

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert J. Ford	Vice-Chairman
Arthur R. Swan	Member
Idor A. Pederson	Ex-Officio Member
A. B. Schaefer	Ex-Officio Member

IN THE MATTER OF THE PETITION OF	}	FINDINGS OF FACT,
CERTAIN FREEHOLDERS FOR ANNEXATION		CONCLUSIONS OF LAW
OF LAND TO THE VILLAGE OF FOREST		AND ORDER
LAKE PURSUANT TO MINNESOTA STATUTES,		
CHAPTER 414.03		

The petition of certain freeholders for the annexation of certain real estate situated in the Town of Forest Lake, Washington County, Minnesota, to the Village of Forest Lake, Washington County, Minnesota, said land more particularly described in the attached order herein, together with the Resolution of the Village Council of the Village of Forest Lake receiving said petition, came on duly for hearing before the Minnesota Municipal Commission on June 21, 1968. The Commission members present were Robert W. Johnson, Robert J. Ford, and Arthur R. Swan. The Ex-Officio members were Washington County Commissioners Idor A. Pederson and A. B. Schaefer.

The petitioners and the Village of Forest Lake appeared through their attorney, John V. Jergens.

The Town of Forest Lake appeared in opposition and was represented by its attorney, Lyle Eckberg.

It was made to appear that certified copies of said petition and resolution were duly filed with the Board of Commissioners in and for Washington County, Minnesota, the Town Board of the Town of Forest Lake and the Minnesota Municipal Commission, and an Affidavit of such filing

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was placed in evidence.

It was made to appear that Notice of said hearing was duly published in the Forest Lake Times, Forest Lake, Minnesota, on May 30, 1968 and June 6, 1968 and an Affidavit of such publication was placed in evidence.

It was made to appear that Notice of said hearing was duly posted as required by law and an Affidavit of Posting of Notice of Hearing was duly received in evidence.

An Amended Petition for Annexation, together with Resolution of the Village Council of the Village of Forest Lake accepting same, and together with Notice of Motion to Amend Petition for Annexation, and Proof of Service thereof, upon all interested parties, was offered and duly accepted by the Commission.

Evidence was taken and testimony was heard from all parties appearing and indicating a desire to be heard. Certain information was received upon the Stipulation of attorneys and a number of exhibits were allowed in evidence. The hearing was then continued to August 22, 1968 and all evidence completed at such time.

On November 12, 1968, after due and careful consideration of the evidence so offered and received, together with all of the records, exhibits, 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:

FINDINGS OF FACT

I.

That the Petition of certain freeholders for the annexation of land to the Village of Forest Lake was duly filed with the Commission, and as otherwise required in accordance with the laws in such case made and

provided for.

II.

That due timely and adequate Notice of the Petition and the Hearing thereon, was posted, published, served and filed as required by law.

III.

That the Motion to Amend Petition for Annexation was duly served and the Amended Petition and Resolution accepting the same were duly accepted and filed.

IV.

The area proposed for annexation is legally described as follows:

All that part of Holmquist's Subdivision and Ridgeway Addition according to the plats thereof, and all that part of the East Half (E 1/2) of Section Seven (7), Township Thirty-two (32) North, Range Twenty-one (21) West, Washington County, Minnesota, the boundaries of which are described as follows:

Bounded on the East by the East line of said Section Seven (7) (present West Village limits); bounded on the North by the North line of County State Aid Road No. 2 (West Broadway Avenue); bounded on the West by the Westerly line of that part of the said East Half (E 1/2) of Section Seven (7) which has been acquired by the State of Minnesota for construction of Interstate No. 35, and bounded on the South by the South line of said Section Seven (7).

V.

That the area proposed to be annexed consists of less than 200 acres.

VI.

That the area proposed to be annexed abuts upon the boundary of the Village of Forest Lake at the West boundary of said Village.

VII.

That the area proposed to be annexed is primarily unplatted land but also includes land which has been platted as Holmquist's Subdivision and Ridgeway Addition, which plats have been duly filed in the office of

the Register of Deeds of Washington County, Minnesota.

VIII.

That the area proposed to be annexed contains nine separate parcels of land owned by twelve freeholders, excluding the State of Minnesota, which owns Highway right-of-way within said area. Eight of the freeholders are individuals and four are corporations.

IX.

That nine freeholders consisting of four corporations and five individuals have signed the Petition for Annexation and Amended Petition for Annexation, and are a majority in number of the owners of the said nine parcels of land which comprise the area proposed to be annexed.

X.

That the owners of seven of the nine parcels of land which comprise the area proposed to be annexed have signed the Petition and Amended Petition for Annexation and constitute a majority of owners of the said parcels of land contained within the above described area proposed to be annexed.

XI.

That the population of the area proposed to be annexed is 2 persons.

XII.

That the improvements on the area proposed to be annexed consist of a farm home and farm buildings at the Southwest corner thereof and two manufacturing plants lying between said farm buildings and the Village of Forest Lake.

XIII.

That the population of the Village of Forest Lake, according to the 1965 special census is 2809 and the population of the Town of Forest Lake according to the 1960 census is 1620.

XIV.

That the assessed valuation of the Town of Forest Lake as of January 1, 1967 is \$1,655,964.00, the assessed valuation of the Village of Forest Lake as of January 1, 1967 is \$1,683,470.00, and that the assessed valuation of the area proposed to be annexed is \$31,806.00.

XV.

That the total area included within the Village of Forest Lake is 1,200 acres, and the area within the Town of Forest Lake is approximately 18,304 acres.

XVI.

That the area proposed to be annexed lies in the extreme Northwest corner of the Town of Forest Lake and is relatively isolated from the balance of said Township.

XVII.

That the construction of Interstate Highway No. 35 along the Westerly edge of the area proposed to be annexed forms a natural boundary line for the Village of Forest Lake.

XVIII.

That the area proposed to be annexed is now or is about to become urban or suburban in character.

XIX.

That the two manufacturing plants located within the area proposed to be annexed employ an excess of 250 persons and are in immediate need of municipal services, including water, sanitary sewer and police protection.

XX.

That the area proposed to be annexed abuts upon an existing Village water main with sufficient capacity to provide municipal water to the entire area proposed to be annexed.

XXI.

That an existing sewer trunk line within the Village of Forest Lake lies within 300 feet of the area proposed to be annexed and could be extended to serve said area.

XXII.

That the Town of Forest Lake has no municipal water system but does have a sanitary sewer system serving a relatively small land area along the north shore of Forest Lake in excess of 2 miles from the area proposed to be annexed.

XXIII.

That municipal sanitary sewer can best be provided to the area proposed to be annexed by the Village of Forest Lake, due to the proximity of said area to the said Village and its relative isolation from the balance of the Town of Forest Lake.

XXIV.

That the present sewage treatment plant of the Village of Forest Lake is working at or above its design capacity and the Village of Forest Lake has taken steps to construct new treatment facilities as soon as type of treatment and point of effluent discharge is approved by the Minnesota Pollution Control Agency.

XXV.

That municipal government is required to protect the public health, welfare and safety of the existing residents of the area and people currently working in the area proposed to be annexed and is further necessary to protect the future subdivision of property, land development and anticipated construction in said area.

XXVI.

That the area proposed to be annexed is expected to expand and develop with respect to population increase and construction in the near future, such expansion to be accelerated by the completion of Interstate

.35-W which abuts upon the westerly portion of the property to be annexed.

XXVII.

That during the past several years the Village of Forest Lake has experienced a substantial population increase and an increase in both public and private construction and will shortly need additional land area to accommodate the natural expansion, both in respect to population increase and construction.

XXVIII.

That real estate taxes can reasonably be expected to increase in the area proposed to be annexed but such increase will be proportional to the expected benefit inuring to the area proposed to be annexed as a result of such annexation.

XXIX.

That the area proposed to be annexed has an existing need for governmental services, including a municipal water system, sanitary sewer system, comprehensive zoning, street planning, police and fire protection.

XXX.

That due to the relative location of the area proposed to be annexed in respect to the balance of the Town of Forest Lake, it is natural, feasible and practical that the Village of Forest Lake provide necessary governmental services to the said area.

XXXI.

That the loss of the area proposed to be annexed from the Town of Forest Lake will not in any way impair its ability to continue to function as a Township. It will continue to enjoy an adequate tax base to provide the services that its residents will need.

XXXII.

That it is just and equitable that no apportionment of township property and obligations be made as a result of this annexation.

CONCLUSIONS OF LAW

I.

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

II.

Municipal government of the area is required to protect the public health, safety and welfare in reference to zoning, sewage disposal, municipal water system, street planning, police protection and fire protection.

III.

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

IV.

That the interests of the Village of Forest Lake and the area proposed to be annexed would best be served by the annexation of said area to the Village of Forest Lake, Minnesota.

V.

That the area proposed to be annexed is or is about to become urban or suburban in character.

VI.

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

VII.

That the annexation will not materially affect the ability of the Town of Forest Lake to continue to provide governmental services for the balance of the said Town.

VIII.

An Order should be issued by the Municipal Commission ordering the

annexation of the land described herein to the Village of Forest Lake. 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

BEFORE THE MUNICIPAL COMMISSION

OF THE STATE OF MINNESOTA

IN THE MATTER OF THE PETITION OF CERTAIN FREEHOLDERS
FOR ANNEXATION OF LAND TO THE VILLAGE OF FOREST LAKE
PURSUANT TO MINNESOTA STATUTES, CHAPTER 414.03

On the Petition of certain freeholders for annexation of unincorporated property to the Village of Forest Lake, Washington County, Minnesota, which came regularly on for hearing before the Minnesota Municipal Commission at 10:00 A. M. on June 21, 1968 at the Village of Forest Lake, and again at 10:00 A. M. on August 22, 1968 at the Village of Forest Lake, at which times evidence was taken, testimony heard and exhibits received, and upon all the files and records herein, the Commission being fully advised in the premises,

IT IS ORDERED:

That the following described property, to-wit:

All that part of Holmquist's Subdivision and Ridgeway Addition according to the plats thereof, and all that part of the East Half (E 1/2) of Section Seven (7), Township Thirty-two (32) North, Range Twenty-one (21) West, Washington County, Minnesota, the boundaries of which are described as follows:

Bounded on the East by the East line of said Section Seven (7) (present West Village limits); bounded on the North by the North line of County State Aid Road No. 2 (West Broadway Avenue); bounded on the West by the Westerly line of that part of the said East Half (E 1/2) of Section Seven (7) which has been acquired by the State of Minnesota for construction of Interstate No. 35, and bounded on the South by the South line of said Section Seven (7).

shall be and is hereby annexed to the Village of Forest Lake, the same as if it had originally been made a part thereof, according to Minnesota Statutes 414.03.

Dated this 29th day of January, 1969

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

Bruce Rasmussen

Bruce Rasmussen
Secretary

20433
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JAN 31 1969

Joseph A. Donovan
Secretary of State