

Fingerhut Manufacturing Company is erecting a plant in the area to be annexed and it will be necessary that water and sewer be supplied to this plant. Fingerhut Manufacturing acquired the area for its plant subsequent to the filing of the City's notice to annex; this furnishes further evidence of the increased commercial desirability of the area to be annexed.

XIV.

There is no need for the continuance of any township government within the area to be annexed after annexation since the close proximity of the area to the City of Alexandria provides an ease of city governmental control and management.

XV.

Alexandria Township offers no governmental service for sewage and water in the area to be annexed. The Township offered no evidence to indicate the existence of present or future long range planning for the area to be annexed.

CONCLUSIONS OF LAW

I.

The Minnesota Municipal Commission duly acquired, and now has, jurisdiction of the within proceedings.

II.

The area of land to be annexed is so conditioned and so located as to be properly subjected to municipal government by the City of Alexandria.

III.

Annexation by the City of Alexandria would be in the best interests of the area affected and the City of Alexandria.

IV.

Municipal Government of the area to be annexed herein is necessary and is required to protect public health, safety and welfare and to provide necessary governmental services.

V.

The Township form of government is not adequate to cope

with the problems of the proposed commercial expansion in the area to be annexed.

VI.

The City of Alexandria can feasibly and practicably provide for and best serve the need for governmental services presently existing and as they become necessary in the future in the area to be annexed.

An Order should be issued by the Minnesota Municipal Commission annexing to the City of Alexandria, Minnesota, the real estate located in Alexandria Township, Douglas County, Minnesota, described herein.

O R D E R

IT IS ORDERED: That the following described real estate in Alexandria Township, Douglas County, Minnesota, be and the same hereby is, annexed to the City of Alexandria, Minnesota, the same as if it had originally been made a part thereof:

A part of the Northwest Quarter (NW $\frac{1}{4}$), Section Thirty (30), Township One Hundred Twenty-eight (128) North, Range Thirty-seven (37) West, and more particularly described as follows, to-wit: To find the point of beginning commence at the iron monument which marks the point where the north line of said Northwest Quarter (NW $\frac{1}{4}$) intersects the east line of Fillmore Street in the City of Alexandria, Minnesota; thence southerly along the said east line of Fillmore Street 453.70 feet to the Northwesterly right-of-way line of Trunk Highway No. 29, which point is the point of beginning; thence from the point of beginning southerly along the east line of said Fillmore Street extended 2090 feet more or less to the north right-of-way line of County Road 83; thence easterly along the north right-of-way line of County Road 83; thence easterly along the north right-of-way line of County Road 83 330 feet more or less to the west right-of-way line of County Road No. 84; thence south 66 feet to the quarter corner marking the southeast corner of said Northwest Quarter (NW $\frac{1}{4}$), section 30, township 128 North, range 37 West; thence westerly along the south line of the said Northwest Quarter (NW $\frac{1}{4}$), Section 30, 2435 feet more or less to the southwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of Section 30; thence north along the west line of said Northwest Quarter (NW $\frac{1}{4}$), Section 30, 100 feet more or less to the right-of-way line of Trunk Highway No. 29; thence northeasterly along said right-of-way line 2,920 feet more or less to the point of beginning; excepting therefrom that certain tract of land annexed by Alexandria City Ordinance No. 167 and described as follows:

That part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 30, Township 128 North,

Range 37 West of the 5th P.M. and more particularly described as follows, to-wit: To find the point of beginning commence at the southeast corner of said Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 30, thence North 00° 41' East 66.0 feet to an iron monument marking the intersection of the east line of said Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) and the northerly right-of-way line of the County Road, said monument to be the point of beginning, thence from the point of beginning South 89° 09' West and along said northerly right-of-way line of County Road a distance of 535.5 feet to the southeast corner of the 0.48 acre tract as deeded and recorded in Book 70 of Deeds, page 551, Douglas County, Minnesota; thence north 00° 51' West and along the east line of said tract 120.0 feet, thence south 89° 09' West and along the north line of said tract 176.9 feet to the easterly right-of-way line of Trunk Highways 29 and 27, thence Northeasterly and along said right-of-way which is 75.0 feet from and parallel to a 3° center line curve, a distance of 396.4 feet to the P.T. of said curve on said right-of-way, thence north 45° 02' East and continuing on the said right-of-way line 669.6 feet, thence south 00° 41' West 890.3 feet to the point of beginning and containing 8.26 acres more or less.

And also excepting therefrom, that certain tract of land annexed by Alexandria City Ordinance No. 179 and described as follows, to-wit: That part of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 30, Township 128, Range 37, described as follows: Beginning at a point 576 feet west of the southeast corner of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), thence west along the forty line 284 feet; thence north 98.8 feet to the southeasterly right-of-way limits of Trunk Highway No. 29, thence in a northeasterly direction for 22.5 feet along the said southeasterly right-of-way limits; thence east 267.7 feet; thence south 115 feet to the point of beginning, said tract containing 0.747 acres more or less; and that part of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 30, Township 128, Range 37, described as follows: Beginning at a point 860 feet west along the forty line from the southeast corner of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), thence west and along the forty line to the southeasterly right-of-way of Trunk Highway No. 29; thence in a northeasterly direction along said right-of-way line to a point 98.8 feet north of the point of beginning; thence south 98.8 feet to the point of beginning; said tract containing 0.112 acres more or less.

Dated this 27th day of July, 1966.

MINNESOTA MUNICIPAL COMMISSION
459 Rice Street
St. Paul, Minnesota 55103

Irving R. Keldsen
Irving R. Keldsen
Secretary

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

AUG 10 1966

James A. Johnson
Secretary of State