

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

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

IN THE MATTER OF THE PETITION FOR ANNEXATION OF CERTAIN LAND TO THE CITY OF WHITE BEAR LAKE, MINNESOTA	} FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
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The petition for the annexation to the City of White Bear Lake of certain real estate situated in the County of Washington, State of Minnesota, described as per attached order by the owners thereof, came duly on for hearing before the Minnesota Municipal Commission August 20th and August 26, 1968. The Township of Lincoln appeared by and through its attorney, Lyle Eckberg. The owners of the property herein described appeared in person, and by Attorney, William J. Fleming of White Bear Lake, Minnesota.

It was made to appear that a petition was filed with the City of White Bear Lake for the annexation of the real estate herein described.

It was made to appear that copies of said petition were duly filed with the County Board in and for Washington County, Minnesota, the Town Board in and for the Township of Lincoln, Minnesota, the adjoining Village of Birchwood and the Municipal Commission of the State of Minnesota.

It was made to appear that the Township of Lincoln, Minnesota, duly filed objections to said annexation, within the time provided by statute; with the Municipal Commission of the State of Minnesota; that pursuant to the filing of said objections a hearing was set for August 20, 1968. #20481

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

Evidence was offered and received for and against said

annexation at said hearings.

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 duly 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 due, timely and adequate notice of the petition and the hearing hereon, was posted, published, served and filed.

II.

That the property described herein abuts the legal boundaries of the City of White Bear Lake, Minnesota, and contains approximately 39 acres, said property being described as follows:

Northwest Quarter of the Southwest Quarter
(NW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Thirty (30), Township
Thirty (30), Range Twenty-one (R 21) Washington
County, State of Minnesota.

III.

That the petition for the annexation of said property was signed by all of the owners of said property.

IV.

That the City of White Bear Lake, Minnesota, has delayed proceedings on the annexation, pending the hearing pursuant to the requirements of the Statutes, but permitted its officials to offer testimony at the hearing and offered no objection to said petitioner. The Village of Birchwood adjoining the proposed annexed property had no objection to the petition.

V.

That the population of the area to be annexed is about eight people, and that the population of the City of White Bear

Lake, Minnesota is approximately 20,000.

VI.

That the area to be annexed is approximately 39 acres as compared to approximately 4,000 acres in the City of White Bear Lake, Minnesota.

VII.

That the area to be annexed is urban in character and suited for residential use.

VIII.

That the taxes in the area to be annexed will increase, but that the increase will be commensurate with the municipal services provided by the City of White Bear Lake, Minnesota.

IX.

That there is a present need in the area to be annexed for all municipal services, and particularly water and sewer services. That the City of White Bear Lake has available facilities to provide said service.

X.

That the area to be annexed constitutes an extremely small geographical portion of the Township of Lincoln and that the annexation of this portion to the City of White Bear Lake will not impair the ability of the township to function.

XI.

That the Township of Lincoln has no present plans for the installation of either water or sewage systems.

XII.

Development of the real estate proposed is contemplated by the petitioner as soon as municipal services may be available to the real estate.

XIII.

The assessed valuation of Lincoln Township is \$471,410.00. The assessed value of the proposed area to be annexed is

\$5,232.00. The assessed valuation of the City of White Bear Lake is in excess of \$11,000,000.00.

XIV.

That the City of White Bear Lake has recently grown in population and construction and will probably continue to do so, and that space is needed to accommodate that expansion.

XV.

That the township form of government is not adequate to cope with the problems of urban growth in the area proposed for annexation.

CONCLUSIONS OF LAW

I.

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

II.

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

III.

That the interests of the City of White Bear Lake and the area to be annexed would be best served by the annexation of said area to the City of White Bear Lake, Minnesota.

IV.

Municipal Government and the corresponding municipal services are required and desired in the area to be annexed for the preservation and protection of public health, welfare and safety in the area to be annexed and in the City of White Bear Lake, Minnesota.

V.

The City of White Bear Lake can provide the municipal services needed in the proposed annexed area which services are desired by the petitioners.

VI.

The Town of Lincoln does not have available water and sewage

facilities for said area and have not evidenced a plan to have these available within a reasonable time.

VII.

The annexation of the area proposed is in the best interest of the affected property and is in the public interest.

VIII.

An Order should be issued by the Municipal Commission ordering the annexation of the land described herein to the City of White Bear Lake. Let an Order for such annexation be entered and filed accordingly.

O R D E R

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

Northwest Quarter of the Southwest Quarter
(NW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Thirty (30), Township
Thirty (30), Range Twenty-one (R 21) Washington
County, State of Minnesota

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

Dated this 17th day of February 1969

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

Bruce Rasmussen
Bruce Rasmussen
Secretary

20481
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB 18 1969

Joseph L. Anderson
Secretary of State