



Phone: 221-2428

STATE OF MINNESOTA
MUNICIPAL COMMISSION

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

December 6, 1968

✓ Secretary of State
Freeborn County Auditor
City of Albert Lea
Township of Bancroft
Township of Albert Lea

Re: Albert Lea Annexation A-1392

Gentlemen:

Enclosed please find for filing the following documents effecting the annexation of certain land to the City of Albert Lea:

1. Election Certificate
2. Petition
3. Order of Municipal Commission affirming Petition and Order
4. Proof of Posting of Election Notice

Very truly yours,

MUNICIPAL COMMISSION

Bruce Rasmussen
Secretary

BR/pdl

Enclosures

#20363
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 10 1968
Joseph P. Anderson
Secretary of State



20363

A-1392

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert J. Ford	Vice-Chairman
Arthur R. Swan	Member
Milo Belshan	Ex-Officio Member
Nels Wangen	Ex-Officio Member

IN THE MATTER OF THE PETITION OF THE TOWN OF ALBERT LEA AND THE TOWN OF BANCROFT, BOTH OF FREEBORN COUNTY, MINNESOTA, TO HAVE ANNEXED CERTAIN ADJOINING UNINCORPORATED TERRITORY TO THE CITY OF ALBERT LEA PURSUANT TO MINNESOTA STATUTES 414.03

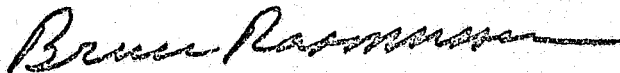
ANNEXATION ORDER

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 September 27, 1968, the election held on November 5, 1968, and the results of the election certified and filed on November 29, 1968, showing the vote to be 151 For Annexation and 79 Against Annexation, which is a majority For Annexation:

IT IS HEREBY ORDERED: That the area described in Minnesota Municipal Commission Order dated September 27, 1968, shall become a part of the City of Albert Lea, Freeborn County, effective the 1st day of January, 1969.

Dated this 5th day of December, 1968

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



Bruce Rasmussen
Secretary

#20363
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 10 1968


Secretary of State

NOV - 8 1968

We, the undersigned judges of election, certify that we have canvassed the ballots cast at an election held at Alfred Lea Town Hall in the county of Freeborn Minnesota, on the 5th day of Nov, 1968, the time and place specified in the election notice, to vote for or against the annexation of certain territory to the village (city) of Alfred Lea, Minnesota, and that at such election there were 54 votes cast for annexation and 34 votes cast against annexation.

Richard Olson
Melleo R. Peterson
Phyllis Stiles
Judges of Election

State of Minnesota)
County of Freeborn

_____, _____, and _____, being duly sworn, depose and say each for himself that the statements contained in the foregoing certificate and return are true.

Adell Underwood
Morris P. Christensen

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

Lawrence D. Brown
Notary Public Freeborn

NOV - 8 1968

We, the undersigned judges of election, certify that we have canvassed the ballots cast at an election held at Pringle, in the county of Fitchman, Minnesota, on the 5 day of Nov, 1968, the time and place specified in the election notice, to vote for or against the annexation of certain territory to the village (city) of Alaska, Minnesota, and that at such election there were 97 votes cast for annexation and 45 votes cast against annexation.

Phil Nelson
John Rasmussen
R. D. Stoltz

Judges of Election

State of Minnesota)
County of Fitchman)

Phil Nelson, John Rasmussen, and R. D. Stoltz, being duly sworn, depose and say each for himself that the statements contained in the foregoing certificate and return are true.

R. D. Stoltz
John Rasmussen
Phil Nelson

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

Paul J. Johnson
Notary Public Stoltz

IN THE MATTER OF THE PETITION OF THE TOWN OF BANCROFT TO HAVE CERTAIN ADJOINING UNINCORPORATED TERRITORY IN THE TOWN OF BANCROFT AND IN THE TOWN OF ALBERT LEA ANNEXED TO THE CITY OF ALBERT LEA

WHEREAS, Certain territory described in Exhibit A, attached hereto and made a part hereof, is not presently included within the incorporated limits of any city, village or borough, and

WHEREAS, This territory abuts on the city limits of the City of Albert Lea at the northerly boundaries thereof, and is or is about to become urban or suburban in character;

BE IT RESOLVED by the Town Board of the Town of Bancroft that said Town Board hereby determines that the annexation of said territory described in Exhibit A, attached hereto and made a part hereof, to the City of Albert Lea, will be to the best interest of the Town of Bancroft, of the City of Albert Lea and of the territory affected, and that the territory abuts on the city limits of the City of Albert Lea and is or is about to become urban or suburban in character, and that none of said territory is now included within the limits of any city, village or borough.

BE IT FURTHER RESOLVED that the Town Board of the Town of Bancroft declares its intention to have said territory annexed to the City of Albert Lea.

BE IT FURTHER RESOLVED that the chairman of the Town Board and the clerk of the Town of Bancroft are hereby directed to join in a petition with the appropriate officers of the Town of Albert Lea to the Municipal Commission of the State of Minnesota, requesting that said territory described in Exhibit A, attached hereto and made a part hereof, be annexed to the City of Albert Lea and to take any and all other action that may be necessary or convenient in order to have said territory annexed to the City of Albert Lea, all in accordance with the laws of the State of Minnesota and the

regulations of the Municipal Commission of the State of Minnesota.

Adopted by the Town Board of the Town of Bancroft, this 14th
day of May, 1968.

Phil Nelson
Chairman

ATTEST:

Bonnie G. J. J. J.
Clerk

IN THE MATTER OF THE PETITION OF THE TOWN OF ALBERT LEA TO HAVE CERTAIN ADJOINING UNINCORPORATED TERRITORY IN THE TOWN OF ALBERT LEA AND IN THE TOWN OF BANCROFT ANNEXED TO THE CITY OF ALBERT LEA

WHEREAS, Certain territory described in Exhibit A, attached hereto and made a part hereof, is not presently included within the incorporated limits of any city, village or borough, and

WHEREAS, This territory abuts on the city limits of the City of Albert Lea at the northerly boundaries thereof, and is or is about to become urban or suburban in character;

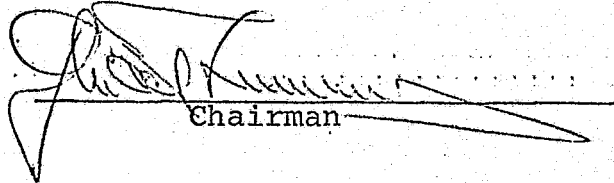
BE IT RESOLVED by the Town Board of the Town of Albert Lea that said Town Board hereby determines that the annexation of said territory described in Exhibit A, attached hereto and made a part hereof, to the City of Albert Lea, Minnesota, will be to the best interest of the Town of Albert Lea, of the City of Albert Lea and of the territory affected, and that the territory abuts on the city limits of the City of Albert Lea and is or is about to become urban or suburban in character, and that none of said territory is now included within the limits of any city, village or borough.

BE IT FURTHER RESOLVED that the Town Board of the Town of Albert Lea declares its intention to have said territory annexed to the City of Albert Lea.

BE IT FURTHER RESOLVED that the chairman of the Town Board and the clerk of the Town of Albert Lea are hereby directed to join in a petition with the appropriate officers of the Town of Bancroft to the Municipal Commission of the State of Minnesota, requesting that said territory described in Exhibit A, attached hereto and made a part hereof, be annexed to the City of Albert Lea and to take any and all other action that may be necessary or convenient in order to have said territory annexed to the City of Albert Lea, all in accordance with the laws of the State of

Minnesota and the regulations of the Municipal Commission of the State of Minnesota.

Adopted by the Town Board of the Town of Albert Lea, this 13 day of MAY, 1968.


Chairman

ATTEST:

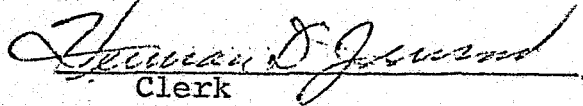

Clerk

EXHIBIT A

DESCRIPTION OF TERRITORY REQUESTED TO BE ANNEXED TO THE
CITY OF ALBERT LEA BY THE TOWN BOARD OF THE TOWN OF ALBERT
LEA AND THE TOWN BOARD OF THE TOWN OF BANCROFT, SAID AREA
COMMONLY KNOWN AS THE HAMMER SCHOOL AREA

The territory which is proposed to be annexed consists partly of lands which have been platted into lots and blocks, which plats have been duly and legally made and certified according to the laws of this state and filed in the office of the Register of Deeds of the County of Freeborn, Minnesota, and partly of unplatted lands, all of which are or about to become urban or suburban in character. All of said lands, platted and unplatted, lie entirely within the County of Freeborn, Minnesota, and the description of said lands, both platted and unplatted, is as follows:

Beginning at a point which is 2055.95 feet North and 50 feet East of the South $\frac{1}{2}$ corner of Section 4, T102N, R21 W, said point being further described as being the Northwest corner of Lot 1, Block 20, Ridgewood Park Second Sub.; thence 243.9 feet East at right angles; thence 446.0 feet North at right angles; thence 310.0 feet East at right angles; thence 308.35 feet South at right angles; thence 57.90 feet Southeasterly at a deflection angle of $18^{\circ}00'$ left; said point being further described as the Northeast corner of Lot 3, Block 19 of Ridgewood Park Sub.; thence 605.0 feet Northeasterly at right angles; thence 258.63 feet Easterly at a deflection angle of $19^{\circ}33.5'$ right to a point in a curve on the East line of Garfield Avenue and intersecting the tangent to said curve at said point at a deflection angle of $83^{\circ}45.5'$ right; thence 120.0 feet Southerly along a curve of 2884.31 feet radius and through a central angle of $4^{\circ}46'$ and to the end point of said curve; thence 206.12 feet Southerly along the tangent to said curve at said end point; thence 109.97 feet Southeasterly at a deflection angle of $78^{\circ}44'$ left; thence 346.1 feet Southeasterly at a deflection angle of $14^{\circ}48.5'$ right; thence 144.52 feet Southeasterly at a deflection angle of $14^{\circ}31.5'$ right; thence 78.71 feet Southeasterly at a deflection angle of $28^{\circ}11'$ left; said point being further described as the North most corner of Lot 1, Block 7, Ridgewood Park Sub.; thence 119.60 feet Southeasterly at a deflection angle of $44^{\circ}44.5'$ right; thence 514.45 feet East to a point on the East Line of Section 4; thence North 1023 Feet more or less on said East Line of Section 4 to the East $\frac{1}{2}$ corner of Section 4; thence continuing North 58 feet more or less to the center of a ditch; thence North $25^{\circ}41'$ West along ditch 346 feet; thence North $44^{\circ}31'$ West along ditch 287 feet; thence North $22^{\circ}31'$ West along ditch 783 feet to the North Line of the SE $\frac{1}{2}$ NE $\frac{1}{2}$ of said Section 4; thence West along the said North Line of SE $\frac{1}{2}$ NE $\frac{1}{2}$ 660 feet more or less; thence North on the East Line of the NW $\frac{1}{2}$ NE $\frac{1}{2}$ Section 4 1320 feet more or less to the Northeast corner of the said NW $\frac{1}{2}$ NE $\frac{1}{2}$; thence North along the East Line of the W $\frac{1}{2}$ SE $\frac{1}{2}$ Section 33, T103N, R21W, 2140.85 feet; thence West 1316.4 feet to a point on the North and South centerline of said Section 33 that is 2140.85 feet North of the South $\frac{1}{2}$ corner of said Section 33; thence West on a line parallel to and 120 feet North of the North Line of the old Airport Road a distance of 1320 feet more or less to a point on the West Line of the E $\frac{1}{2}$ SW $\frac{1}{2}$ of said Section 33; thence South along said West Line of the E $\frac{1}{2}$ SW $\frac{1}{2}$ 2140.85 feet more or less to the SW corner of the SE $\frac{1}{2}$ SW $\frac{1}{2}$ of Section 33, T103N, R21W; thence South along the West Line of the NE $\frac{1}{2}$ NW $\frac{1}{2}$ Section 4, T102N, R21W, 1320 feet more or less to the SW corner of said NE $\frac{1}{2}$ NW $\frac{1}{2}$; thence continue South along the West Line of the SE $\frac{1}{2}$ NW $\frac{1}{2}$ 330 feet; thence East 840 feet; thence South 1835 feet; thence East 480 feet, to the North and South center line of said Section 4; thence North along said center line 254.15 feet; thence 50 feet East to the place of beginning.

Also the east 50 feet of Bridge Street from the Northwest corner of Lot 1, Block A, Ransoms Subdivision North to the Northwest corner of Lot 1, Block 20, Ridgewood Park Subdivision.

The above described tract contains 340.9 acres more or less, and being in Section 4 - 120 - 21 and the South $\frac{1}{2}$ of Section 33 - 103 - 21.



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STATE OF MINNESOTA
MUNICIPAL COMMISSION

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

A M E N D M E N T

MINNESOTA MUNICIPAL COMMISSION ORDER DATED SEPTEMBER 27, 1968,
IN THE MATTER OF THE PETITION OF THE TOWN OF ALBERT LEA AND THE
TOWN OF BANCROFT, BOTH OF FREEBORN COUNTY, MINNESOTA, TO HAVE
ANNEXED CERTAIN ADJOINING UNINCORPORATED TERRITORY TO THE CITY
OF ALBERT LEA, DOCKET A-1392

The above Order of the Minnesota Municipal Commission is
hereby amended by substitution of the attached page 8 for the
original page 8.

The amendment designates the Albert Lea Town Hall as the
polling place instead of the Hammer School.

Dated this 8th day of October, 1968

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

A handwritten signature in cursive script that reads "Bruce Rasmussen".

Bruce Rasmussen
Secretary

AMENDMENT

Minnesota Municipal Commission Order A-1392 dated the 27th day of September, 1968

hereto) be, and the same is hereby approved.

IT IS FURTHER ORDERED:

That the effective date and the date this Order shall be filed shall be September 13, 1968.

IT IS FURTHER ORDERED:

That an election be held in the area approved by this Order to be annexed pursuant to Minnesota Statutes, Section 414.03, Subdivision 5, on the question of whether or not such incorporated territory should be annexed and become a part of the City of Albert Lea, Freeborn County, Minnesota.

IT IS FURTHER ORDERED:

That such election be held on the 5th day of November, 1968, at the following polling places:

Albert Lea Town Hall, as to those voters residing in Albert Lea Township;

Bancroft Town Hall, as to those voters residing in Bancroft Township;

and that said polls be open at said polling place from 7:00 A. M. until 8:00 P. M. on such date.

IT IS FURTHER ORDERED:

That said election be conducted incidental to and coincidental with the general national, state and local elections conducted upon said date; that the following persons serve as election judges for such annexation election:

BANCROFT TOWNSHIP

Philip J. Nelson
John Rasmussen
Richard Standheim
Bernard Johnsrud, Jr.

ALBERT LEA TOWNSHIP

Herman Jenson	Mrs. Mendal Christianson
Orville Winjum	Richard Overgaard
Leonard Nelson	Mrs. Alton Jenson
Mrs. Robert Steele	Mrs. John Stiehler
Mrs. Harvey Sorenson	Mrs. Herschel Bakken
Mrs. Merton Head	Mrs. William Peterson

that said annexation election be conducted, in so far as possible, under and in accordance with general election laws; that only

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson
Robert Ford
Arthur Swan
Milo Belshan
Nels Wangen

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

IN THE MATTER OF THE PETITION OF THE TOWN OF ALBERT LEA
AND THE TOWN OF BANCROFT, BOTH OF FREEBORN COUNTY, MINN-
ESOTA, TO HAVE ANNEXED CERTAIN ADJOINING UNINCORPORATED
TERRITORY TO THE CITY OF ALBERT LEA.

APPEARANCES:

William R. Sturtz, 402 South Washington Avenue, Albert Lea,
Minnesota, Attorney for Petitioners.

Courtney A. Slife, 138 West William Street, Albert Lea,
Minnesota, Attorney for the City of Albert Lea.

James Suthers, 1901 Grand Street, Albert Lea, Minnesota.

The petition of the Towns of Bancroft and Albert Lea, Freeborn
County, for the annexation of certain adjoining, unincorporated
territory in the Townships of Bancroft and Albert Lea, Freeborn
County, Minnesota, to the City of Albert Lea, Minnesota, came
regularly on for public hearing before the Minnesota Municipal
Commission in the City Hall in the City of Albert Lea on September
9, 1968, at 10:00 o'clock in the forenoon.

Mr. Robert Ford, acting chairman, Mr. Milo Belshan and Mr.
Nels Wangen were present as the Municipal Commission.

Petitioners moved for the incorporation by reference of all
of the files and records of A-1138, being proceedings relative to
said identical territory, and hearing thereon June 2, 1967. Said
motion was granted without opposition.

The Commission having heard and carefully considered all the
evidence, including the inquiries and statements from persons in
the audience, having viewed the premises, and upon all the files

and exhibits and records, including those incorporated by reference, now makes the following FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER.

FINDINGS OF FACT

(1) The Petition of the Towns of Bancroft and Albert Lea, Freeborn County, Minnesota, for annexation of certain unincorporated land in said Townships to the City of Albert Lea was filed pursuant to and in compliance with Minnesota Statutes Chapter 414; and that said Petition was in all respects proper in form, contents and execution, and was accompanied by the required Resolution duly made by the Boards of Supervisors of such Townships.

(2) Notice of the hearing on the Petition was duly given as required by statute. The Commission convened by lawful quorum at the scheduled hearing. All parties of record were present at and participated in the hearing, and no testimony in opposition to the Petition was offered.

(3) The correct legal description of the unincorporated territory proposed to be annexed to the City of Albert Lea is as set forth in Exhibit 1, attached hereto and made a part thereof.

(4) The described land is not presently a part of another municipality, and it is contiguous to and adjoins the present city limits of the City of Albert Lea. Said land is situated in and involves only a small portion of each of the Townships of Bancroft and Albert Lea. The governments of each of said Townships can and will need to continue should the concerned area be hereafter in fact annexed to the City of Albert Lea.

(5) The population of the area described in Exhibit 1, and sought to be annexed, is 568 persons, with 263 being of voting age. The population of the City of Albert Lea, according to an interim United States Census of 1965 is approximately 18,300 persons.

There is a community of interest between the two areas and the residents thereof. The residents of the described area work, shop, attend churches and schools, and recreate in the City of Albert Lea.

(6) The area of the territory described in the Petition and in Exhibit 1 hereof is 340.9 acres, with 129.6 acres thereof in Bancroft Township and 211.3 acres in Albert Lea Township.

(7) The City of Albert Lea has had a steady and continual growth in population, industry, commerce, education and construction. Existent industries and businesses have expanded. Several new industries have located in and commenced operations in said City. Lea College has been formed and founded as a private, four-year, academic degree institution. Interstate Highways 90 and 35W intersect at Albert Lea. Interstate Highway 90 and its diamond interchange with Bridge Avenue, extended northerly from the present city limits, are less than a mile from the area sought to be annexed. The Municipal Airport adjoins the area sought to be annexed. The area described in the petition and sought to be annexed will accommodate the growth and expansion which can be reasonably anticipated to, in, and by the City of Albert Lea.

(8) The Petition for Annexation is not motivated by or for the purposes of increasing revenue for the City of Albert Lea. The real estate taxes can reasonably be expected to increase in the territory sought to be annexed, should it be in fact annexed. The 1968 assessed valuation of the present City of Albert Lea was \$10,925,654.00. The 1968 assessed valuation of the area sought to be annexed was approximately \$187,567.00. The methods of assessment in the two areas have been and are the same, and there will be no material change in assessed valuations of particular parcels of land, should the area be annexed. The 1968 mill rates of the areas are as follows:

Albert Lea Township	215.57
Bancroft Township	211.67
Albert Lea City	276.50.

The consequent increase in real estate taxes to the property owners in the territory concerned is commensurate with and proportionate to the benefits of the additional municipal services to be obtained in the future from the City of Albert Lea, should the area be annexed thereto.

Both the annexing area and the area sought to be annexed are within the same school district, being School District 241. There would be no change in service from the school district or in taxes assessed for school purposes, should the area be annexed to the City of Albert Lea.

(9) The area concerned and described in the Petition and in Exhibit 1, attached hereto, now contains many residential buildings, situated on both platted and unplatted lands. More than 50 per cent of the area concerned is presently occupied by farms and farm buildings. Some of the concerned area is presently being used for commercial purposes. In the past two decades the trend in residential development to the north of the City of Albert Lea, both within and without its limits, is apparent. The space remaining available within the present city limits is limited to such an extent as to hamper additional residential expansion therein. A "Master Plan" recommended by a City Planning Commission and adopted by the City Council includes the area sought to be annexed, and provides for its future development as primarily a residential area and zone.

(10) The area sought to be annexed is now suburban or urban in character, and it can be reasonably anticipated that it will steadily become more so. The property within the concerned area is generally available for expansion and development into residential and commercial zones along the lines indicated in the aforementioned "Master Plan". The concerned area can reasonably be

expected to participate in the urban and suburban growth of the metropolitan area of the City of Albert Lea. The orderly growth and development of the City of Albert Lea and the area concerned would be enhanced by the annexation of the area to the City of Albert Lea.

(11) The Township form of government, now existent under both Bancroft and Albert Lea Townships, is inadequate to cope with the problems of urban and suburban growth, expansion and development in the area sought to be annexed. For the most part, the entire area is zoned residential or residential-agricultural.

Neither of said Townships has a public water system, a public sewer system or a public drainage system. The streets and roads are gravel in the portions of the area which have developed residentially. Sewage disposal is by privately owned and maintained septic tanks; water supply is by private wells, some of which are polluted beyond accepted health standards. Storm and surface water drainage is inadequate. All drainage in and from the area finds its way into nearby Fountain Lake, a major portion of which is presently within the limits of the City of Albert Lea. There is evidence that some raw sewage from private tile lines is being discharged into the drainage and is in fact reaching Fountain Lake. The said lake is being polluted by such drainage to an extent to be likely to lessen the use of the lake for recreational purposes, and to endanger the health of the citizens of both the annexing area and the area sought to be annexed. It is to be anticipated that these conditions will become worse in the future. Municipal Government is required for the protection of the public health within and near the area sought to be annexed. The Minnesota Water Pollution Control Commission has indicated by letter dated November 15, 1967, copy of which was received in evidence as Petitioners' Exhibit 1, That a sewage treatment plant is imperative for this area.

(12) The area sought to be annexed is presently served by a Volunteer Fire Department, which has one unit stored within the City of Albert Lea. For police protection and law enforcement the concerned area relies on such service as the Sheriff of Freeborn County can provide. Public safety and general welfare would be enhanced by the annexation of the area to the City of Albert Lea.

(13) There is need for Municipal Government of the area sought to be annexed in order that public health, safety and general welfare be improved and provided through services in the fields of sewer, water, drainage, streets, fire protection, police protection, plat control, land development, zoning, planning and construction. The City of Albert Lea can feasibly and practically provide for, and best serve the need for such governmental services presently, and as they become necessary in the future.

(14) Annexation of the lands described in Exhibit 1 is in the best interests of both the City of Albert Lea and said described land.

(15) That an informational meeting or meetings of Township officials and residents of the area sought to be annexed be called and held by said Townships prior to an election on the proposed annexation.

CONCLUSION OF LAW

(1) The Minnesota Municipal Commission duly acquired and now has jurisdiction of the within proceedings.

(2) The area described in paragraph 3 of the Findings of Fact herein is contiguous to and adjoins the present city limits of the Petitioner, and is urban or suburban in character.

(3) The area described in paragraph 3 of the Findings of Fact herein is so conditioned and so located as to be properly subjected to the Municipal Government of the City of Albert Lea.

(4) The annexation of the territory described in paragraph 3 of the Findings of Fact herein by and to the City of Albert Lea would be to the best interest of the City of Albert Lea and

of said territory.

(5) Municipal Government of the territory described in paragraph 3 of the Findings of Fact herein is required to protect the public health, safety and welfare in reference to plat control and land development and construction, which can be reasonably expected to occur within a reasonable time hereafter in said territory.

(6) There is an existing and reasonably anticipated need of governmental services, such as, but not limited to, water system, sewage disposal, drainage, streets, police protection, law enforcement, and fire protection.

(7) The township form of government is not adequate to cope with the problems of urban or suburban growth in the territory described in paragraph 3 of the Findings of Fact herein.

(8) The City of Albert Lea can feasibly and practically provide for and best serve the need for governmental services presently, and as they become necessary, in the territory described in paragraph 3 of the Findings of Fact.

(9) An election should be ordered on the proposition of Annexation pursuant to Minnesota Statutes, Section 414.03, Subdivision 5.

ORDER FOR ELECTION

Upon Petition of the Towns of Bancroft and Albert Lea for the annexation of unincorporated land in Bancroft and Albert Lea Townships, Freeborn County, Minnesota, to the City of Albert Lea, which came regularly on for hearing before the Minnesota Municipal Commission at 10:00 o'clock in the forenoon, on September 9, 1968, in the City Center of the City of Albert Lea, Freeborn County, Minnesota, at which hearing testimony was heard and evidence taken and upon all the files and records herein, and the Commission being fully advised:

IT IS ORDERED:

That the Petition for Annexation to the City of Albert Lea, of the following described territory, viz: (See Exhibit 1 attached

hereto) be, and the same is hereby approved.

IT IS FURTHER ORDERED:

That the effective date and the date this Order shall be filed shall be September 13, 1968.

IT IS FURTHER ORDERED:

That an election be held in the area approved by this Order to be annexed pursuant to Minnesota Statutes, Section 414.03, Subdivision 5, on the question of whether or not such incorporated territory should be annexed and become a part of the City of Albert Lea, Freeborn County, Minnesota.

IT IS FURTHER ORDERED:

That such election be held on the 5th day of November, 1968, at the following polling places:

Hammer School, as to those voters residing in Albert Lea Township;

Bancroft Town Hall, as to those voters residing in Bancroft Township,

and that said polls be open at said polling place from 7:00 A. M. until 8:00 P. M. on such date.

IT IS FURTHER ORDERED:

That said election be conducted incidental to and coincidental with the general national, state and local elections conducted upon said date; that the following persons serve as election judges for such annexation election:

BANCROFT TOWNSHIP

Philip J. Nelson
John Rasmussen
Richard Standheim
Bernard Johnsrud, Jr.

ALBERT LEA TOWNSHIP

Herman Jensen	Mrs. Mendal Christianson
Orville Winjum	Richard Overgaard
Leonard Nelson	Mrs. Alton Jensen
Mrs. Robert Steele	Mrs. John Stiehler
Mrs. Harvey Sorenson	Mrs. Herschel Bakken
Mrs. Merton Head	Mrs. William Peterson;

that said annexation election be conducted, in so far as possible, under and in accordance with general election laws; that only

EXHIBIT 1

Beginning at a point which is 2055.95 feet North and 50 feet East of the South Quarter corner of Section 4, Township 102 North, Range 21 West, said point being further described as being the Northwest corner of Lot 1, Block 20, Ridgewood Park Second Subdivision; thence 243.9 feet East at right angles; thence 446.0 feet North at right angles; thence 310.0 feet East at right angles; thence 308.35 feet South at right angles; thence 57.90 feet Southeasterly at a deflection angle of 18°00' left; said point being further described as the Northeast corner of Lot 3, Block 19 of Ridgewood Park Subdivision; thence 605.0 feet Northeasterly at right angles; thence 258.63 feet Easterly at a deflection angle of 19°33.5' right to a point in a curve on the East line of Garfield Avenue and intersecting the tangent to said curve at said point at a deflection angle of 83°45.5' right; thence 120.0 feet Southerly along a curve of 2884.31 feet radius and through a central angle of 40°46' and to the end point of said curve; thence 206.12 feet Southerly along the tangent to said curve at said end point; thence 109.97 feet Southeasterly at a deflection angle of 78°44' left; thence 346.1 feet Southeasterly at a deflection angle of 14°49.5' right; thence 144.52 feet Southeasterly at a deflection angle of 14°31.5' right; thence 78.71 feet Southeasterly at a deflection angle of 28°11' left; said point being further described as the North most corner of Lot 1, Block 7, Ridgewood Park Subdivision; thence 119.60 feet Southeasterly at a deflection angle of 44°44.5' right; thence 514.45 feet East to a point on the East line of Section 4; thence North 1023 feet more or less on said East line of Section 4 to the East Quarter corner of Section 4; thence continuing North 58 feet more or less to the center of a ditch; thence North 25°41' West along ditch 346 feet; thence North 44°31' West along ditch 287 feet; thence North 22°31' West along ditch 783 feet to the North line of the Southeast Quarter of the Northeast Quarter of said Section 4; thence West along the said North line of the Southeast Quarter of the Northeast Quarter 660 feet more or less; thence North on the East line of the Northwest Quarter of the Northeast Quarter of Section 4, 1320 feet more or less to the Northeast corner of the said Northwest Quarter of the Northeast Quarter; thence North along the East line of the West Half of the Southeast Quarter of Section 33, Township 103 North, Range 21 West, 2140.85 feet; thence West 1316.4 feet to a point on the North and South center line of said Section 33 that is 2140.85 feet North of the South Quarter corner of said Section 33; thence West on a line parallel to and 120 feet North of the North line of the Old Airport Road a distance of 1320 feet more or less to a point on the West line of the East Half of the Southwest Quarter of said Section 33; thence South along said West line of the East Half of the Southwest Quarter 2140.85 feet more or less to the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 33, Township 103 North, Range 21 West; thence South along the West line of the Northeast Quarter of the Northwest Quarter of Section 4, Township 102 North, Range 21 West, 1320 feet more or less to the Southwest corner of said Northeast Quarter of the Northwest Quarter; thence continue South along the west line of the Southeast Quarter of the Northwest Quarter 330 feet; thence East 840 feet; thence South 1835 feet; thence East 480 feet, to the North and South center line of said Section 4; thence North along said center line 254.15 feet; thence 50 feet East to the place of beginning.

Also, the East 50 feet of Bridge Street from the Northwest corner of Lot 1, Block A, Ransoms Subdivision North to the Northwest corner of Lot 1 Block 20, Ridgewood Park Subdivision.

The above described tract contains 340.9 acres more or less, and being in Section 4, Township 102, Range 21 and the South Half of Section 33, Township 103, Range 21.

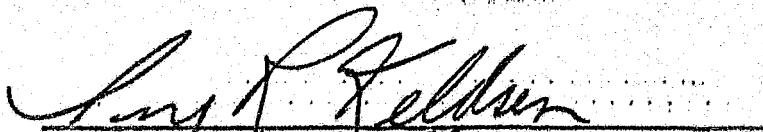
voters residing in the territory described in the legal description shall be entitled to vote; that the ballot bear the words "For Annexation" and "Against Annexation" with a square before each of the phrases in one of which the vote may make an appropriate mark to express his choice; and that all ballots and election supplies shall be provided by Petitioners.

IT IS FURTHER ORDERED:

That the Petitioner cause a copy of this order approving its Petition for Annexation to be posted not less than 20 days before November 5, 1968, in three public places in the area proposed for annexation, and to be published in The Evening Tribune, Albert Lea, Minnesota, a medium of official and legal publication of general circulation in the area proposed for annexation, two weeks before the 5th day of November, 1968.

Dated this 27th day of September, 1968.

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


Irving R. Keldsen
Secretary

AFFIDAVIT OF POSTING

NOV 29 1968

State of Minnesota

ss.

County of FREEBORN

Kyle O. Olson, Deputy Sheriff being duly sworn, on oath says that on the 11th day of October 1968, he personally posted the within notice

in three public places in the County of Freeborn State of Minnesota, to-wit: One true copy thereof on Utility pole on South end of Highland Ave. in North west quarter of section #4 Albert Lea Twp.

One true copy thereof on Utility pole on South west corner of Bridge Ave. and Hammer Road in Northwest quarter of section #4 Albert Lea Twp.

One true copy thereof on Utility pole on South east corner of Windsor Road and Airport Road in South west quarter of Section #33 Bancroft Twp.

Subscribed and sworn to before me, this 11th day of October 1968

Notary Public Freeborn County, Minnesota

My commission expires June 14, 1969

STELLA D. GOEDERS Notary Public, Freeborn County, Minn. My Commission Expires June 14, 1969

NOV 29 1968

State of Minnesota } ss.
COUNTY OF FREEBORN

Earl K. Nelson

being duly sworn, on oath says: that he is, and during all the times herein stated has been the General Manager of the newspaper known as The Evening Tribune, and has full knowledge of the facts hereinafter stated; that for more than one year prior to the publication therein of the

notice

hereinafter described, said newspaper was printed and published in the City of Albert Lea, in the County of Freeborn, State of Minnesota, on each day, except Saturday; that during all said time said newspaper has been printed in the English language from its known office of publication within the City from which it purports to be issued as above stated in column and sheet form equivalent in space to at least four pages with five columns to a page, each sixteen inches long, has been issued each day, except Saturday, from a known office established in said place of publication and equipped with skilled workmen and the necessary material for preparing and printing the same; that in its makeup not less than twenty-five per cent of its news columns have been devoted to local news of interest to the community it purports to serve; that it has not wholly duplicated any other publication, and has not been entirely made up of patents, plate matter and of advertisements; that it has been circulated in and near its said place of publication to the extent of at least two hundred and forty (240) copies regularly delivered to paying subscribers and had entry as second class matter in its local postoffice; that a copy of each issue has been filed with the State Historical Society, St. Paul; and that there has been on file in the office of the County Auditor of Freeborn County, Minnesota, the affidavit of a person having knowledge of the facts, showing the name and location of said newspaper and the existence of the conditions constituting its qualifications as a legal newspaper. Said newspaper has complied with all requirements of Minnesota Statutes Chapter 331 and is a legal newspaper.

That the notice hereto attached was cut from the columns of said newspaper, and was printed and published

therein in the English language, once each week for Two

successive weeks; that it was first so published on Friday

the 11th day of October, 1968

and thereafter on Friday of each week to and including the

18th day of October, 1968

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

abcdefghijklmnopqrstuvwxyz

Subscribed and sworn to before me this 22nd day of Oct., 1968

Emmeline G. Bybee
Notary Public, Freeborn County, Minn.

My commission expires Aug. 8, 1972

EMMELINE G. BYBEE
Notary Public, Freeborn County, Minn.
My Commission Expires Aug. 8, 1972.

NOTICE OF ANNEXATION ELECTION
NOTICE IS HEREBY GIVEN that in accordance with a certain petition dated June 10, 1968, and order of the Minnesota Municipal Commission dated September 27, 1968, a copy of which is attached, an election will be held at Albert Lea Town Hall, Albert Lea Township, for those voters residing therein and at Bancroft Town Hall, Bancroft Township, for those voters residing therein, on the 5th day of November, 1968, on the question of annexing the territory described in Exhibit A, hereto attached and made a part hereof, to the City of Albert Lea, Minnesota.
At such time and place all qualified voters residing within the territory described in Exhibit A may vote for or against the annexation of such territory to the City of Albert Lea. The polls will be open from 7 o'clock a.m. until 8 o'clock p.m. of said day.
TOWN BOARD OF BANCROFT
By /s/ Bernhard Johnsrud, Jr.
Town Clerk
TOWN BOARD OF ALBERT LEA
By /s/ Herman D. Jensen
Town Clerk
O 11-18

NOTICE OF ANNEXATION ELECTION

NOTICE IS HEREBY GIVEN That in accordance with a certain petition dated June 10, 1968, and order of the Minnesota Municipal Commission dated September 27, 1968, a copy of which is attached, an election will be held at the Albert Lea Town Hall, Albert Lea Township, for those voters residing therein and at Bancroft Town Hall, Bancroft Township, for those voters residing therein, on the 5th day of November, 1968, on the question of annexing the territory described in Exhibit A, hereto attached and made a part hereof, to the City of Albert Lea, Minnesota.

At such time and place all qualified voters residing within the territory described in Exhibit A may vote for or against the annexation of such territory to the City of Albert Lea. The polls will be open from 7 o'clock A.M. until 8 o'clock P.M. of said day.

TOWN BOARD OF BANCROFT

By *Birchard G. Johnson*
Town Clerk

TOWN BOARD OF ALBERT LEA

By *William J. Jensen*
Town Clerk

20367