

O R D E R

Upon the foregoing Findings of Fact and Conclusions of Law and upon all the testimony taken and exhibits recorded and upon all the findings and records, the Commission being fully advised in the premises, pursuant to M.S.A. 414.02, Subd. 5:

IT IS ORDERED: That the Town of Lakeville and the Village of Lakeville be incorporated to form a single new municipality.

IT IS FURTHER ORDERED: That the first election of officers in the new Village shall be held on the seventh Tuesday after the date on which it shall have come into existence.

IT IS FURTHER ORDERED: That the plan of government for the new Village shall be Optional Plan "A".

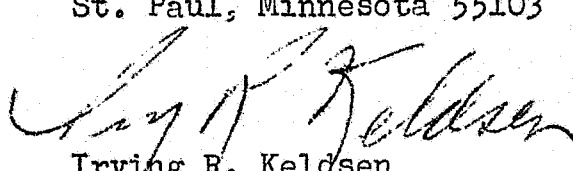
IT IS FURTHER ORDERED: That the name of the Village shall be "Lakeville."

IT IS FURTHER ORDERED: That the polling place for the first election of officers shall be the Village Hall of the Village of Lakeville.

IT IS FURTHER ORDERED: That the Secretary of the Minnesota Municipal Commission shall cause a copy of this Order to be filed as provided by Law.

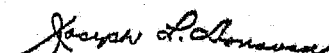
The effective date of this Order is October 20, 1966.

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


Irving R. Keldsen
Secretary

#18402
STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
OCT 20 1966


Joseph L. Johnson
Secretary of State

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STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
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James A. Holman
Secretary of State

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Edward L. Henry	Vice-Chairman
Thomas R. Byrne	Member
Patrick Scully	Ex-Officio Member
Thomas Freiling	Ex-Officio Member

IN THE MATTER OF THE PETITION AND RESOLUTION FOR THE
MERGER OF THE VILLAGE OF LAKEVILLE, DAKOTA COUNTY,
MINNESOTA WITH THE TOWN OF LAKEVILLE, DAKOTA COUNTY,
MINNESOTA

The petition for the merger of the Village of Lakeville and the Town of Lakeville, Dakota County, Minnesota was filed with the Minnesota Municipal Commission on the 2nd day of July, 1965, and the resolution of the Village Council of the Village of Lakeville for the merger of the Village of Lakeville and Town of Lakeville, Dakota County, Minnesota was filed on the 2nd day of July, 1965. This petition and resolution came on for hearing before the Minnesota Municipal Commission on October 21, 1965, November 4, 1965, and September 22, 1966, in the Lakeville Village Hall, Lakeville, Dakota County, Minnesota, and after publication and posting of the proper notices pursuant to the authority and responsibility under Minnesota Statutes 414.02, Subd. 5.

The Commission takes note of the fact that at this time part of the area affected by this merger petition is now subject of an appeal in District Court, First Judicial District. However, the legislature has prescribed that all orders of the Commission shall be issued within one year from the date of the first hearing thereon provided that the time may be extended upon consent of all parties of record. Failure to so order shall be deemed a rejection. The Commission has been unable to obtain the aforementioned consent of the parties, and the aforesaid prescribed time is about to elapse. Accordingly, the Commission is hereby issuing this order subject to the jurisdiction of the District Court over the area currently under appeal.

APPEARANCES WERE MADE BY:

Vance B. Grannis, Jr. of Grannis & Grannis, Attorneys, Schult Building, South St. Paul, Minnesota, Attorneys for the Petitioners and the Town of Lakeville;

Gerald Kalina, representing the Village of Lakeville;

John McBrien, representing the Village of Farmington, made a special appearance on the question of the Commission's authority to proceed with this matter while annexation proceedings were pending concerning a portion of the same area.

Evidence was taken and testimony was heard from all those appearing and indicating a desire to be heard. Certain exhibits were received in evidence. The Commission having carefully considered all of the evidence included in all of the testimony and exhibits, being fully advised in the premises, upon all the files, records, and proceedings herein, hereby makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

I.

The area to be incorporated as a new municipality is the entire Town of Lakeville, Dakota County, Minnesota and the entire Village of Lakeville, Dakota County, Minnesota.

II.

The area of the Town of Lakeville and Village of Lakeville is approximately 30,700 acres.

III.

The population of the Town of Lakeville and the Village of Lakeville as estimated by the most recent estimate of the Metropolitan Planning Commission is: Town - 3,208 Village - 982, total - 4,190.

IV.

Approximately 5% of the combined area of the Town and Village of Lakeville is platted and 95% is unplatted.

V.

The Village of Lakeville is almost entirely developed having residential, commercial and industrial type buildings.

The Town of Lakeville is 91.8% undeveloped and 8.2% developed. Of the developed area 31.4% is residential, .6% is commercial, .9% is industrial, 1.2% is public and semi-public, the remainder is water area, wetlands, freeway, railroads and streets.

VI.

Population and construction in the Village of Lakeville have grown in the past to the point where the Village is completely developed and has nowhere else to grow. Population and construction in the Town of Lakeville have grown in the past and are expected to continue to grow at an increased rate in the future. The estimated population for 1985 is 30,000.

VII.

The assessed value of all of the property, both platted and unplatted, in the Town of Lakeville in 1964 was \$1,468,236, of which \$912,735.00 was on platted land and \$555,501.00 was on unplatted land. The Village of Lakeville is almost 100% platted land and the assessed value of the Village of Lakeville for 1964 was \$381.230.00.

VIII.

The Village of Lakeville has its own sewage treatment facilities and central water system. The systems can be expanded to service a considerable portion of the area in the Town of Lakeville. The Town of Lakeville has a central water system which will be turned over to it in accordance with an agreement by the developer of the College Park Area. The Town of Lakeville also has an agreement with the Town of Lebanon for joint usage of the sewage treatment plant owned by Lebanon and located in the Town of Lakeville. The Village of Lakeville has a voluntary fire department which services the Village and the major portion of the Town of Lakeville. Portions of the Town of Lakeville are also serviced by the Rosemount and Farmington Voluntary Fire Departments.

The Village of Lakeville has a Police Department. The Town of Lakeville has police protection furnished by the Dakota County Sheriff's Office and two elected constables. The Police Department can be expanded to provide additional police protection for the Town of Lakeville Area.

IX.

The Town of Lakeville has a Zoning Ordinance and is working on a revision of that Ordinance. The Town of Lakeville adopted subdivision regulations, appointed a Planning Commission, hired a professional engineering firm, has cooperated and worked with the Village of Lakeville in regard to planning and is entering into a joint Planning Program financially aided by the Urban Renewal Administration of the HHFA under the Urban Planning Assistance Program authorized by Section 701 of the Housing Act.

X.

An active citizens group has studied the financial and other aspects of the merger of the Town and Village of Lakeville and reported on the same.

XI.

There is now and will be in the immediate future a need for increased governmental service in the area to be incorporated and the Village form of government will better be able to protect the public health, safety and welfare of the residents within the Town of Lakeville. It is in the best interest of the public that the Town and Village be merged to form a new municipality so that municipal services to the residents in the Town and Village can be more efficiently and economically provided to the residents.

XII.

The area proposed to be incorporated can best be served by one Village in the matter of community planning, installation of thoroughfares, street systems, sewer and water systems, fire and police protection and other vital and necessary community services.

XIII.

The entire area to be incorporated is or is about to become urban or suburban in character.

XIV.

The name of the proposed Village is Lakeville.

XV.

The Citizens Committee, Petitioners, Village Council and Town Board have requested that the plan of government be Optional Plan A.

CONCLUSIONS OF LAW

1. The area to be incorporated is the Town of Lakeville, Dakota County, Minnesota and the Village of Lakeville, Dakota County, Minnesota.

2. The area to be incorporated is now, or about to become, urban or suburban in character.

3. The name of the new municipality shall be Village of Lakeville.

4. The plan of government shall be Optional Plan "A".

5. The first election of officers in the new Village shall be held on the seventh Tuesday after the date on which it shall have come into existence.

6. Affidavits of candidacy for the election of new village officers shall be filed with the Clerks of the Town of Lakeville and Village of Lakeville, but shall otherwise be as provided by law for Village elections. Officers shall be elected at said election in accordance with M.S.A. 412.021.