

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson
Robert J. Ford
Harold J. Dahl
Roger Quick
Clifford Botten

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

IN THE MATTER OF THE PROPOSED)
ANNEXATION TO THE CITY OF ST.)
JAMES.)

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER.

This proceeding under Minnesota Statutes, Chapter 414, as amended, for the annexation to the City of St. James, Minnesota, certain property located in the Township of Rosendale, Watonwan County, Minnesota, more particularly described herein, came on for hearing before the Minnesota Municipal Commission at the St. James City Hall in St. James, Minnesota, in the Council Chambers on September 1, 1971, at 10:30 A.M.

Robert J. Ford, a Member of the Minnesota Municipal Commission, presided at the hearing. Also in attendance and sitting were Ex-Officio Members, Roger Quick and Clifford Botten, Watonwan County Commissioners.

The Township of Rosendale, Watonwan County, Minnesota, duly filed an objection to said annexation.

The Petitioner, the City of St. James, was represented by Peter Etzell, City Attorney; and the Township of Rosendale was represented by Russell Waldhelm, Albert Froehling and Norman Monsen, members of the Town Board.

The Commission, having duly considered the testimony of witnesses, the exhibits received in evidence, and all other evidence, and upon all the files and records herein, being fully advised in the premises, makes and enters the following:

FINDINGS OF FACT

1. That due, timely and adequate legal notice of the notice of intention to annex and of the hearing herein, was posted, published, served and filed in accordance with Statute.

2. That the property proposed for annexation consists of approximately 27 acres, more or less, consisting of fourteen (14) parcels, seven (7) of which are occupied by residential homes housing a permanent population of twenty-four (24) residents; that four (4) parcels thereof consist of commercial establishments with the balance of the

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land, consisting of approximately ten (10) acres, being used for agricultural and municipal purposes.

3. That the City of St. James approved of the annexation and can provide the necessary facilities required by the annexation.

4. That the area to be annexed is seventy-eight per cent (78%) bordered by the corporate limits of the City of St. James.

5. That the City of St. James presently furnishes municipal services including water, sanitary sewer, fire protection, and municipal electric power to a substantial portion of the area to be annexed.

6. That the growth patterns of the City of St. James including the St. James Industrial Park, adjacent to the area to be annexed, indicates that the area to be annexed may reasonably be expected to require municipal government to protect the public, health, safety and welfare with reference to plat control and land development within the next five (5) years.

7. That if the land in question is annexed, the remainder of Rosendale Township can carry on the functions of Township government without undue hardships; that while general taxes will increase in the area to be annexed, the advantages of municipal sewer, water and electric power rates as compared with rates for the same services furnished non-residents, presents a substantial off-set to increased tax costs; that any increase in government services is reasonable and in proportion to the the monetary value of benefits conferred upon the annexed area.

8. That the Rosendale Township has not provided or offered to provide any of the aforementioned governmental services to the area to be annexed nor does that Township presently have the capacity to so provide said services, or any of them.

9. That the boundaries of the area to be annexed are logical and symmetrical geographic boundaries of the City of St. James and coincide with the orderly expansion of the City limits to accommodate the continued growth and development of the City; that the area to be annexed is principally urban in character at the present time.

CONCLUSIONS OF LAW

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

2. 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. James, Minnesota.

3. The annexation of the area involved by the City of St. James would be in the best interest of the area affected and the City.

4. Municipal government of the area to be annexed herein is required to protect the public health, safety and welfare and to provide necessary governmental services with reference to land development and construction which may be reasonably expected to occur within a reasonable time hereafter.

5. The Township government is not adequate to meet the needs found to exist in the area to be annexed and, the Township of Rosendale can continue to carry on the functions of township government without undue hardship.

6. The City of St. James can feasibly and practically provide for and best furnish the governmental services presently required and foreseeably necessary for the development of the area to be annexed.

7. An order should be issued by the Minnesota Municipal Commission annexing to the City of St. James, Minnesota, the real estate located in Watonwan County, Minnesota, described as follows:

Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 of Bertholet's Subdivision of Government Lots 12 and 13, except that certain land now lying within the existing City limits of the City of St. James, Watonwan County, Minnesota.

Together with all public rights of way, roads, railroad rights of way or waterways within, adjacent or abutting upon said land.

The same being approximately 27 acres, more or less.

O R D E R

IT IS HEREBY ORDERED: That the following described real estate in Watonwan County, Minnesota, be and the same is hereby annexed to the City of St. James, Minnesota, the same as if it had originally been made a part thereof:

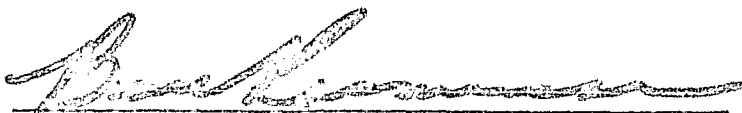
Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 of Bertholet's Subdivision of Government Lots 12 and 13, except that certain land now lying within the existing City limits of the City of St. James, Watonwan County, Minnesota.

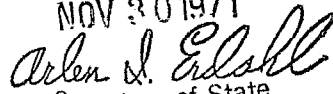
Together with all public rights of way, roads, railroad rights of way or waterways within, adjacent or abutting upon said land.

The same being approximately 27 acres more or less.

Dated this 24th day of November, 1971.

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


Bruce Rasmussen
Executive Secretary

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 30 1971

Secretary of State