

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert J. Ford	Vice-Chairman
Arthur R. Swan	Member
Edwin H. Thalman	Ex-Officio Member
Bernard F. Schneider	Ex-Officio Member

IN THE MATTER OF THE PETITION OF THE CITY OF CHASKA
FOR ANNEXATION OF CERTAIN ADJOINING UNINCORPORATED
TERRITORY IN THE TOWN OF CHASKA TO THE CITY OF
CHASKA, CARVER COUNTY, MINNESOTA.

APPEARANCES:

Julius C. Smith, Chaska, Minnesota, City Attorney for
the City of Chaska

Arthur H. Wagener, Waconia, Minnesota, Attorney for
the Town of Chaska

Russell H. Larson, First National Bank Building,
Minneapolis, Minnesota, Attorney for the Village of
Chanhassen

Larry L. Vickery, First National Bank Building,
Minneapolis, Minnesota, Attorney for M.A. Gedney Company

Julius A. Collier II, Shakopee, Minnesota, City Attorney
for the City of Shakopee

The petition for the annexation of certain adjoining
unincorporated territory therein described to the City of Chaska,
Carver County, Minnesota, came regularly on for hearing before the
Minnesota Municipal Commission in the Carver County Courthouse in
the City of Chaska on September 12, 1967, at 10:00 o'clock in the
forenoon. That pursuant to the consent of counsel for all parties
who had appeared, the Commission continued the hearing to October 17,
1967, at the same time and place. After receiving various motions
and petitions, and pursuant to consent of counsel for all parties
of record, the Commission continued the hearing to December 7, 1967,
at the same time and place. An additional hearing was held on January 10,
1968 at the Carver County Court House.

19767

At the reconvened hearing on December 7, 1967, at 10:00 A.M. in the Carver County Courthouse, evidence was taken, testimony heard, and certain exhibits were received. That pursuant to petition of 100% of landowners in a portion of the territory affected for annexation to the Village of Chanhassen, which petition was duly filed with the Commission on October 17, 1967, the Commission entered its order granting the annexation of said portion of the territory, as described in said petition, to the Village of Chanhassen.

The Commission having carefully considered all of the evidence, and upon all of the files and records, now makes and files the following FINDINGS OF FACT, CONCLUSIONS OF LAW, ORDER AND MEMORANDUM OPINION:

FINDINGS OF FACT

I

The petition of the City of Chaska for annexation of unincorporated land in Chaska Township was filed pursuant to and in compliance with Minnesota Statutes, Chapter 414; and that said petition was in all respects proper in form, content and execution, and was accompanied by the required resolution duly made by the said City of Chaska.

II

Notice of the hearing on the petition by the City of Chaska to annex the lands described in said petition was duly given as required by Statute. The Commission convened by lawful quorum at the scheduled hearing and all continuances thereof, and then and there announced the date to which such hearing was continued. All parties of record were present at, and participated in, the hearing and all continuances thereof.

III

The correct legal description of the unincorporated territory proposed by petitioner for annexation is as described in the Order herein.

IV

The land described in the Order herein is adjacent to the City of Chaska. The area of said land is approximately 228 acres. The number of residents within said area is approximately 287. The number and character of existing buildings are as follows: 12 residences, 84 mobile home trailers used for residences, 3 unattached garages, 1 shed, and a mobile home combination office and laundromat building with attached residence. The population of the City of Chaska according to the 1965 Mid-decennial U. S. Census was 3268; and its present estimated population is 3570. The population of the Town of Chaska according to the U. S. Census of 1960 was 233 persons.

V

The assessed valuation of the area described in the Order herein is approximately \$20,991.00. The assessed value of the City of Chaska is \$1,845,095.00, plus the assessed valuation of the territory annexed to the City of Chaska by Order of this Commission on December 15, 1966. The assessed valuation of the Town of Chaska is approximately \$208,553.00

VI

The petition for annexation is not motivated by revenue raising purposes. The taxes can reasonably be expected to increase in the annexed territory; however, the return in additional improvements of services available in the future from the City of Chaska to all property owners within the territory described in the Order herein are commensurate with any prospective increase in taxes.

VII

There are no existing municipal water, sewage collection, treatment or disposal facilities serving said area. Sewage disposal is by means of private cess pools and septic tanks. Water is supplied by individual wells, except within the mobile home trailer park in said area, wherein all mobile homes are served by one

private well. The Township of Chaska has no zoning or subdivision ordinances. Police protection is provided by the Sheriff of Carver County. Fire protection for said area is furnished under contract between individual owners and the City of Chaska. Chaska Township does not maintain a fire department. The Township has a constable.

VIII

That the territory described in the Order herein is now, or is potential residence, commercial and industrial property adjacent to the City of Chaska.

IX

That said area is or is about to become urban or suburban in character. That said area is within the metropolitan area and can reasonably be expected to participate in suburban growth.

X

That a substantial portion of the area constitutes a flood plain of the Minnesota River, which when considered with the interests of the area and the City of Chaska, compels the comprehensive and integrated zoning and flood plain protection and control provided only by municipal government.

XI

That it is to the best interests of the area described in the Order herein for annexation to the City of Chaska and said area will be best served by annexation to the City of Chaska; and that municipal government is essential for said area to protect the public health, welfare and safety with reference to present and future development of the area.

XII

The township form of government in Chaska Town is inadequate to cope with the problems of urban and suburban growth in the area described in the Order herein.

XIII

The areas described in the Order herein will enhance and provide for the orderly growth and development of the City of Chaska.

XIV

That there is an existing need for public sewer and water systems and other governmental services in those portions of the area described in the Order herein which are already developed, and the intervening and adjacent portions of said area will need such services as its anticipated development proceeds.

XV

The City of Chaska has public water and sewer systems, a volunteer fire department, light, police and street departments, a planning commission, an electrical distribution system, zoning and subdivision ordinances, a library, parks, summer recreational programs and other governmental services.

XVI

The most economical and efficient way to provide for the existing need for governmental services such as, but not limited to, sewer and water systems, is by extension of the existing facilities of the City of Chaska into the area described in said Order herein and thereby eliminating costly duplication of such facilities and services.

XVII

The City of Chaska provides electrical service to said area; and the City of Chaska is prepared to furnish sewer, water, police and fire protection, planning and other municipal services to said area.

XVIII

The annexation to the City of Chaska of the lands described in the Order herein is to the best interests of the City of Chaska and said territory.

XIX

The remaining unincorporated part of the organized Township of Chaska has the ability to continue township government and provide services comparable to those provided prior to the annexation without any undue hardship on the remaining residents.

XX

The tax rate for the City of Chaska for 1967 was 75.36 mills in the urban taxing district and 22.60 mills in the rural taxing district. The tax rate for Chaska Township in 1967 was 6.50 mills.

XXI

The City of Chaska and the area described in the Order herein have common county, state and school district taxes.

XXII

The Petitioner commenced and completed the census of the territory proposed for annexation on June 29, 1967.

CONCLUSIONS OF LAW

I

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

II

The area described in the Order herein is, or is about to become, urban and suburban in character.

III

The area described in the Order herein is so conditioned and so located as to be properly subjected to municipal government of the City of Chaska.

IV

The annexation of the territory described in the Order herein by the City of Chaska would be to the best interests of the City of Chaska and said territory.

V

Municipal government of the territory described in said Order herein is required to protect the public health, safety and welfare in reference to plain control and land development and construction which can reasonably be expected to occur within a reasonable time hereafter in said territory.

VI

There is an existing and reasonably anticipated need of governmental services, such as water system, sewage disposal, zoning, subdivision control, police and fire protection, in the area described in the Order herein.

VII

The township form of government is not adequate to cope with problems of urban and suburban growth in the territory described in the Order herein.

VIII

The City of Chaska can feasibly and practically provide for, and best serve, the need for governmental services presently required, and as they become necessary, in the territory described in the Order herein.

IX

That it is just and equitable in view of the value of the township property and the assessed value of all the taxable property in the Township, both within and without the area to be annexed, that all the Town property remain with the Town of Chaska.

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 21 1968
Jensen
Secretary of State

ORDER

The duly executed and filed petition for the annexation of certain adjoining unincorporated territory therein described to the City of Chaska, Carver County, Minnesota, came regularly on for hearing, after due notice thereof was given as required by law, in the Carver County Courthouse in the City of Chaska on September 12, 1967, at 10:00 o'clock A.M., and which was thereafter heard at reconvened hearing, after due notice given, on October 17, 1967, and on December 7, 1967 and January 10, 1968, at which times testimony was heard and evidence taken, and at said hearing on October 17, 1967, a portion of the land described in the petition was deleted from the petition, and upon all of the files and records herein, and the Commission being fully advised in the premises,

IT IS ORDERED, that the petition as amended for annexation by the City of Chaska, be, and the same is hereby approved as to the following described land, to-wit:

Beginning at the point of intersection of the West Line of Section Three (3), Township One Hundred Fifteen (115), Range Twenty Three (23), Carver County, Minnesota, and the Southeasterly right-of-way line of the Chicago, North Western Railroad (formerly the Minneapolis and St. Louis Railroad), which said point is 1795.7 feet, more or less, south of the Northwest corner of said Section Three (3); thence running Northeasterly along the Southeasterly right-of-way line of said Railroad to the North Line of said Section Three (3); thence easterly along the North Line of Sections Three (3) and Two (2), Township One Hundred Fifteen (115), Range Twenty Three (23), Carver County, Minnesota, to the Northeast corner of said Section Two (2); thence Southerly along the East Line of said Section Two (2) to the centerline of the Minnesota River; thence westerly along the centerline of the Minnesota River to the intersection of said centerline and the West Line of said Section Three (3); thence northerly along the West Line of said Section Three (3) to the point of beginning. Excepting therefrom the following five (5) tracts of land:

TRACT ONE

That part of the Northwest Quarter (NW $\frac{1}{4}$) of Section Three (3), Township One Hundred Fifteen (115), North, Range Twenty Three (23) West, Carver County, Minnesota, described as follows: Beginning at a point in the West Line of said Section Three (3) distant 1795.7 feet due South of the Northwest corner thereof, said point being in the Southeasterly right-of-way line of the Minneapolis & St. Louis Railroad; thence running

Northeasterly along said right-of-way line 997.8 feet; thence running due South parallel with the West line of said Section Three (3), 272.18 feet to a point in the centerline of the industry spur track, said point being the actual point of beginning of the tract of land to be described, said point also being in a curve having a radius of 694.69 feet, the radius point of said curve being South $46^{\circ} 57'$ East, 694.69 feet from said actual point of beginning; thence running northeasterly along the centerline of said industry spur track and along the arc of said curve to the right a distance of 89.72 feet to the end of said curve; thence running North $50^{\circ} 27'$ East tangent to said curve and along the centerline of said industry spur track 1270.56 feet to the beginning of a curve to the left having a radius of 599.39 feet; thence running Northeasterly along the arc of said curve to the left and along the centerline of said industry spur track, a distance of 307.21 feet to the end of said curve; thence running North $21^{\circ} 05'$ East tangent to said curve and along the centerline of said industry spur track, 151.69 feet to the beginning of a curve to the right having a radius of 532.18 feet; thence running Northeasterly along the arc of said curve to the right and along the centerline of said industry spur track 142.42 feet to its intersection with the Southeasterly right-of-way line of the Minneapolis & St. Louis Railroad, said point being 48.93 feet Southwesterly from the North Line of said Section Three (3) as measured along said Southeasterly right-of-way line; thence running Northeasterly along said Southeasterly right-of-way line 48.93 feet to a point in the North Line of said Section Three (3); thence running East along said North Line 146.4 feet, more or less, to the Northwest corner of the parcel of land conveyed to St. John's Evangelical Lutheran Church as recorded in Book 46 of Deeds, page 19, filed August 23, 1950; thence running South at right angles 593.85 feet, thence deflecting $53^{\circ} 47'$ to the right and running Southwesterly parallel with the Northerly right-of-way line of the Chaska and Shakopee Road, 150 feet; thence deflecting $53^{\circ} 47'$ to the left and running Southerly 175 feet to a point in the Northerly right-of-way line of the Chaska and Shakopee Road; thence running Southwesterly along said Northerly right-of-way line 1676.9 feet, more or less, to a point in a line drawn parallel with the West Line of said Section Three (3) from the actual point of beginning; thence running North along said parallel line 367.62 feet, more or less, to the actual point of beginning, excepting therefrom a strip of land 8.5 feet in width lying immediately South of and adjacent to the centerline of the industry spur track, said 8.5 foot strip of land being the right-of-way of said industry spur track. Said above-described tract of land containing 18.31 acres. For the purpose of this description the West Line of Section Three (3), Township One Hundred Fifteen (115) North, Range Twenty Three (23) West is considered to be a due North and South Line.

TRACT TWO

All that part of Section 2, Township 115 North, Range 23 West lying North of the centerline of the main channel of the Minnesota River.

TRACT THREE

All of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter

(NE $\frac{1}{4}$) of Section 3, Township 115 North, Range 23 West;

TRACT FOUR

All that part of Government Lot 1, Section 3, Township 115 North, Range 23 West lying North of the centerline of the main channel of the Minnesota River;

TRACT FIVE

All that part of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section 3, Township 115, Range 23 lying Northwesterly of a line drawn parallel with and distant 350 feet Southeasterly, measured at right angles thereto from the centerline of Old Shakopee Road as now constructed, except the Westerly 310 feet thereof, as measured at right angles to the West line of said Northwest Quarter of the Northeast Quarter, Carver County, Minnesota.

IT IS FURTHER ORDERED, that an election be held in the area so approved for annexation, on the question of whether or not the area so approved should be annexed to the City of Chaska, Minnesota.

IT IS FURTHER ORDERED, that such election shall be held on Tuesday, March 5, 1968, at the following place within the area approved for annexation;

The laundromat and community room of the main building in Riverview Mobile Home Park, Chaska Township, Carver County, Minnesota,

and the polls be open at said polling place from 7:00 o'clock A.M. to 8:00 o'clock P.M. on said date; that the following 3 voter residents of the area so approved for annexation shall act as election judges thereof: Otto Kohn, Mrs. Roland Johnson and Mrs. Mary Lapean;

with the following as alternate judges: Mr. Dale Berry, Emanuel Nelson and Mrs. Janet Lundgren,

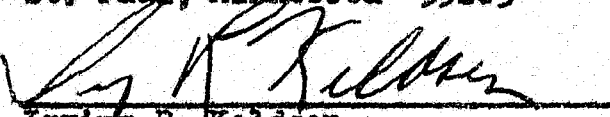
and that such election shall be conducted, so far as practicable, in accordance with the laws regulating the election of town officers. Only voters residing within the territory so approved for annexation shall be entitled to vote. The ballot shall bear the words "For Annexation" and "Against Annexation" with a square before each of the phrases in one of which the voter shall make a cross to make his choice. The ballots and election supplies shall be provided

and the election judges shall be paid by the annexing municipality, the City of Chaska.

IT IS FURTHER ORDERED, that the Secretary cause a copy of this ORDER approving the petition, as amended, including the notice of the election, to be posted not less than twenty (20) days before the 5th day of March, 1968, said election day, in three (3) public places in the area so approved for annexation, and shall cause notice of the election to be published in the Weekly Valley Herald, a newspaper qualified as medium of official and legal publication of general circulation in the area so approved for annexation, for two successive weeks before the 5th day of March, 1968, said election date.

Dated this 9th day of February, 1968.

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


Irving R. Keldsen
Secretary

#19767
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 21 1968


Joseph A. Lomen
Secretary of State

MEMORANDUM OPINION

On this date, the Municipal Commission has ordered that an election be held to determine whether an unincorporated area should be annexed to the City of Chaska and has thereby afforded the residents of the area to consider the opportunity of expressing their opinion and making a determination as to whether they should continue to remain unincorporated or whether they should be part of the City of Chaska.

The evidence in the case was perfectly clear that this island of unincorporated land is totally isolated from the balance of the township by the City of Chaska and the Village of Chanhassem. The record is clear that the Township of Chaska provides no urban services to the residents in the area; that the residents in the area must rely totally upon the county, the school district, or the City of Chaska for services. We are well aware of the fact that some of the residents in the area expressed the opinion that they would not need any services and therefore they should not have to be a part of the city and they would therefore oppose annexation.

The testimony of the expert witness for the City of Chaska supported the proposition that the residents in this area were in fact a part of the community of Chaska; that they carried on all the normal functions of any family living in a community within the community of Chaska, and it was his testimony therefore that they should be responsible for assuming the cost of maintaining the community and its services to the same degree that people who were within the city limits were required to support it. It is the Commission's position that there is logic to this argument and we support the proposition that all those people who are a part of a community and directly or indirectly have available to them the services of the community should be afforded the right and responsibility of controlling the development of these services

through our democratic process by election of the councilmen, mayor, and participating in the community activities that result in services being provided; and in addition to being afforded the opportunity to participate in the development of these services, they must assume the necessary cost of maintaining them. As the years have gone on and our society has become a more sophisticated society where the community or local government is being called upon to provide more and more services for its people, it becomes an absolute necessity that we cause logical areas to be merged into a governmental unit so that all the people affected may have this right and responsibility as above referred to. It is impossible in today's society for any of us within a community to logically take the position that what we do or don't do has no effect on our neighbors, and neighbors being in the context here of our community.

As communities we have become so interdependent in the governmental sense that it is imperative that we cause people in a situation such as the case at hand where the area concerned is an integral part of the city, to seriously consider their right and responsibility to be a part of the community of the City of Chaska. We recognize the difference in the mill rate. We recognize that if the people do become a part of the City of Chaska, that their taxes for local government will increase substantially. But it is our firm conviction that this is a responsibility that they have and that they will directly or indirectly gain the benefits that will be necessary to offset this additional cost.

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DEPARTMENT OF STATE
FILED
MAR 21 1968
Joseph A. Donovan
Secretary of State

CERTIFICATE OF JUDGES OF ANNEXATION ELECTION PURSUANT TO
M.S.A. SECTION 414.03 (SUBDIVISION 5) ON ELECTION HELD PURSUANT
TO ORDER OF THE MINNESOTA MUNICIPAL COMMISSION DATED FEBRUARY 9, 1968,
(ORDER NO. A-1178)

3-8-68

STATE OF MINNESOTA
COUNTY OF CARVER

TO: IRVING R. KELDSEN, SECRETARY, MINNESOTA MUNICIPAL COMMISSION.

Please take notice that the undersigned Judges of the election ordered by the Minnesota Municipal Commission by its Order dated February 9, 1968, (Order No. A-1178) do hereby certify that in compliance with said Order and M.S.A. Section 414.03 (Subdivision 5) requiring approval by a majority of the voters residing in the area described in said Order voting therein before said area is annexed to the City of Chaska, Minnesota, said voters at an election held on the 5th day of March, 1968, at the following place within the area designated in said Order, viz::

The laundromat and community room of the main building in Riverview Mobile Home Park, Chaska Township, Carver County, Minnesota,

the polls being open from 7:00/A. M. to 8:00 o'clock P.M., and said ballots cast thereat being duly counted and canvassed by the undersigned, did APPROVE the annexation as proposed by the Minnesota Municipal Commission by its Order dated February 9, 1968, (Order No. A-1178) by their votes cast as follows::

1. Number of votes for approval 85
2. Number of votes against approval 39

That the total number of votes cast at the election was 124.

Dated this 5th day of March, 1968.

Emmanuel T. Nelson
Mary M. Ladean
Mrs. Roland Johnson

STATE OF MINNESOTA
COUNTY OF CARVER

EMMANUEL NELSON, MARY LADEAN and Mrs. ROLAND JOHNSON, being sworn severally, each for himself, on his oath deposes and says:: That he is one of the election judges who executed the foregoing instrument; that he is one of the election judges who canvassed the election therein referred to; that he has read

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FILED
MAR 21 1968

Joseph L. Johnson
Secretary of State

the same and knows the contents thereof; that the matters stated therein are true to his knowledge, except such matters as are stated to be upon information and belief and as to those matters he believes them to be true.

Emmanuel T. Nelson

Mary M. Papas

Darlene (New Roland) Johnson

Subscribed and sworn to before me this
5th day of MARCH, 1968.

Julius C. Smith (SEAL)
Notary Public, Carver County, Minnesota
My Commission Expires JANUARY 14, 1971

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Joseph L. Johnson
Secretary of State

2-29-68

STATE OF MINNESOTA

COUNTY OF CARVER

SS

AFFIDAVIT OF POSTING

J. F. HALLORAN, being first duly sworn, on his oath says:

That he is now, and was at all times mentioned herein, the duly appointed City Clerk of the City of Chaska, Minnesota; that the attached Order of the Minnesota Municipal Commission, dated February 9, 1968, was, on the 13th day of February, 1968, duly posted by him or under his direct supervision in the following three places located in the area described in said Order, viz:

1. The power pole on the southerly right-of-way of Carver County Road No. 10 at the west entrance to Riverview Mobile Home Park;
2. The power pole on the northerly right-of-way of Carver County Road No. 10 at the main entrance to St. John's Lutheran Cemetery; and
3. The power pole on the southerly right-of-way line of Carver County Road No. 10 approximately 200 feet east of the intersection of said right-of-way line and the east corporate limits of the City of Chaska, Minnesota.

That in addition, a copy of said Order was, at the same time, posted in the polling places designated in said Order.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILE

MAR 21 1968

Secretary of State

J. F. Halloran
City Clerk
City of Chaska, Minnesota



STATE OF MINNESOTA
MUNICIPAL COMMISSION

459 Rice Street
St. Paul, Minnesota 55103

March 19, 1968

Secretary of State
St. Paul, Minnesota

Carver County Auditor
Court House, Chaska, Minnesota

Re: Chaska Annexation A-1178

(orig Petition not rec'd)


Gentlemen:

Enclosed please find for filing the following:

Certificate of Election Results
Original petition
Order affirming petition and ordering election
Original proofs of the posting of election notice
Annexation Order

Cordially,

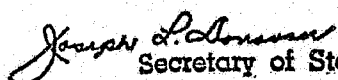
MUNICIPAL COMMISSION


Irving R. Keldsen
Secretary

IRK/pdl

Enclosures

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 21 1968


Joseph P. Johnson
Secretary of State

A-1178

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert J. Ford	Vice-Chairman
Arthur R. Swan	Member
Edwin H. Thalman	Ex-Officio Member
Bernard F. Schneider	Ex-Officio Member

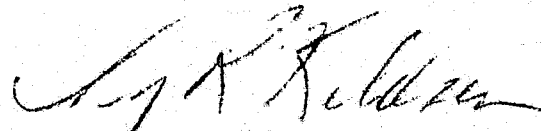
IN THE MATTER OF THE PETITION OF THE CITY OF CHASKA FOR
ANNEXATION OF CERTAIN ADJOINING UNINCORPORATED PROPERTY
IN THE TOWN OF CHASKA TO THE CITY OF CHASKA, MINNESOTA

Pursuant to Minnesota Statutes 414.03 and upon the evidence and record, the Findings of Fact, Conclusions of Law and Order for Election entered and filed on February 9, 1968, the election held on March 5, 1968, and the results of the election certified and filed on March 8, 1968, showing the vote to be 85 For Annexation and 39 Against Annexation, which is a majority For Annexation:


IT IS HEREBY ORDERED: That the area described in Minnesota Municipal Commission Order dated February 9, 1968, shall become a part of the City of Chaska, Carver County, Minnesota, effective the date of this Order.

Dated this 19th day of March, 1968

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



Irving R. Keldsen
Secretary

#19767
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 21 1968

Secretary of State

JUN 30 1967
Minnesota Municipal Commission
459 Rice Street
St. Paul, Minnesota 55103

RESOLUTION FOR ANNEXATION OF CERTAIN
UNINCORPORATED TERRITORY TO THE CITY
OF CHASKA.

WHEREAS, the City Council of the City of Chaska has received a Petition, for Annexation from a land owner presently not in the corporate limits of the City of Chaska, which said land is in the Town of Chaska, Carver County, Minnesota, and

WHEREAS, the City Council of the City of Chaska has considered the necessity, practicability, and advisability of annexing the lands described in the attached Petition into the City of Chaska, and to that end has discussed the planning, fiscal and engineering data relating thereto on which to base their decision, and

WHEREAS, it appears to the City Council that the land described in the attached Petition is, and is about to become, urban or suburban in character and is such as would lend itself to municipal government; and that municipal government for said area is necessary to protect the public health, safety and welfare in reference to land development and construction, and

WHEREAS, said City Council desires to facilitate the orderly development of the area to insure that the maximum potential of the area be realized by making available municipal service, and

WHEREAS, said City Council finds that the annexation of said area as proposed in the attached Petition to be to the best interest of the City of Chaska and in the best interest of the territory affected, NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHASKA, MINNESOTA: That the President of the City Council and the Mayor of the City of Chaska be, and hereby are, authorized and directed

to take all steps necessary to secure the annexation of the lands described in the attached Petition pursuant to Minnesota Statutes, Section 414.01 et seq, as amended.

Passed by the City Council of the City of Chaska this 29th day of June, 1967.

W. D. Dalke, Jr.
President of the City Council

Harold W. ...
Councilman

Frederic H. Kohn
Councilman

Clarence ...
Councilman

Robert ...
Councilman

Carl ...
Councilman

Edward R. ...
Councilman

Samuel ...
Councilman

Edward ...
Councilman

ATTEST:

J. J. ...
City Clerk

I hereby approve the foregoing Resolution this 29th day of June, 1967.

F. J. ...
City Mayor

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 21 1968

Joseph ...
Secretary of State

BEFORE THE MUNICIPAL COMMISSION OF THE STATE
OF MINNESOTA

In the Matter of the City of Chaska, Carver
County, Minnesota, for Annexation of certain
adjoining unincorporated territory now in the
Township of Chaska, Carver County, Minne-
sota, pursuant of M.S.A. chap. 414.01, et
seq.

TO: THE MUNICIPAL COMMISSION OF THE STATE OF MINNESOTA.

The City Council of the City of Chaska, County of Carver, State of Minne-
sota, hereby petitions the Municipal Commission of the State of Minnesota for its
order approving the annexation of adjoining unincorporated territory, all of which is
unplatted, to the City of Chaska, pursuant to M. S. A. Section 414.03 et seq.

BOUNDARIES

The land herein being petitioned for annexation to the City of Chaska is all
that part of Sections 2 and 3, Township 115, Range 23, Carver County, Minnesota,
that is presently within the Town of Chaska, which land is bounded by the following
described line, to-wit:

Beginning at the point of intersection of the West Line of Section
Three (3), Township One Hundred Fifteen (115), Range Twenty
Three (23), Carver County, Minnesota, and the Southeasterly right-
of-way line of the Chicago, North Western Railroad (formerly the
Minneapolis and St. Louis Railroad), which said point is 1795.7
feet, more or less, south of the Northwest corner of said Section
Three (3); thence running Northeasterly along the southeasterly
right-of-way line of said Railroad to the North Line of said Section
Three (3); thence easterly along the North Line of Sections Three
(3) and Two (2), Township One Hundred Fifteen (115), Range
Twenty Three (23), Carver County, Minnesota, to the Northeast
corner of said Section Two (2); thence Southerly along the East
Line of said Section Two (2) to the centerline of the Minnesota
River; thence westerly along the centerline of the Minnesota River
to the intersection of said centerline and the West Line of said
Section Three (3); thence northerly along the West Line of said
Section Three (3) to the point of beginning. Excepting therefrom
the following tract of land: That part of the Northwest Quarter
(NW $\frac{1}{4}$) of Section Three (3), Township One Hundred Fifteen (115),
North, Range Twenty Three (23) West, Carver County, Minnesota,

described as follows: Beginning at a point in the West Line of said Section Three (3) distant 1795.7 feet due South of the Northwest corner thereof, said point being in the Southeasterly right-of-way line of the Minneapolis & St. Louis Railroad; thence running Northeasterly along said right-of-way line 997.8 feet; thence running due South parallel with the West Line of said Section Three (3), 272.18 feet to a point in the centerline of the industry spur track, said point being the actual point of beginning of the tract of land to be described, said point also being in a curve having a radius of 694.69 feet, the radius point of said curve being South $46^{\circ} 57'$ East, 694.69 feet from said actual point of beginning; thence running Northeasterly along the centerline of said industry spur track and along the arc of said curve to the right a distance of 89.72 feet to the end of said curve; thence running North $50^{\circ} 27'$ East tangent to said curve and along the centerline of said industry spur track 1270.56 feet to the beginning of a curve to the left having a radius of 599.39 feet; thence running Northeasterly along the arc of said curve to the left and along the centerline of said industry spur track, a distance of 307.21 feet to the end of said curve; thence running North $21^{\circ} 05'$ East tangent to said curve and along the centerline of said industry spur track, 151.69 feet to the beginning of a curve to the right having a radius of 532.18 feet; thence running Northeasterly along the arc of said curve to the right and along the centerline of said industry spur track 142.42 feet to its intersection with the Southeasterly right-of-way line of the Minneapolis & St. Louis Railroad, said point being 48.93 feet Southwesterly from the North Line of said Section Three (3) as measured along said Southeasterly right-of-way line; thence running Northeasterly along said Southeasterly right-of-way line 48.93 feet to a point in the North Line of said Section Three (3); thence running East along said North Line 146.4 feet, more or less, to the Northwest corner of the parcel of land conveyed to St. John's Evangelical Lutheran Church as recorded in Book 46 of Deeds, page 19, filed August 23, 1950; thence running South at right angles 593.85 feet, thence deflecting $53^{\circ} 47'$ to the right and running Southwesterly parallel with the Northerly right-of-way line of the Chaska and Shakopee Road, 150 feet; thence deflecting $53^{\circ} 47'$ to the left and running Southerly 175 feet to a point in the Northerly right-of-way line of the Chaska and Shakopee Road; thence running Southwesterly along said Northerly right-of-way line 1676.9 feet, more or less, to a point in a line drawn parallel with the West Line of said Section Three (3) from the actual point of beginning; thence running North along said parallel line 367.62 feet, more or less, to the actual point of beginning, excepting therefrom a strip of land 8.5 feet in width lying immediately South of and adjacent to the centerline of the industry spur track, said 8.5 foot strip of land being the right-of-way of said industry spur track. Said above-described tract of land containing 18.31 acres. For the purpose of this description the West Line of Section Three (3), Township One Hundred Fifteen (115) North, Range Twenty Three (23) West is considered to be a due North and South Line.

AREA, RESIDENTS AND BUILDINGS

The area of the land above-described is 606.44 acres. The number of actual residents within the territory is 301, of which 196 are adults. The number and character of existing buildings are as follows:

Buildings used for residences	14
Mobile home trailers used for residences	84
Garages, unattached	3
Sheds	3
Mobile home park combination office, and laundromat (part of building also used for residence)	1
	—
	105

EXISTING FACILITIES

There are no existing municipal water systems in the territory above-described. All of the property is served by individual wells, except the mobile home park is served by an interior water system supplied by the M. A. Gedney Company. There is no municipal sewage collection, disposal and treatment facilities serving said area. The area does contain a private treatment facility for use by M. A. Gedney Company. All property in the area is served by private cesspools and septic tanks. The City of Chaska has an existing water system, including water treatment and storage facilities, and an existing sewerage system, including collection network and primary and secondary treatment facilities.

The Township of Chaska has no zoning ordinance or major development plan. Said Township has no subdivision regulations; however, all plats in said Town would be controlled by the subdivision regulations of Carver County.

Fire protection for said area above-described is provided, for the most part, by annual contracts between individual owners and the City of Chaska Fire Department. The Town of Chaska has no fire fighting equipment. Electrical service to almost all of the buildings and mobile homes in the area is municipal power service of the City of Chaska.

Police service for the above-described area is provided, as throughout the other unincorporated areas of Carver County, by the Sheriff of Carver County. The Town does have a constable.

CHARACTER OF LAND

The City Council of the City of Chaska believes that the area above-described is, or can be reasonably expected within a reasonable time to become, urban or suburban in character, and that such area would lend itself to municipal government. Said Council further believes that municipal government for said area is necessary to protect the public health, safety and welfare in reference to land development and construction and that the maximum potential of said area could be realized by making available municipal services.

MISCELLANEOUS

The City of Chaska has a population of 3268 according to the 1965 Federal Census. The present population is estimated to be 3570. The area of the City of Chaska is approximately 10,157 acres. The City of Chaska has a five man police department; library, various parks, summer recreation programs, municipal solid waste disposal area; sewer, water, electric and street department services and facilities. The assessed valuation of the City of Chaska, according to the last official assessment, is \$1,941,495. The assessed value of the area of Chaska Township above-described is \$26,242. The City of Chaska has established, by ordinance, a rural taxing district whereby undeveloped parcels of over ten acres presently used for agricultural purposes are taxed at 30% of the City's urban tax rate.

That numerous dwelling units have been moved into and erected in said area during the last five years, and such growth, it is believed, shall continue. The area contains a large flood plain area adjacent to the Minnesota River which should be properly zoned and controlled to preserve the same and prohibit construction therein subject to flood damage

foregoing Census; that said Census was taken on June 29, 1967; that they have read the foregoing Census and know the contents thereof; and that the same is an accurate census.

Thodore R. Rahn

Paul J. Murphy

Richard C. Smith

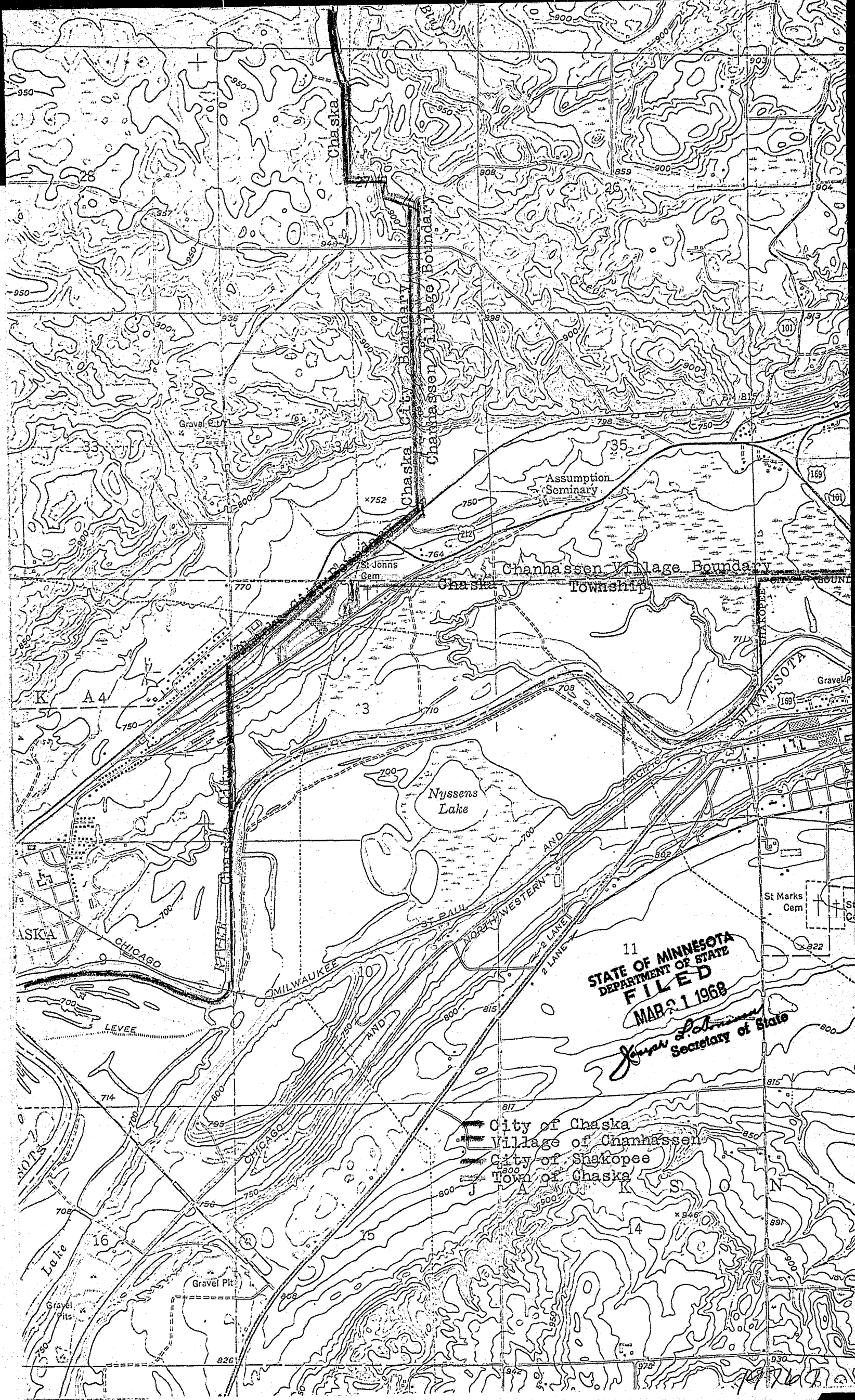
Melvin Ehlers

Subscribed and sworn to before me this 30th day of June, 1967.

Mary Ann Manteuffel
Mary Ann Manteuffel, Notary Public,
Carver County, Minnesota.
My commission expires January 7, 1969.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 21 1968

Joseph L. Johnson
Secretary of State



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STATE OF MINNESOTA
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MAR 21 1968
James P. Johnson
Secretary of State

- City of Chaska
- ▣ Village of Chanhasen
- ▨ City of Shakopee
- ▧ Town of Chaska