

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson
Harold J. Dahl
Robert J. Ford
Norman Anderson
W. F. Myren

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

IN THE MATTER OF THE PETITION FOR
THE ANNEXATION OF CERTAIN LAND TO
THE VILLAGE OF GARFIELD

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER

This proceeding under Minnesota Statutes 414, as amended, for the annexation to the Village of Garfield, Minnesota of certain property located in the Township of LaGrande, Douglas County, Minnesota, more particularly described herein, came on for hearing before the Minnesota Municipal Commission at the Garfield Village Hall, Garfield, Minnesota, on the 27th day of July, 1972 at 9:30 o'clock a.m.

Harold J. Dahl, Vice Chairman of the Minnesota Municipal Commission presided at the hearing.

The Township of LaGrande, Douglas County, Minnesota duly filed an objection to said annexation.

The petitioner, Village of Garfield, Minnesota, was represented by Morris A. Grover, Esq., Attorney at Law, Alexandria, Minnesota; LeGrande Township appeared by the chairman of their board, Julian Loken of Garfield, Minnesota; Rodney Koser of Elbow Lake, Minnesota, the owner of the property sought to be annexed, appeared by I. L. Swanson, Esq., Attorney at Law, Elbow Lake, Minnesota.

At the hearing the presiding member of the commission received testimony relative to the property being annexed and the reasons therefore and the opposing views thereto and received certain exhibits and following the hearing viewed the premises sought to be annexed.

The commission, based upon the evidence adduced at said hearing, the view of the premises and presentations by counsel, and files of records

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in these proceedings, and being fully advised in the premises, makes the following Findings of Fact, Conclusions of Law and Order for Judgment.

FINDINGS OF FACT

I.

A due, timely and adequate legal notice of the hearing ordered by the Minnesota Municipal Commission was published, served and filed.

II.

A due, timely and adequate objection to the proposed annexation of the property herein described was filed by the Township of LeGrande, Douglas County, Minnesota.

III.

The area proposed for annexation is hereinafter fully described and is located adjacent to and abutts the corporate limits of the Village of Garfield, Douglas County, Minnesota.

IV.

That the area proposed for annexation is owned by Rodney Koser of Elbow Lake, Minnesota, and said party being the only owner of the land described consented to and requested its annexation to the Village of Garfield, Douglas County, Minnesota.

V.

That the real estate in question is legally described as follows:

The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) all in Section Six (6), Township One Hundred Twenty-eight (128) North, Range Thirty-eight (38) West

and is approximately Eighty (80) acres in area.

VI.

That the property in question is partially used for agricultural purposes but is for the most part wooded area and is not presently being used, and that future development of this property will be for

the establishment of a Mobile Home Park and for adjoining recreational areas to be used in conjunction therewith.

VII.

That the property in question is in need of municipal police services, water and sewer facilities, all of which the Village of Garfield, Minnesota, is capable of furnishing and is best situated to provide to the property.

CONCLUSIONS OF LAW

I.

The Minnesota Municipal Commission duly acquired and now has jurisdiction of this annexation proceeding.

II.

The area proposed for annexation is so conditioned and so situated as to be properly subject to the municipal government of the Village of Garfield, Douglas County, Minnesota.

III.

There is no need for the continuance of any township government within the area proposed for annexation.

IV.

The Village of Garfield, Douglas County, Minnesota, is capable and 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.

V.

That the proposed annexation to the Village of Garfield, Douglas County, Minnesota, will not materially affect the capability of the Township of LeGrande to continue its normal operation.

VI.

That annexation of the area to the Village of Garfield, Douglas County, Minnesota, would be in the best interests of the village and of the area affected.

VII.

That an Order should be issued by the Minnesota Municipal Commission annexing to the Village of Garfield the real estate located in Douglas County, Minnesota described herein.

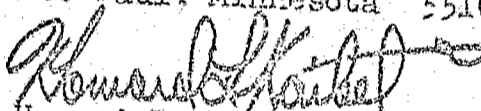
ORDER

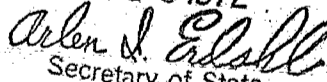
IT IS HEREBY ORDERED: That the real estate situated in the County of Douglas, State of Minnesota, described as follows be and the same is hereby annexed to the Village of Garfield, Douglas County, Minnesota, the same as if it had been originally made a part thereof:

The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) all in Section Six (6), Township One Hundred Twenty-eight (128) North, Range Thirty-eight (38) West.

Dated this 14th day of September, 1972

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


Howard L. Kaibel, Jr.
Executive Secretary

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 13 1972

Secretary of State