

LAW OFFICES OF
ECKBERG, LAMMERS AND BRIGGS
STILLWATER, MINNESOTA 55082

LYLE J. ECKBERG
JAMES F. LAMMERS
ROBERT G. BRIGGS

February 21, 1972

439-2878

Secretary of State
State of Minnesota
180 State Office Building
St. Paul, MN 55101

Re: In the matter of the establishment of
a certain portion of the boundary line
between the Villages of Oakale and
Lake Elmo, Washington County, Minnesota.

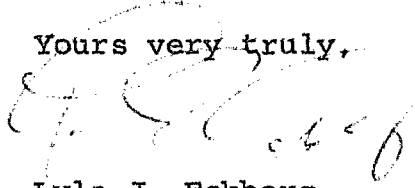
Dear Sir:

Enclosed herewith find certified copy of
Court Order establishing the boundary line between
Village of Lake Elmo and Oakdale, in Washington County,
Minnesota.

Will you kindly file this in your office
and adjust your records accordingly.

If there is any question, do not hesitate
to contact this office.

Yours very truly,

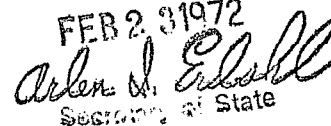

Lyle J. Eckberg

LJE:bc

cc: L. Toner, Oakdale Village Clerk

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

FEB 23 1972


Arden J. Edsell
Secretary of State

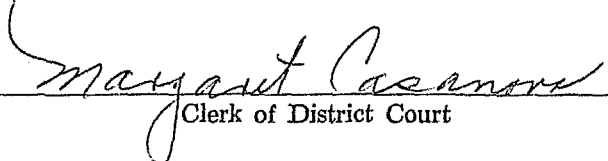
23617

State of Minnesota
County of Washington

DISTRICT COURT
TENTH JUDICIAL DISTRICT

I, MARGARET CASANOVA, Clerk of the District Court, County of Washington, State of Minnesota, do hereby certify that the attached instrument is a true and correct copy of the original on file and of record in my office in Court File No. 41525.

Witness my hand and the seal of said Court at Stillwater, Minnesota, this 17th
day of February, 19 72.


Clerk of District Court

By _____
Deputy

1 STATE OF MINNESOTA
2 COUNTY OF WASHINGTON

DISTRICT COURT
TENTH JUDICIAL DISTRICT

3 - - - - -

4 In the matter of the establishment
5 of a certain portion of the boundary
6 line between the Villages of Oakdale
7 and Lake Elmo in Washington County.

ORDER ESTABLISHING
BOUNDARY LINE

6 - - - - -

8 . The above-entitled matter came duly before the
9 Court on the 31st day of January, 1972, upon petition of the
10 County of Washington to hear and determine the dispute relating
11 to the boundary line between the Villages of Oakdale and Lake
12 Elmo in Washington County, Minnesota.

13 John Jansen, County Attorney, Washington County,
14 Minnesota, appeared for petitioner County of Washington.

15 Donald Raleigh appeared as attorney for the
16 Village of Lake Elmo.

17 Lyle Eckberg appeared as attorney for the Village
18 of Oakdale.

19 Harold Kimmel appeared as attorney for property
20 owners.

21 After hearing the evidence adduced at said hearing
22 and the exhibits received thereat, now pursuant to Chapter 15
23 of the ¹⁹⁷¹ Extra Session Laws of the State of Minnesota,

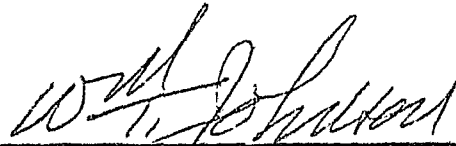
24 IT IS HEREBY ORDERED that the boundary line
25 between the Village of Oakdale and Lake Elmo in Sections 5 and
26 8, Township 29, Range 21 of Washington County, Minnesota, is
27 hereby established as follows:

28 Commencing at a point where the south line of
29 said Section 8 intersects the west right-of-way line of Olson
30 Lake Road, thence northerly along the westerly right-of-way

1 line of said Olson Lake Road to the northerly right-of-way line
2 of Lake DeMontreville Road; thence westerly along the north
3 right-of-way line of said Lake DeMontreville Road to the north
4 and south half Section line of Section 5; thence north along
5 said half Section line in Section 5 to the southerly right-of-way
6 line of the Soo Line Railway.

7 Dated this 4th day of February, 1972.

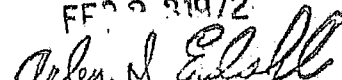
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Wm. T. Johnson
District Judge

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

FEB 2 1972



Arden J. Edsell
Secretary of State

M-E-M-O-R-A-N-D-U-M

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4 The boundary line established by the Minnesota
5 Municipal Commission by its Order No. 1-21, dated March 11, 1968,
6 in said Sections 8 and 5, runs through a number of residential
7 dwellings in Section 8, and the line in Section 5 runs so close
8 to the shore line of Lake DeMontreville so as to narrow and
9 destroy the value and usefulness of the lake shore land between
10 the boundary line and the lake.

11 The boundary line proposed by Lake Elmo and
12 certain property owners along the north and south Half Section
13 Lines in Sections 8 and 5 would lessen the land area of the
14 Village of Oakdale and increase the land size of the Village of
15 Lake Elmo. The land area of the Village of Lake Elmo is already
16 approximately four times larger than that of the Village of
17 Oakdale.

18 While that difference in land area is not the
19 determining factor in establishing the boundary line as the Court
20 has done in the foregoing Order, the Court felt that if a
21 practical line would be established without decreasing the size
22 of Oakdale to the extent proposed by Lake Elmo, then that would
23 be the equitable and just thing to do.

24 The objections to a road as a boundary line is
25 more theoretical than real. The problem of sewage and drainage
26 is not an individual problem of any of the municipalities in
27 that Washington County area, but a comprehensive group problem
28 to be solved by all the communities and state or district agencies.

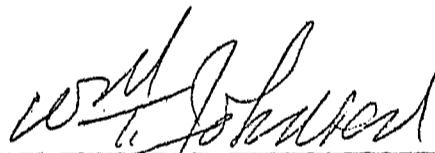
29 With Olson Lake Road entirely within the boundary
30 of the Village of Lake Elmo, water supply mains along this road

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2 supplying water to residences adjacent to the road, but in
3 Oakdale, should create no great problem. If water mains are
4 put in by assessment, or partial assessment, adjoining Oakdale
5 residents could be charged a proportionate share of the main
6 installation, plus hook-up charges, if they desired Lake Elmo
7 water. This is a common practice in many communities.

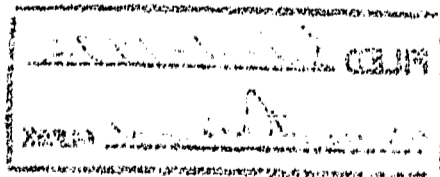
8 The boundary line proposed by the Village of
9 Lake Elmo would run along the north and south half Section lines
10 of Sections 8 and 5. The boundary line proposed by the Village
11 of Oakdale would run along Olson Lake Road in Section 8 and
12 proceed along the east line of Section 5 to the railway
13 right-of-way.

14 The Court feels that the boundary line established
15 by the above Order is a just, equitable and practical compromise
16 between the two different boundary lines suggested by the
17 Villages and property owners.

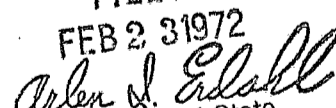
18 This Memorandum is made a part of the foregoing Order.

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22 Wm. T. Johnson
23 District Judge



27 #23617
28 STATE OF MINNESOTA
29 DEPARTMENT OF STATE
30 FILED

FEB 2 3 1972

Secretary of State

*2 to
et al
for*

LAW OFFICES OF
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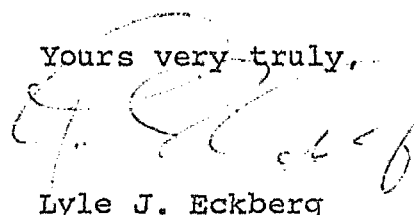
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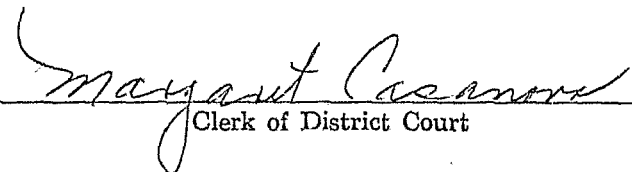
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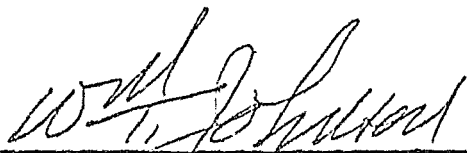
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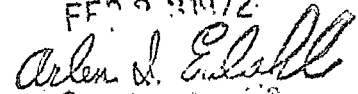
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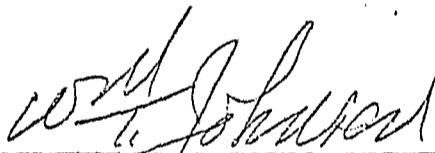
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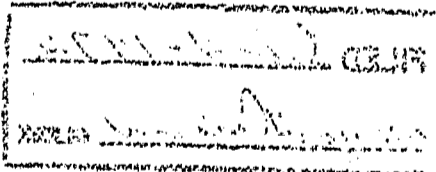
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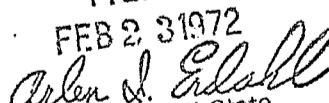
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