

BEFORE THE MUNICIPAL COMMISSION

OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert J. Ford	Vice Chairman
Harold J. Dahl	Member
Leo R. Borkowski	Ex-Officio Member
Charles E. Williams	Ex-Officio Member

IN THE MATTER OF THE PETITION FOR)	FINDINGS OF FACT,
THE ANNEXATION OF CERTAIN LAND TO)	CONCLUSIONS OF LAW,
THE VILLAGE OF GOODVIEW)	AND ORDER

On March 3, 1972, the Minnesota Municipal Commission issued its Findings of Fact, Conclusion of Law, Memorandum and Order denying the annexation herein requested. On March 14, 1972 the commission received a motion for rehearing, which motion was granted by the commission on March 30, 1972. The rehearing was held on April 26, 1972 at the Winona County Courthouse, Winona, Minnesota, before the full commission. The commission, having fully considered the additional evidence adduced at the rehearing, and being fully advised in the premises, hereby makes and issues its additional Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On March 3, 1972, the Minnesota Municipal Commission issued its Findings of Fact, Conclusions of Law, Order and Memorandum denying the annexation herein requested.
2. On March 14, 1972, the Minnesota Municipal Commission received a petition for rehearing. Said petition was proper in form, content, execution and filing. On March 30, 1972 the Minnesota Municipal Commission granted said motion.
3. The rehearing was scheduled for and conducted on April 26,

1972, at the Winona County Courthouse, Winona, Minnesota. Due, proper and adequate notice of said rehearing was served and filed.

4. The bulk of the territory proposed for annexation lies within the Town of Hillsdale. Smaller amounts of the territory proposed for annexation lie within the Towns of Winona and Rollingstone. The area proposed for annexation is connected to the Village of Goodview by a thin appendage

5. The planned use of the area proposed for annexation is a mobile home park. Road access to said area is via town roads which would remain under the jurisdiction of the Towns of Winona and Rollingstone. The planned mobile home park would generate a considerable amount of traffic for which the town roads would be inadequate. Upgrading of the town roads would be a considerable burden on the towns, which would not share in the tax revenues derived from the planned mobile home park.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Commission duly acquired and now has jurisdiction over the within proceeding.

2. Approval of the proposed annexation would have an undue adverse effect on the Towns of Winona and Rollingstone.

3. The contiguity between the area proposed for annexation and the Village of Goodview is inadequate to support approval of the requested annexation.

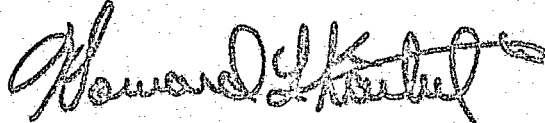
4. The Minnesota Municipal Commission should issue its order denying the requested annexation.

ORDER

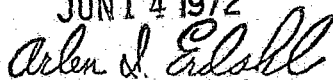
IT IS HEREBY ORDERED: That the annexation herein requested be
DENIED.

Dated this 12th day of June, 1972

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



Howard L. Kaibel, Jr.
Executive Secretary

#24039
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 14 1972

Sec. of State

A-2011 Goodview

MEMORANDUM

The Commission is aware that petitioners development project is contingent upon availability of municipal utilities. However, the record clearly indicates that the proposed annexation should be denied. We recommend, therefore, that petitioners determine whether the required services can be obtained through a contract with the village. There seems to be no legal bar to such an arrangement. We further urge the affected governments to begin to plan for the future government of the area, so that a more comprehensive boundary adjustment proposal can be submitted to us.

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Allen J. Edsall
Secretary of State