

BEFORE THE MUNICIPAL COMMISSION

OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert Ford	Vice-Chairman
Fred Voss	Member
Leo Bauerly	Ex-Officio Member
Walter Lewandowski	Ex-Officio Member

IN THE MATTER OF THE PETITION FOR THE ANNEXATION  
OF CERTAIN LAND TO THE VILLAGE OF SAUK RAPIDS, MINNESOTA

The petition for the annexation to the Village of Sauk Rapids  
of certain real estate situated in the County of Benton, State of  
Minnesota, described as follows, to-wit:

That part of the North Half of the Southwest Quarter of  
the Southwest Quarter (N 1/2 of SW 1/4 of SW 1/4) of  
Section Fourteen (14), Town Thirty-six (36), Range Thirty-  
one (31), Benton County, Minnesota, described as follows,  
to-wit:

Commencing at the Northwest corner of Lot One (1), Larson's  
Third Addition to the Village of Sauk Rapids and running  
thence West to the centerline of Fourth Avenue North (as  
extended Northerly) and running thence North 33 feet along  
said centerline to the point of beginning; running thence  
Northerly along said centerline for a distance of 333 feet;  
running thence East and parallel with the North line of said  
Lot One (1) 203 feet; running thence South and parallel with  
the centerline for 333 feet; running thence West for 203  
feet and there terminating.

by the owners thereof, came duly on for hearing before the Minnesota  
Municipal Commission on July 10, 1967, and on August 14, 1967. A  
quorum was not present on July 10, 1967, and the hearing was cont-  
inued until August 14, 1967, at which time all members and ex-officio  
member were present. The Village of Sauk Rapids appeared by and through  
its Clerk and its attorney, Paul G. Hoffman, Esq. The Township of  
Sauk Rapids appeared by and through members of the Town Board and by  
its attorney, Richard Jessen, Esq. The owners of the property herein-  
before described appeared in person, as did an adjoining land owner.

It was made to appear that a petition was filed with the Village

of Sauk Rapids for the annexation of the real estate hereinbefore described to the Village of Sauk Rapids, Minnesota.

It was made to appear that certified copies of said petition were duly filed with the County Board in and for Benton County, Minnesota, the Town Board in and for the Township of Sauk Rapids, Minnesota, the Municipal Commission of the State of Minnesota.

It was made to appear that the Township of Sauk Rapids, Minnesota, duly filed objections to said annexation, within the time provided by statute, with the Municipal Commission of the State of Minnesota, by virtue of which objections, jurisdiction of said annexation vested with said commission.

It was made to appear that Notice of said hearing was duly made and posted, and that notice of continued hearings were duly given.

Evidence was offered and received for and against said annexation at said hearings.

After due and careful consideration of the evidence so offered and received, together with all of the records, files, and proceedings had and taken herein, and being duly advised in the premises, the Municipal Commission of the State of Minnesota now makes and files the following Findings of Fact, Conclusions of Law, and Order.

#### FINDINGS OF FACT

##### I

That due, timely and adequate notice of the petition and the hearing thereon, including the continued hearing, was posted, published, served and filed.

##### II

That the property described herein abuts the legal boundaries of the Village of Sauk Rapids, Minnesota, and contains approximately 1.25 Acres.

III

That the petition for the annexation of said property was signed by all of the owners of said property.

IV

That the Village of Sauk Rapids, Minnesota approves of said annexation.

V

That the population of the area to be annexed is four (4) people, and that the population of the Village of Sauk Rapids, Minnesota, is 4,570.

VI

That the area to be annexed is approximately 1.25 Acres as compared to approximately 1,010 Acres in the Village of Sauk Rapids, Minnesota.

VII

That the area to be annexed is urban in character and suited for residential use.

VIII

That the taxes in the area to be annexed will increase, but that the increase will be commensurate with the municipal services provided by the Village of Sauk Rapids, Minnesota.

IX

That there is a present need in the area to be annexed for all municipal services, and particularly water and sewer services.

That the evidence disclosed that homeowners in the vicinity of the area to be annexed were having difficulty in getting adequate water from wells. That sewage in the general area is being discharged into the ground.

X

That the Village of Sauk Rapids, Minnesota, has a police department and fire department capable of providing full protection to the area to be annexed. That the water supply of said Village of Sauk Rapids consisting of three wells is capable of providing water necessary for the area to be annexed and will have sufficient capacity left to meet future expansion in the Village. That the Village sewage is now treated by the City of Saint Cloud, Minnesota. That the Village water and sewer mains are in position to the boundary of the area to be annexed.

XI

That the area to be annexed constitutes an extremely small geographical portion of the Township of Sauk Rapids, and that the annexation of this portion to the Village of Sauk Rapids will not impair the ability of the township to function.

XII

That the Township of Sauk Rapids has not been able to meet the severest problems in the area to be annexed which are the water and sewage problems. That the Township of Sauk Rapids has no plans for the installation of either water or sewage systems.

#### CONCLUSIONS OF LAW

I

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

II

That area to be annexed herein is so conditioned and so located as to be properly subjected to municipal government by the Village of Sauk Rapids, Minnesota.

III

That the interests of the Village of Sauk Rapids and the area to be annexed would be best served by the annexation of said area to the Village of Sauk Rapids, Minnesota.

IV

Municipal government and the corresponding municipal services are required in the area to be annexed for the preservation and protection of public health, welfare and safety in the area to be annexed and in the Village of Sauk Rapids, Minnesota.

V

The township form of government is not adequate to meet the problems found to exist in the area to be annexed.

VI

The Village of Sauk Rapids can meet the problems existing in the area to be annexed, can remedy them and provide any and all governmental service presently required and which may become necessary in the future in the area to be annexed.

VII

An Order should be issued by the Municipal Commission ordering the annexation of the land described herein to the Village of Sauk Rapids. Let an Order for such annexation be entered and filed accordingly.

Enacted by the unanimous vote of the Municipal Commission of  
the State of Minnesota, the following Order is filed.

BEFORE THE MUNICIPAL COMMISSION

OF THE STATE OF MINNESOTA

IN THE MATTER OF THE PETITION FOR THE ANNEXATION  
OF CERTAIN LAND TO THE VILLAGE OF SAUK RAPIDS, MINNESOTA

ORDER

IT IS HEREBY ORDERED: That certain real estate lying in  
and being a part of the County of Benton, State of Minnesota,  
and described as follows, to-wit:

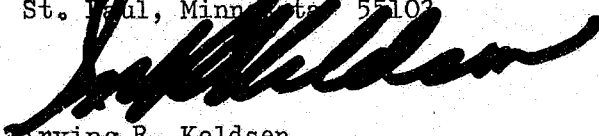
That part of the North Half of the Southwest Quarter of  
the Southwest Quarter (N 1/2 of SW 1/4 of SW 1/4) of  
Section Fourteen (14), Town Thirty-six (36), Range Thirty-  
one (31), Benton County, Minnesota, described as follows,  
to-wit:

Commencing at the Northwest corner of Lot One (1), Larson's  
Third Addition to the Village of Sauk Rapids and running  
thence West to the centerline of Fourth Avenue North (as  
extended Northerly) and running thence North 33 feet along  
said centerline to the point of beginning; running thence  
Northerly along said centerline for a distance of 333 feet;  
running thence East and parallel with the North line of said  
Lot One (1) 203 feet; running thence South and parallel with  
the centerline for 333 feet; running thence West for 203  
feet and there terminating.

be, and the same hereby is, annexed to the village of Sauk Rapids,  
Minnesota, the same as if it had originally been made a part  
thereof.

Dated this 25<sup>th</sup> day of August, 1967

MINNESOTA MUNICIPAL COMMISSION  
459 Rice Street  
St. Paul, Minnesota 55102

  
Irving R. Keldsen  
S e c r e t a r y

# 19225  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
SEP 1 - 1967

  
Joseph L. Donovan  
Secretary of State

VILLAGE OF SAUK RAPIDS

Office of Village Clerk  
SAUK RAPIDS, MINNESOTA

Ord # 211

May 1, 1967

SUBJECT: ANNEXATIONS BY ORDINANCE (Section 3, Subdivision 2,  
Chapter 414 Minnesota Statutes 1961 as amended by  
Laws 1963 Chapters 807 and 621).

TO: Minnesota Municipal Commission  
County Board, Benton County, Minn.  
Town Board, Town of Sauk Rapids, Minn.  
Secretary of State, State of Minnesota  
County Auditor, Benton County, Minn.

I, N. N. Hollenhorst, Village Clerk, Village of Sauk  
Rapids, Minnesota, do hereby certify that copies of the  
Annexation Petition herewith attached have been sent to  
all of the above mentioned parties in compliance with the  
above mentioned statutes.

*N. N. Hollenhorst*

**N. N. HOLLENHORST**  
Village Clerk, Sauk Rapids, Minn.  
My Term Expires December 31, 1968

# 19225  
O.D.



## PETITION

### ANNEXATION OF PROPERTY To the Village Council for the ~~Construction of Sidewalks or Sewer~~

To the Village Council of the Village of Sauk Rapids County of Benton State of Minnesota: The undersigned who are a majority of the owners

of the property fronting on the street hereinafter named, and of the lots, parts of lots and parcels of ground, a description of which is set opposite our respective names, and where it is proposed to annex a portion of our property do hereby petition your honorable body to annex into the Village as follows, viz.:

That part of the North One-Half of the Southwest Quarter of the Southwest Quarter (N 1/2 of SW 1/4 of SW 1/4) of Section 14, Township 36, Range 31, Benton County, Minnesota, described as follows, to-wit:

Commencing at the Northwest corner of Lot One (1), Larson's Third Addition to the Village of Sauk Rapids; and running thence West to the centerline of Fourth Avenue North (as extended Northerly) and thence North 33 feet along said centerline to the point of beginning; running thence Northerly along said centerline for 333 feet; thence East and parallel with the North line of said Lot One (1) 203 feet; thence South and parallel with said centerline for 333 feet; thence West for 203 feet to the point of beginning and there terminating.

And we do request your honorable body to adopt a resolution ordering the said property to be annexed as set forth herein and in accordance with the statute in such case made and provided.

Dated April 17, 19 67

NAMES OF OWNERS	FRONT FEET OWNED	DESCRIPTION OF PROPERTY OWNED
<i>S. J. Reinert</i> Jeanette Reinert S. J. and Jeanette Reinert	333	See above

Covered by  
Municipal Order,  
filed 9-1-67

ORDINANCE NO. 211

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE VILLAGE OF SAUK RAPIDS AND INCORPORATE ADDITIONAL TERRITORY THEREIN.

THE VILLAGE COUNCIL OF THE VILLAGE OF SAUK RAPIDS DOES ORDAIN:

SECTION 15:41. Village Boundaries Extended.

Par. 1. A petition has been filed with the governing body of the Village of Sauk Rapids, Minnesota, by all of the owners of the following described real estate to have such land included within the Village of Sauk Rapids, Minnesota:

That part of the North Half of the Southwest Quarter of the Southwest Quarter (N 1/2 of SW 1/4 of SW 1/4) of Section Fourteen (14), Town Thirty-six (36), Range Thirty-one (31), Benton County, Minnesota, described as follows, to-wit:

Commencing at the Northwest corner of Lot One (1), Larson's Third Addition to the Village of Sauk Rapids and running thence West to the centerline of Fourth Avenue North (as extended Northerly) and running thence North 33 feet along said centerline to the point of beginning; running thence Northerly along said centerline for a distance of 333 feet; running thence East and parallel with the North line of said Lot One (1) 203 feet; running thence South and parallel with the centerline for 333 feet; running thence West for 203 feet and there terminating: With said reality to be known Reinert's Addition.

Par. 2. The quantity of land embraced within the foregoing description, and bounded as described, is approximately .5 acres.

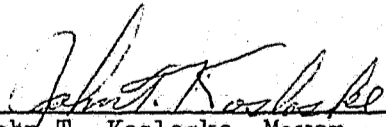
Par. 3. Whereas all of the owners of the above described real estate have signed the petition for annexation and there are no homes or buildings on this real estate, no hearing is necessary.

Par. 4. The Village Council hereby determines (1) that the annexation will be to the best interests of the Village of Sauk Rapids, Minnesota, and of the territory affected; (2) that the territory described herein abuts upon the Village and is so conditioned as properly to be subjected to Village government; (3) that on August 25, 1967, the Minnesota Municipal Commission made its order approving this annexation.

Par. 5. Therefore, the Village of Sauk Rapids, Minnesota, hereby ordains and declares that the property hereinbefore described by and the same is hereby annexed to, and included in, the Village of Sauk Rapids, Minnesota, as effectually as if it had originally been a part thereof.

Par. 6. This ordinance shall be final and shall take effect and be in force from and after filing Certified copy thereof with the Minnesota Municipal Commission, the County Auditor and Secretary of State, and from and after its passage and publication.

Passed by the Village Council this 18th day of September, 1967:

  
John T. Kosloske, Mayor

(SEAL)

Attest:

  
N. N. Hollenhorst, Village Clerk

VILLAGE OF SAUK RAPIDS

Office of Village Clerk  
SAUK RAPIDS, MINNESOTA

19225

STATE OF MINNESOTA )  
COUNTY OF BENTON ) ss  
VILLAGE OF SAUK RAPIDS )

I, the undersigned, being the duly qualified and Acting Clerk of the Village of Sauk Rapids, Benton County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing copy of Ordinance No. 211, AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE VILLAGE OF SAUK RAPIDS AND INCORPORATE ADDITIONAL TERRITORY THEREIN, with the original thereof on file and of record in my office, and the same is a full, true and correct transcript of the Ordinance as passed by the Village Council in the date therein indicated.

WITNESS my hand as such Clerk and the official seal of said Village this 20th day of July, 1968.

W. N. Hollenbent

(SEAL)