

BEFORE THE MUNICIPAL COMMISSION

OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Harold J. Dahl	Vice Chairman
Robert J. Ford	Member
I. A. Pederson	Ex-Officio Member
Don L. Cafferty	Ex-Officio Member

IN THE MATTER OF THE PETITION TO)	FINDINGS OF FACT,
ANNEX CERTAIN LAND TO THE CITY OF)	CONCLUSIONS OF LAW,
STILLWATER, MINNESOTA)	AND ORDER

This proceeding under Minnesota Statutes 414, as amended, for the annexation to the City of Stillwater, Minnesota of certain property located in the Township of Stillwater, Washington County, Minnesota, more particularly described herein, came on for hearing before the Minnesota Municipal Commission at the County Office Building in the City of Stillwater, Minnesota, on the 24th day of February, 1971, in the County Board Room at 10:00 A.M.

Arthur R. Swan, Vice Chairman of the Minnesota Municipal Commission, presided at the hearing. Also in attendance and sitting were Ex-Officio Members I. A. Pederson and Don L. Cafferty, Washington County Commissioners.

The Township of Stillwater, Washington County, Minnesota, duly filed an objection to said annexation and the Village of Oak Park Heights Washington County, Minnesota, also duly filed an objection to said annexation.

The petitioner was represented by Harold D. Kimmel, City Attorney for the City of Stillwater, Washington County, Minnesota, and the Township of Stillwater, Washington County, Minnesota was represented by John R. Rheinberger, Attorney at Law, Stillwater, Minnesota. The Village of Oak Park Heights, Washington County, Minnesota, was represented by Albert E. Ranum, Attorney at Law, Stillwater, Minnesota.

The members presided at the hearing, viewed the premises after completion of the hearing and after receiving certain exhibits and testimony relative to the property being annexed to the City of Stillwater.

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The Commission, based upon the evidence adduced at said hearing, the view of the premises and the arguments of counsel, and the files and records in this proceeding, and being fully advised in the premises, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Due, timely and adequate legal notice of the hearing ordered by the Minnesota Municipal Commission was published, served and filed.
2. Due, timely and adequate objection to the proposed annexation of the property herein described was filed by the Township of Stillwater and the Village of Oak Park Heights, both of Washington County, Minnesota.
3. The area proposed for annexation is hereinafter fully described and is located adjacent to and abuts the corporate limits of the City of Stillwater, Washington County, Minnesota.
4. That the area proposed for annexation is owned by Fairview Cemetery Association and that Fairview Cemetery Association, being the only owner of the land described, petitioned for its annexation to the City of Stillwater.
5. That the real estate in question is legally described as;

The Northwest Quarter of the Southeast Quarter
(NW $\frac{1}{4}$ of SE $\frac{1}{4}$), of Section Thirty-three (33),
Township Thirty (30) North, Range Twenty (20)
West, except the North Twenty-two (22) feet
thereof, lying and being in the County of
Washington and State of Minnesota,

and is approximately forty (40) acres in area.
6. That the property in question is used exclusively for cemetery purposes and there are no residents of that property and that future development of the property will continue to be for cemetery purposes and that as a result no population growth is anticipated for the area in question.
7. That the property in question is in need of Municipal police

services, which services the City of Stillwater, Minnesota, is capable of and is best situated to provide to the property; that the present police services being provided by the Town of Stillwater are in themselves inadequate and have been required to be augmented by services by the Washington County Sheriff's Office.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Commission duly acquired and now has jurisdiction of this annexation proceeding.
2. The area proposed for annexation is so conditioned and so located as to be properly subject to the municipal government of the City of Stillwater, Washington County, Minnesota.
3. There is no need for the continuance of any township government within the area proposed for annexation.
4. The City of Stillwater, Washington County, Minnesota is capable and is best situated to provide the governmental services presently needed and those services which will become necessary in the future in the area proposed for annexation.
5. That the proposed annexation to the City of Stillwater, Washington County, Minnesota will not materially affect the capability of the Township of Stillwater to continue its normal operation.
6. That annexation of the area to the City of Stillwater, Washington County, Minnesota would be in the best interests of the area affected.
7. That an Order should be issued by the Minnesota Municipal Commission annexing to the City of Stillwater the real estate located in Washington County, Minnesota described herein.

ORDER

IT IS HEREBY ORDERED: That the real estate situated in the County of Washington, State of Minnesota, described as follows be and the same

is hereby annexed to the City of Stillwater, Minnesota, the same as if it had been originally made a part thereof:

All of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Thirty-three (33), Township Thirty (30) North, Range Twenty (20) West, except the North Twenty-two (22) feet thereof, lying and being in the County of Washington and State of Minnesota.

Dated this 18th day of July, 1972

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

Howard L. Kaibel

Howard L. Kaibel, Jr.
Executive Secretary

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 24 1972
Arlen J. Erdahl
Secretary of State