



Phone: 221-2428

STATE OF MINNESOTA
MUNICIPAL COMMISSION

610 Capitol Square Building
10th & Cedar Streets
St. Paul, Minnesota 55101

November 19, 1968

Mr. Joseph Donovan
Secretary of State

Mr. Carl Onischuk
Dakota County Auditor

Re: Apple Valley Incorporation I-17

Gentlemen:

In accordance with Minnesota Statutes 414.02, Subd. 4, the Municipal Commission files herewith copies of the attached documents:

Certificate of Election #1
Petition for Incorporation #2
Municipal Commission Order #3
Proofs of Posting and Publishing #4
Incorporation Order #5

I hereby certify that the attached copies are true and correct copies of the originals.

Very truly yours,

Bruce Rasmussen

Bruce Rasmussen
Secretary

BR/pdl

Enclosures

#20301
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

NOV 20 1968 - 8:00 am

Joseph P. Donovan
Secretary of State

20301

CERTIFICATE OF RESULTS OF ELECTION

NOV 18 1968

We, the undersigned, being all of the judges of election appointed by the order of the Municipal Commission of the State of Minnesota dated September 30th, 1968, ordering an election on the question of incorporation as a village in the Town of Lebanon, Dakota County, Minnesota, hereby certify as follows:

1. That said election was held on the 5th day of November, 1968 at the Town Hall in the Town of Lebanon, Dakota County, Minnesota, and that the polls were open from 7:00 o'clock A.M. to 8:00 o'clock P.M.
2. That we have canvassed the ballots cast at said election, which ballots were in the form attached hereto as Exhibit A and incorporated herein by reference.
3. That the ballots cast were as follows:
 - A. On the question of incorporation as a village:
For incorporation 1785 Against incorporation 361
Spoiled or defective ballots 24
 - B. On the question of whether or not optional Plan A (modifying the standard plan by providing for the appointment by the counsel of the Clerk and Treasurer) should be adopted as the form of government for the new village?
Yes 1598 No 491 Spoiled or defective ballots 81
 - C. On the question of the name for the new village if the incorporation is successful:
Lebanon Valley 757 Apple Valley 1376
Spoiled or defective ballots 37

DATED this 5th day of November, 1968.

Stephen Delaney
Stephen Delaney

John D. Natwick
John D. Natwick

Cobby S. Caputo
Cobby S. Caputo

James Niesen
James Niesen

Marilyn Chandler
Marilyn Chandler

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

Cecelia Strunk
Cecelia Strunk -
Lebanon Town Clerk
Lebanon Township, Dakota County, Minnesota

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STATE OF MINNESOTA

MUNICIPAL COMMISSION

2-28-66

IN THE MATTER OF THE PETITION OF CERTAIN FREEHOLDERS
FOR INCORPORATION OF THE TOWNS OF ROSEMOUNT AND LEBANON
AND PARTS OF THE TOWNS OF LAKEVILLE AND EMPIRE AS:

" THE CITY OF ROSEMOUNT "

Your petitioners hereby respectfully represent and state to the
Municipal Commission of the State of Minnesota:

1. That the area included in this petition is legally
described as follows:

A. All of Sections 7, 8, 9, 10, 11, 12, 13, 14, 15,
16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28,
30, 31, 32, 33, 34, 35 and 36 in Township 115, Range
19 and Sections 7, 16, 17, 18, 19, 20, 21, 28, 29, 30,
31, 32 and 33 of Township 115, Range 18, except the
Village of Rosemount and the Village of Coates, also
known as Rosemount Township.

B. All of Sections 9, 10, 11, 12, 13, 14, 15, 16, 21,
22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36; and the
East one-half of Sections 8, 17, 20, 29 and 32, except
that part of Sections 8, 9, 16, 17 and 20 that lie North
of the North right of way line of Minnesota Trunk Highway
35E as finally established; all in Township 115, Range
20, also known as Lebanon Township.

C. Sections 1, 2, 3, 4, 9, 10, 11 and 12 and the East
one-half of Sections 5 and 8 in Township 114, Range 20,
being part of Lakeville Township.

D. All of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,
12, 13, and 14, except the Village of Coates, in Township
114, Range 19, being part of Empire Township.

2. That no part of said area is included in any other
incorporated municipality.

3. That said area, hereinafter referred to as the City of
Rosemount, contains a resident population of 5550 persons as shown by the

attached Metropolitan Planning Commission estimate, which is hereby incorporated into this petition by reference.

4. That the City of Rosemount contains 35,442 acres of land divided as follows:

A. Unplatted Land 34,376

B. Platted Land 1066

5. That the assessed valuation of the City of Rosemount as per the assessment made in the year 1965 is as follows:

A. Assessed value of unplatted land \$5,256,107.00

B. Assessed value of platted land \$1,231,836.00

6. That the number of actual residents of The City of Rosemount is 5550

7. That the proposed name for the area, if this petition is granted, is:

" THE CITY OF ROSEMOUNT "

8. That a brief description of existing public facilities in said area is as follows:

A. Water - Public Water System owned by Lebanon Township, Public Water System owned by Rosemount Township.

B. Sanitary Sewage Disposal - Public sewer system owned by Lebanon Township, no other sanitary sewage disposal facilities, except those owned by the Village of Rosemount and the University of Minnesota.

C. Fire Protection - Presently provided on a contract basis by the Village of Rosemount Fire Department, Lebanon Township and Rosemount Township each have projects in progress for the organization of volunteer fire departments.

D. Police Protection - Presently provided in Lebanon Township by a Township police force and for the area by the Dakota County Sheriff's Office.

9. That attached hereto and incorporated herein by reference is a map setting forth the boundaries of the City of Rosemount as hereinbefore described.

10. That the City of Rosemount is, or is about to become, urban or suburban in character.

11. That the signatories hereon are all freeholders of the area proposed to be incorporated and residents residing within the boundaries thereof.

WHEREFORE, your petitioners pray that a hearing be held on this petition as provided by law and that the City of Rosemount be incorporated pursuant to Minnesota Statute 414.02.

Your petitioners further pray that in the event the Commission orders an election pursuant to this petition, said order shall include the following provisions:

A. The establishment of seven wards, and providing for the election of one trustee from each of said wards, in order to accord proper representation in the municipality, because of uneven population density and the existence of agricultural lands therein.

B. Submitting "optional plan A" to the voters (a plan modifying the standard plan by providing for the appointment by the council of the clerk and treasurer.)

DATED this 28th day of February, 1966.

This Petition must be signed by at least one hundred freeholders who are residents of the area to be incorporated, pursuant to Minnesota Statute 414.02 (1).

Paul C. Fiedler
John C. Fiedler
Dennis P. O'Connell
Audrey E. Corvill
John J. Corvill
Gladys Teig
Carroll P. Teig
Neil J. Teig
Helen D. Teig
Dorothy Teig
Carole F. Teig

Mrs. Catherine Fiedler
Roger L. Fiedler
Milburn Corvill
Maudie Corvill
John Ridley
Art W. Fiedler
Dorothy W. Fiedler
Kathleen Fiedler
Dorothy C. Fiedler
Grace E. Fiedler
Gerald K. Fiedler
Donald H. Fiedler
E. James Fiedler
Art Fiedler
Art Fiedler

Ronald E. Wiedman

R D Skagen

Anne Skagen

Margaret Mitchell

Mrs. E. W. M. Island

Mr. Bill Person

Mrs. Bill Person

Don H. Reese

Mrs. Don Reese

Jim Shup

Wanda Shup

Peggy A. Holcather

Jack Holcather

C. William Ireland

Charles R. Johnson

John H. Johnson

Mrs. Beverly Dean

Arthur B. Emerson

Roy F. Simon

Jim Simon

Mrs. Roy Simon

Vesta Development Inc

by A. J. Eaton Pres.

Palomares Development Inc

by A. J. Eaton Pres.

Clarence W. Nelson

Mrs. Clarence W. Nelson

and A. J. Eaton

Mayla Hester

Beverly Hester

Ronald Matson

Herbert C. Bouch

Joyce M. Bouch

J. H. Brown

Kathleen Brown

Jimmy D. McCann

Joyce E. Fox

Richard D. Tuttle

Phyllis Fisk

Jo Fisk

Carol McCann

Ellen Schrader

Jacqueline Steffen

Quade Langworthy

Sherry King

Jack King

Charles Crawford

Opal Crawford

Tom Horda

Lee R. Horda

James Horda

Michael Horda

Walter Horda

James R. Horda

James R. Horda

James R. Horda

Charlotte Fitzpatrick

Ken G. Hansen

Elsa Hansen

Daniel J. Hansen

Eleanor S. Hansen

Myrtle E. Olson

Frank E. Buckman

Joseph V. Nelson

Leander Johnson

John Peterson

John Peterson

John Peterson

Mr. Jerry A. Markola

Mr. Herman S. Sjöberg

Mr. Martin L. Stubb

Mr. Robert H. Jones

John H. Hansen

Bill Stike

Rodney K. Hanson

John H. Hansen

John H. Hansen

Richard O. Nelson

John D. Jones

Carl O. Jones

Robert E. Jones

John H. Hansen

John H. Hansen

Richard A. Carpenter

Reuben Carpenter

William C. Hansen

Margaret A. Hansen

Erwin W. Ulrich

Irma E. Ulrich

Mrs. L. E. Erickson

James C. Nelson

Patricia A. Nelson

R. J. Mahon

Ann Mahon

Theodore P. Gross

Martine J. Gross

Wayne C. Black

James C. Baker

John H. Hansen

John H. Hansen

Ellen H. Hansen

Edmund C. H. Hansen

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METROPOLITAN PLANNING COMMISSION

ESTIMATE OF POPULATION

The Metropolitan Planning Commission hereby certifies that the estimated population of the area described in the attached Petition, according to the latest information presently available is 5550 persons.

DATED at Saint Paul, Minnesota this 24 day of February, 1966.

METROPOLITAN PLANNING COMMISSION

By

Charles J. Maranda

#20301
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

NOV 20 1968 - 8:00 am

Joseph L. Johnson
Secretary of State

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert J. Ford	Vice-Chairman
Arthur R. Swan	Member
Patrick Scully	Ex-Officio Member
Thomas Prieling	Ex-Officio Member

IN THE MATTER OF THE PETITION OF CERTAIN FREE HOLDERS
FOR INCORPORATION OF THE TOWNS OF ROSEMOUNT AND LEBANON
AND PARTS OF THE TOWNS OF LAKEVILLE AND EMPIRE AS: "THE
CITY OF ROSEMOUNT"

The above entitled matter came on for hearing before the
Minnesota Municipal Commission, following the receipt of the above
petition.

Hearings on said petition before the Commission were duly
held pursuant to law.

And the Commission having duly considered the testimony of
the witnesses, the exhibits received in evidence, the arguments of
counsel and all of the files and records herein, hereby makes
and enters the following:

FINDINGS OF FACT

1. That the following described land, presently known as
the Town of Lebanon, Dakota County, Minnesota, all of which is
included in the above petition, is, or is about to become urban
and/or suburban in character:

All of Sections 9, 10, 11, 12, 13, 14, 15, 16, 21,
22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36; and
the East one-half of Sections 8, 17, 20, 29, and 32,
except that part of Sections 8, 9, 16, 17, and 20
that lie North of the North right-of-way line of
Minnesota Trunk Highway 35E as finally established;
all in Township 115, Range 20, Dakota County, Minnesota.

2. The population of said area, hereinafter referred to as
"Lebanon" is 5,143 people.

3. That the area of Lebanon is as follows:

Platted Land	800 acres
Unplatted Land	10,600 acres
TOTAL	11,400 acres

4. That the population of Lebanon has increased from 585
people in 1960 to 5,143 people in 1967 and that prospectively the
increase in population will continue at an accelerated rate.

5. That the assessed value of Lebanon is as follows:

Platted Land	\$182,186.00
Unplatted Land	<u>\$420,812.00</u>
TOTAL Assessed Value	<u>\$602,998.00</u>

6. That Lebanon presently has a municipal sanitary sewer system, a municipal water system, adequate zoning, adequate street planning and police and fire protection, but that continued expansion of these facilities can better be accomplished under the municipal form of government.

7. That the Township form of government will not continue to be adequate to cope with the urban and suburban growth problems in Lebanon.

8. That the name "City of Rosemount" may prove confusing to the residents of the area because of the existing Village of Rosemount and Town of Rosemount situated immediately East of and abutting on Lebanon, and that it is desirable to select a name as hereinafter provided.

WHEREUPON THE COMMISSION FINDS AS:

CONCLUSIONS OF LAW

1. That the petition hereinbefore described should be granted as it relates to the following described land, being the present Town of Lebanon, Dakota County, Minnesota:

All of Sections 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36; and the East one-half of Sections 8, 17, 20, 29, and 32, except that part of Sections 8, 9, 16, 17, and 20 that lie North of the North right-of-way line of Minnesota Trunk Highway 35E as finally established; all in Township 115, Range 20, Dakota County, Minnesota.

2. That the name of the new village should be either "Lebanon Valley" or "Apple Valley", the selection to be made as hereinafter provided.

ORDER

IT IS HEREBY ORDERED:

1. That the petition hereinbefore described may be and hereby is granted as to the following described land, now known as the Town of Lebanon, Dakota County, Minnesota.

All of Sections 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 27, 28, 33, 34, 35, and 36; and the East one-half of Sections 8, 17, 20, 29, and 32, except that part of Sections 8, 9, 16, 17, and 20, that lie North of the North right-of-way line of Minnesota Trunk Highway 35E as finally established; all in Township 115, Range 20, Dakota County, Minnesota.

2. That an election shall be held pursuant to Minnesota Statutes 414.02 to vote on the proposal of whether or not said area shall be incorporated, and that the ballots for said election shall bear the words, "For Incorporation" and "Against Incorporation" with a square before each of the phrases in one of which the voter shall make a cross to express his choice; that the ballot shall also contain the proposal of whether or not optional Plan A shall be adopted as the form of government for the Village and that the ballot shall bear the words "If the incorporation is successful, should optional Plan A, (modifying the standard plan by providing for the appointment by the counsel of the clerk and treasurer) be adopted as the form of government for the new village? Yes No And that the ballot shall also contain the following proposal for the new name of the village: "If the incorporation is successful should the name of the new village be "Lebanon Valley" or "Apple Valley", with a square before each proposed name, in one of which the voter shall make a cross to express his choice.

3. That such election shall be held on the 5th day of November, 1968, at the Town Hall of the said Town of Lebanon; and that the hours of said election shall be from 7:00 o'clock A.M. to 8:00 o'clock P.M.

4. That insofar as practicable, the election shall be conducted in accordance with the laws regulating the election of Town officers.

5. That the following persons are hereby appointed as election officials:

JUDGES

Stephen Delaney	Rosemount, Minnesota
John D. Natviak	Rosemount, Minnesota
Cobby Caputo	Rosemount, Minnesota
James Nicson	Rosemount, Minnesota
Marilyn Chamller	Rosemount, Minnesota

CLERKS

Cecilia Strunk
Janet Fischer

Rosemount, Minnesota
Rosemount, Minnesota

6. That the ballots, election supplies, posting and publishing shall be provided and paid for by the petitioners.

7. That the petitioners shall cause a copy of this order to be posted not later than 20 days before the election in three public places within the area proposed for incorporation and shall cause notice of the election to be published two successive weeks in a newspaper, qualified as a medium of official and legal publication of general circulation in the area proposed for incorporation.

DATED this 30th day of September, 1968.

MINNESOTA MUNICIPAL COMMISSION
610 Capitol Square Building
Saint Paul, Minnesota 55101

By

Irving R. Keldsen - Secretary

#2030/
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

NOV 20 1968 - 8:00 am

James A. Schumacher
Secretary of State

I-23M
I-17
A-1169

MEMORANDUM

The Commission, in analyzing the great mass of testimony and exhibits placed into the record by able counsel, was faced with certain issues in regard to the creating of municipalities in Dakota County which is probably the fastest growing county in population in the State of Minnesota. It is admittedly difficult in studying the problems of urbanization to balance all aspects of the planning concept of an adequate tax base and the proper "mix" of industrial, commercial, high density residential and residential areas with the socio-economic problems of government and areas of interest. It is the feeling of the Commission that it is not wise to create a municipality which encircles and thus in effect "strait-jackets" another municipality. The Commission has the responsibility of evaluating testimony to determine the present status of any given area and its immediate need for the municipal services as well as exploring the predicted and projected development, as testified to by planners and other experts, to determine future growth in order to make a judgment as to whether the future growth can be predicted with any degree of accuracy. This involves determining whether the urbanization, present or projected, is sufficient to demand a municipal form of government.

In the creation of new cities, if the circumstances indicate that there are factors which in the near future can vitally affect growth and projection figures and that the very forming of a municipality might well preclude orderly growth, then we believe that it is our responsibility to refuse the incorporation until such time as the development in the area becomes more predictable and more stable, while at the same time structuring a governmental unit that is viable for present needs.

There are several things that have come to the attention of the Commission that would very readily affect the growth and structure of this area which are not yet definable. It has come to our attention, through testimony and through other sources, that the property owned by the University of Minnesota, some 8,000 acres, this under ownership by a public body, has been under consideration for development in many ways. First, it is a part of the record, we believe, that at one time in the not too far distant past it was given major consideration for a huge atomic reactor plant. Various other major uses have been suggested for this property. It is our understanding that in the foreseeable future some definite plans will be made for the use of this property which may affect the development of the area. Second, a major airport is going to be constructed in the metropolitan area and the present plans and recommendation of the staff of the Metropolitan Airport Commission are that the airport be located north of the Twin Cities. The Metropolitan Council has requested that the Metropolitan Airport Commission wait until November 1, 1968, to make a judgment as to where the airport should be located. Substantial public sentiment as well as expert opinion favor the location of a major airport site south of the Twin Cities. If this possibility occurred, the growth factors in Rosemount Township would be significantly affected. Third, Dakota County has under consideration the development of a major park in the northwesterly part of Rosemount Township which, if it became a reality, would likewise affect the type of growth and expansion of housing that would occur in the township.

It is the considered judgment of the Commission that Lebanon is urban in character and in need of municipal services. Therefore, we are by this order allowing the people residing in Lebanon Township to decide whether they wish to be governed by a municipal corporation. Secondly, it is the judgment of the Commission that Lebanon Township as it now exists and as it is predicted to grow, is not large enough nor adequate for a predictable tax base to become the viable force in the metropolitan complex of government that it should be. Therefore, we do not believe that the area that we are allowing to incorporate by this order is the final and best solution to the size of government that should exist in this area. This order is a solution to an immediate problem with an eye towards an ultimate solution at a later date when the above factors have been resolved.

With this conclusion in mind we are hereby asking the Metropolitan Council Staff Planning Department and the Planning Department of Dakota County to continue to study and keep abreast of developments within and around Rosemount, Eagan, Lebanon and Empire Townships in making their advice available to the people in these areas so that the people that are residents in these areas can be responsive to these developments as they may arise and involve the judgment of the Commission at any future time as the need might dictate. By altering the boundary lines of the proposed City of Rosemount to include only Lebanon Township and further by denying the petition to merge Rosemount Township with Rosemount Village, we are thus making available the opportunity to adjust to developments in the area as they progress.

The Commission has concluded further that the Village of Rosemount as it now exists should be prepared to be a part of a new and larger community within the foreseeable future.

For the reasons here delineated, we feel that our determination prevents any premature undertaking, allows study of the future of Lebanon Township in conjunction with the development of adjacent townships so that appropriate measures could occur within the foreseeable future, resulting in a final judgment that could be made at the proper time with no hardship occurring through delay.

4

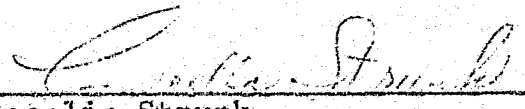
NOV 18 1968

STATE OF MINNESOTA)
 : ss
COUNTY OF DAKOTA)

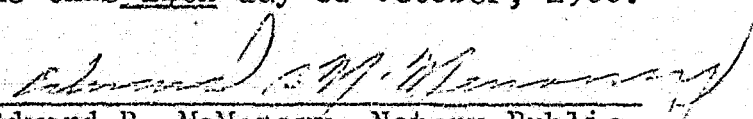
AFFIDAVIT OF POSTING NOTICE OF
ELECTION AND ORDER

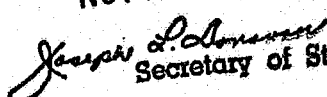
Cecelia Strunk being duly sworn, deposes and says that
on the 14th day of October, 1968, she posted a notice of
special election and order of the Minnesota Municipal Commission,
a true and correct copy of which notice and order is hereto
attached, at each of the following three (3) public places in
the Town of Lebanon, Dakota County, Minnesota:

One at the Town Hall on Cedar Avenue,
One at County Road 42 and Cedar Avenue, and
One at County Road 42 and Garden View Drive


Cecelia Strunk

Subscribed and sworn to before
me this 14th day of October, 1968.


Edward B. McMenomy, Notary Public
Dakota County, Minnesota
My Commission expires December 17th, 1973

#2030/
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 20 1968 - 8:00 am

Secretary of State

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA }
County of Dakota } SS

NOV 18 1968

LEGAL NOTICE

**NOTICE OF SPECIAL ELECTION
TOWN OF LEBANON
DAKOTA COUNTY, MINNESOTA**

NOTICE is hereby given that a special election has been ordered by the Municipal Commission of the State of Minnesota, pursuant to Minnesota Statutes 414.02 to vote on the proposal of whether or not the following described area, now known as The Town of Lebanon, Dakota County, Minnesota, shall be incorporated as a village:

All of Sections 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 27, 28, 33, 34, 35, and 36; and the East one-half of Sections 8, 17, 20, 29, and 32, except that part of Sections 8, 9, 16, 17, and 20, that lie North of the North right-of-way line of Minnesota Trunk Highway 35E as finally established; all in Township 11S, Range 20, Dakota County, Minnesota.

NOTICE is further given that said election shall be held on the 5th day of November, 1968 at the Town Hall in the said Town of Lebanon and that the hours of said election shall be from 7:00 o'clock A.M. to 8:00 o'clock P.M.

NOTICE is further given that only voters residing within the above described territory shall be entitled to vote at said election.

NOTICE is further given that, in addition to voting on the question of incorporation as a Village, the following questions will also appear on the ballot:

- A. "If the incorporation is successful, should optional Plan A, (modifying the standard plan by providing for the appointment by the council of the clerk and treasurer) be adopted as the form of government for the new village? Yes ☐ No ☐
- B. "If the incorporation is successful should the name of the new village be "Lebanon Valley" or "Apple Valley"

DATED this 14th day of October, 1968.

MINNESOTA MUNICIPAL
COMMISSION
610 Capitol Square Building
St. Paul, Minnesota 55101
By Bruce Rasmussen
Secretary

23-34

EUGENE CLAY, being duly sworn, on oath says he is and during all the times herein stated has been the co-publisher and co-printer of the newspaper known as Dakota County Tribune and has full knowledge of the facts herein stated as follows: Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. Said newspaper is a weekly and is distributed at least once each week. Said newspaper has 50 per cent of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75 per cent of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. Said newspaper purports to serve the Villages in the County of Dakota and it has its known offices of issue in the Villages of Farmington, Rosemount, Burnsville, and Lakeville established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the co-publishers or persons in their employ and subject to direction and control during all such regular business hours and devoted exclusively during such regular business hours to the business of the newspaper and business related thereto. Said newspaper files a copy of each issue immediately with the State Historical Society. Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below. Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the co-publisher and sworn to before a notary public stating that the newspaper is a legal newspaper.

He further states on oath that the printed Legal

hereto attached as a part hereof was cut from the columns of said newspaper, and was printed and published therein in the English language, once each week,

for 2 successive weeks; that it was first so published

on Thursday, the 17th day of Oct 19 68 and was thereafter printed and published on every Thursday to and including Thursday

the 24 day of Oct 19 68 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledge as being the size and kind of type used in the composition and publication of said notice, to wit:

abcdefghijklmnopqrstuvwxyz

abcdefghijklmnopqrstuvwxyz

Eugene Clay

Subscribed and sworn to before me this 24 day of Oct 19 68

Joyce L. Clay
Notary Public, Dakota County, Minnesota

My commission expires Jan 14 19 72

#20301
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 20 1968 - 8:00 am
Joseph A. Lamm
Secretary of State

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson
Robert J. Ford
Arthur R. Swan
Patrick Scully
Thomas Freiling

Chairman
Vice-Chairman
Member
Ex-Officio Member
Ex-Officio Member

IN THE MATTER OF THE PETITION OF CERTAIN FREEHOLDERS FOR INCORPORATION OF
THE TOWNS OF ROSEMOUNT AND LEBANON AND PARTS OF THE TOWNS OF LAKEVILLE AND
EMPIRE AS: "THE CITY OF ROSEMOUNT"

INCORPORATION ORDER

The Minnesota Municipal Commission met on the 18th day of November, 1968,
at 10 o'clock A.M. at 610 Capitol Square Building, 10th and Cedar Streets,
St. Paul, Minnesota, to canvass the results of the election in the above
entitled matter held on November 5, 1968, as a result of an order of the
Commission dated September 30, 1968. The canvass showed that all statutory
requirements had been met and that the incorporation had been favorably passed
on by the electors, by a vote of 1,785 For Incorporation and 361 Against
Incorporation. The canvass also showed 1,598 Votes for Optional Plan A
as the form of government for the new village and 491 Votes Against Optional
Plan A Government. The canvass further showed 1,376 Votes For the name
"Apple Valley" as the name of the new village and 757 Votes For the Name
"Lebanon Valley."

On the basis of the foregoing findings, and on the basis of all of the
files and records herein:

IT IS HEREBY ORDERED:

1. That the land described in the order of the Minnesota Municipal
Commission dated September 30, 1968, may be and hereby is incorporated as
a Village, with the effective date of said incorporation to be January 1,
1969.
2. That the name of said Village shall be "Apple Valley."
3. That Optional Plan A (modifying the standard plan by providing for
the appointment by the Council of the Clerk and Treasurer) be, and hereby is,

adopted as the form of government for the Village of Apple Valley.

4. That the election officials hereinafter named shall proceed forthwith under Minnesota Statutes 412.021 to set an election for first officers of the Village, said election to be held on December 17, 1968, between the hours of 7:00 o'clock A.M. and 8:00 o'clock P.M. at the Lebanon Town Hall for the following terms: All terms begin January 1, 1969.

<u>Office</u>	<u>Term Expires the First Business Day of January of the Indicated Year</u>
Mayor	1970
Constable	1970
Justice of the Peace	1970
Constable	1971
Justice of the Peace	1971
Councilman	1970
Councilman	1971
Councilman	1971
Councilman	1972

5. That the election officials named in the Order of the Municipal Commission, dated September 30th, 1968, shall be in charge of the conduct of said election.

6. That a copy of this order be filed with the Secretary of the State and Dakota County Auditor, pursuant to Minnesota Statutes 414.02.

Dated this 19th day of November, 1968

MINNESOTA MUNICIPAL COMMISSION
610 Capitol Square Building
St. Paul, Minnesota 55101

Bruce Rasmussen

Bruce Rasmussen
Secretary

#20301
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 20 1968- 8:00 am
James A. Salomon
Secretary of State

20301