

*See State*BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTARobert W. Johnson
Robert J. Ford
Arthur R. Swan
Keith Maurer
Robert GambrinoChairman
Vice-Chairman
Member
Ex-Officio Member
Ex-Officio MemberIN THE MATTER OF THE ANNEXATION OF CERTAIN)
LANDS TO THE CITY OF ST. CLOUD)Findings of Fact, Conclusions
of Law and Order

The annexation of certain real estate to the City of St. Cloud, which lands are situated in the Township of St. Cloud, Stearns County, Minnesota, and described in the attached Order herein, came on duly for hearing before the Minnesota Municipal Commission, on January 15, 1968. The Commission members present were Robert W. Johnson, Chairman, Robert J. Ford, Vice-Chairman and Arthur R. Swan, Member. Ex-Officio Members present were County Commissioners Keith Maurer and Robert Gambrino. John R. Pattison appeared in behalf of the Township of St. Cloud. Marcellus P. Knoblach, the owner of the property described herein, appeared on his own behalf. Testimony was taken both for and against said annexation.

It was made to appear that certified copies of the petition of the owner of said land to the City of St. Cloud requesting annexation were duly filed with the County board in and for Stearns County, Minnesota, the Town Board in and for the Township of St. Cloud, Minnesota, and the Municipal Commission of the State of Minnesota.

It was made to appear that Notice of said hearing was duly made and posted.

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

#20401

FINDINGS OF FACT

I.

That due, timely and adequate notice of the hearing on the proposed annexation of the land herein described was posted, published, served and filed.

II.

That the assessed valuation of the City of St. Cloud is much greater than that of the area proposed for annexation.

III.

That the property described herein abuts the legal boundaries of the City of St. Cloud and comprises a total area of approximately 1.3 acres.

IV.

That the population of the area to be annexed is 0 and that the population of the City of St. Cloud is 37,746.

V.

That the area to be annexed is approximately 1.3 acres, as compared to approximately 6,712 acres in the City of St. Cloud.

VI.

That the area to be annexed is urban or suburban in character, fully developed as commercial.

VII.

That there is a present need in the area to be annexed for all municipal services, and particularly municipal street lighting, police and fire protection, water and storm and sanitary sewer service. That the evidence disclosed that there is contamination in areas near or adjacent to the area to be annexed, and that the use of sewage and water facilities from the City of St. Cloud would prevent any similar problem.

VIII.

That the City of St. Cloud has a Police Department and a Fire Department capable of providing full protection to the area to be annexed. That the said City is capable of providing adequate water and storm and sanitary sewage services to the area to be annexed.

IX.

That the area to be annexed constitutes a small geographical part of the Township of St. Cloud.

X.

That the Township of St. Cloud is unable to meet the problems of the area to be annexed which are urban problems: namely the water and sewer problems.

XI.

That the annexation will not effect the existing Township government and it will be fully capable of continuing after the annexation.

XII.

That the population of the City of St. Cloud has been increasing and will continue to increase, and that residential, commercial and industrial development has been increasing and will continue to increase, and that room is needed to accommodate this development.

XIII.

That taxes can be reasonably expected to increase in the area proposed for annexation, and that the expected increase will be proportional to the expected benefit to the area proposed for annexation.

XIV.

That it is just and equitable that the property and obligations of St. Cloud Township remain with the Township.

CONCLUSIONS OF LAW

I.

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

II.

That the area to be annexed herein is so conditioned and so located as to be properly subjected to municipal government by the City of St. Cloud, Minnesota.

III.

That the interests of the City of St. Cloud and the area to be annexed would be best served by the annexation of said area to the City of St. Cloud, Minnesota.

IV.

Municipal government and the corresponding municipal services are required in the area to be annexed for the preservation and protection of the public health, welfare and the safety in the area to be annexed and in the City of St. Cloud.

V.

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

VI.

The City of St. Cloud can meet the problems existing in the area to be annexed, can remedy them and provide any and all government services presently required and which may become necessary in the future in the area to be annexed.

VII.

An Order should be issued by the Municipal Commission ordering the annexation of the land described herein to the City of St. Cloud. Let an Order for such annexation be entered and filed accordingly. Enacted by the vote of the Municipal Commission of the State of Minnesota, the following Order being filed:

ORDER FOR ANNEXATION

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

The West One-half ($W\frac{1}{2}$) of Lots Three, Four and Five (3, 4, & 5) except North Ten Feet (10') of Lot Three (3) and the East Twenty Feet (20') of the West One-half ($W\frac{1}{2}$) of Lots One, Two and Three (1, 2, and 3), except South Fifty-six Feet (56') thereof, Block One (1), Garden Acres, and that portion of First Street North which lies adjacent to that part of Lot One (1) as described above, according to the plat and survey thereof on file and of record in the Office of the Register of Deeds, in and for said Stearns County, Minnesota

be, and the same hereby is annexed to the City of St. Cloud, Minnesota, the same as if it had originally been made a part thereof.

Dated this 14th day of January, 1969

Minnesota Municipal Commission
610 Capitol Square Building
St. Paul, Minnesota 55101

Bruce Rasmussen

Bruce Rasmussen
Secretary

#20401
STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED

JAN 15 1969

Joseph L. Olson
Secretary of State