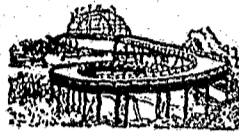


Hastings

CITY OF HASTINGS

100 SIBLEY STREET, HASTINGS, MINNESOTA 55033

Phone 437-6331 or 437-4127



Hastings on the Mississippi

OFFICE OF
ADMINISTRATOR - CITY CLERK

CERTIFICATION

STATE OF MINNESOTA)
COUNTY OF DAKOTA) SS.
CITY OF HASTINGS)

I, the undersigned, being the duly qualified and acting Clerk of the City of Hastings, Dakota County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of the Council of said City held on the date therein indicated with the original minutes thereof on file in my office, and that the same is a full, true and correct transcript thereof insofar as said minutes relate to the foregoing and attached resolution.

Witness my hand and the seal of said City this 5th day of November, 1971.

Wallace H. Erickson
Wallace H. Erickson, City Clerk
City of Hastings, Minnesota

SEAL

#23027

ORDINANCE ANNEXING LAND

BE IT ORDAINED by the City of Hastings, as follows:

WHEREAS, all of the property owners of the following described property:

The East one-half of the East one-half of the Northwest quarter (E $\frac{1}{2}$ of E $\frac{1}{2}$ of NW $\frac{1}{4}$) of Section Thirty-two (32), Township One Hundred Fifteen North (115 N), Range Seventeen West (17 W), Dakota County, Minnesota, containing 40 acres, more or less, according to Government Survey.

Have petitioned to have said lands annexed to the City of Hastings, a Municipal Corporation; and

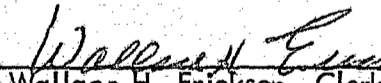
WHEREAS, after due proceedings by the Minnesota Municipal Commission, pursuant to Minnesota Statutes Annotated 414.033, said Minnesota Municipal Commission by an order dated September 29, 1971 has ordered that said lands be and are annexed to the City of Hastings; and

WHEREAS, it is the intent of the City of Hastings that said lands in fact be, annexed to said City of Hastings:


NOW, THEREFORE, be it ordained that said lands be and hereby are annexed to the City of Hastings.

The City Clerk is authorized and instructed to cause this ordinance to be published in the official newspaper of the City of Hastings, and a copy of this ordinance filed with the Minnesota Municipal Commission, the Town Clerk of the Township of Nininger, the Dakota County Auditor, and the Secretary of State of and for the State of Minnesota.

Dated this 1st day of November, 1971.


Wallace H. Erickson, Clerk

ATTEST:


Evarist J. Rotty, Mayor

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson
Arthur R. Swan
Robert J. Ford
Wes D. Lane
Gary Pagel

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

IN THE MATTER OF THE PETITION FOR)
ANNEXATION OF CERTAIN LAND TO THE)
CITY OF HASTINGS, MINNESOTA.)

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER.

Petition of C. A. Wallin, Theresa H. Wallin and Siewert Construction Co, Inc. to annex the real estate described in the following order to the City of Hastings, Minnesota, came duly on for hearing before the Minnesota Municipal Commission on the 18th day of August, 1971, in the Dakota County Courthouse, Hastings, Minnesota, at 10:00 o'clock a.m. All of the members of the Municipal Commission were present.

The City of Hastings appeared by its City Attorney, Donald J. Fluegel. The Township of Nininger appeared by its Town Board. The petitioners, C. A. Wallin and Theresa H. Wallin appeared in person and the petitioner, Siewert Construction Co., Inc. appeared by its attorney, Charles Richardson.

Evidence was offered and received at the hearing and the members of the Commission viewed the premises.

After consideration of the evidence and all the records, files and proceedings 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 proper notice of the petition and the hearing hereon was published, served and filed.

II.

That the property described in said petition abuts the legal boundaries of the City of Hastings, Minnesota, and is not included in any other municipality.

III.

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

IV.

That the City of Hastings has indicated approval of such annexation and has passed a resolution to that effect.

V.

That there are no persons residing in the area to be annexed.

VI.

That the area to be annexed is approximately 40 acres.

VII.

That the area to be annexed is about to become urban or suburban in character and is suited for municipal government.

VIII.

That the area to be annexed constitutes a small geographical portion of Nininger Township and such annexation to the City of Hastings will not impair the ability of Nininger Township to function.

IX.

That the Township of Nininger has no plans for the installation of water or sewage systems.

X.

That the property to be annexed is bounded on the north by the City limits of Hastings and on the east by the City limits of Hastings and lends itself to an orderly expansion to the city limits of the City of Hastings.

XI.

The area to be annexed is a practical area for residential development and requires municipal planning and sewer and water services for its proper use and development.

From the foregoing facts, the Municipal Commission of the State of Minnesota makes the following Conclusions of Law:

CONCLUSIONS OF LAW

I.

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

II.

The area to be annexed herein is so conditioned and so located as to be subject to municipal government by the City of Hastings, Minnesota, and is about to become urban or suburban in character.

III.

That the interest of the City of Hastings and the area to be annexed would be best served by annexation to the City of Hastings, Minnesota.

IV.

That the municipal form of government and the corresponding municipal services are required in the area to be annexed.

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 Hastings can meet the problems existing in the area to be annexed, can remedy them and provide all governmental services presently required which may become necessary in the future in the area to be annexed.

VII.

That the City of Hastings can properly provide for the orderly planning and regulation of growth and development in the area to be annexed.

VIII.

That an Order should be issued by the Minnesota Municipal Commission ordering the annexation of the land described herein to the City of Hastings, Minnesota.

NOW THEREFORE, let an Order for such an annexation be entered and filed accordingly.

ORDER

IT IS ORDERED; That the following described real estate lying in Nininger Township, Dakota County, Minnesota, be and the same is hereby annexed to the City of Hastings, Minnesota:

The East 1/2 of the East 1/2 of the Northwest 1/4 of Section 32, Township 115 North, Range 17 West, Dakota County, Minnesota, containing 40 acres, more or less, according to Government Survey.

IT IS FURTHER ORDERED; That any taxes heretofore levied upon the hereinbefore described real estate by the Township of Nininger and due and payable in 1971, and now unpaid, shall be payable to said Township of Nininger.

Dated this 29th day of September, 1971
MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Bldg., St. Paul, Minn.

Bruce Rasmussen
Bruce Rasmussen, Executive Secretary

#23027
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

OCT 5 - 1971

Arlen J. Edsall
Secretary of State

A-1961 Hastings

MEMORANDUM

The territory herein ordered annexed to the City of Hastings is clearly urban or suburban in nature or about to become so. Nevertheless, we wish to emphasize that today's decision should not be taken as a precedent for further piecemeal annexations. Such a practice would make orderly planning difficult for both the Town of Nininger and the City. A more comprehensive solution is required. We urge that consideration be given to the orderly annexation procedure as set forth in Minnesota Statutes 414.032.

#23027
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

OCT 5 - 1971

Arlen J. Edvall
Secretary of State

23027

MINNESOTA DEPARTMENT OF ADMINISTRATION
TRANSMITTAL - MESSAGE SLIP

TO <i>Miss Brown</i>	LOCATION
FROM <i>Colleen Busch</i>	LOCATION
DATE <i>9-30-71</i>	TIME

TRANSMITTAL ACTION	CALL OR VISIT
<input type="checkbox"/> For your information	NAME
<input type="checkbox"/> Review and see me	FROM
<input type="checkbox"/> For your approval	SECRETARY OF STATE
<input type="checkbox"/> Investigate and report	OCT 1 1971
<input type="checkbox"/> Prepare reply for my sig.	CORPORATION DIVISION
<input checked="" type="checkbox"/> As you requested	PHONE NO.
<input type="checkbox"/> For signature	<input type="checkbox"/> Called
<input type="checkbox"/> As we discussed	<input type="checkbox"/> Was here to see
<input type="checkbox"/> Reply and send me copy	<input type="checkbox"/> Please call
<input type="checkbox"/> Take appropriate action	<input type="checkbox"/> Will call again

MESSAGE:

*This is our complete
file on Leary. Order
#6 (Commissioner's copy)*