

BEFORE THE MUNICIPAL COMMISSION  
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
Keith Maurer	Ex-Officio Member
Edward Vos	Ex-Officio Member

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IN THE MATTER OF THE JOINT RESOLUTION )	
BETWEEN THE CITY OF ST. CLOUD AND THE )	
TOWNSHIP OF ST. CLOUD FOR THE ORDERLY )	
ANNEXATION OF CERTAIN LAND TO THE CITY )	<u>FINDINGS OF FACT,</u>
OF ST. CLOUD )	<u>CONCLUSIONS OF LAW,</u>
	<u>AND ORDER</u>

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The above-entitled matter came on for hearing before the Minnesota Municipal Commission pursuant to Minnesota Statutes 414, as amended, on the 5th day of August, 1974 at St. Cloud, Minnesota. The City of St. Cloud appeared by and through Mr. Richard Ahles, Attorney at Law. No one appeared in opposition to the annexation. The hearing was conducted by Howard L. Kaibel, Executive Secretary of the Minnesota Municipal Commission pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Keith Maurer and Edward Vos, Ex-Officio Members of the Commission. Testimony was heard and records and exhibits were received.

After due and careful consideration of all evidence, together with all records, files and proceedings, and being fully advised in the premises, the Minnesota Municipal Commission hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Due, timely and adequate legal notice of the hearing was published, served and filed.
2. That the area proposed for annexation is approximately 73 acres.

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3. That the area proposed to be annexed will experience industrial development in the near future.

4. That the City of St. Cloud is capable of and it is practical for it to provide to the area proposed for annexation the following municipal services within the next three (3) years:

- a. Water
- b. Sanitary sewers
- c. Road improvement and maintenance
- d. Fire protection
- e. Police protection
- f. Parks and recreation services
- g. Building inspection
- h. Health services
- i. Planning and zoning
- j. Tax assessment

5. The population of the area proposed for annexation is zero (0).

#### CONCLUSIONS OF LAW

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

2. The area proposed for annexation is now or is about to become urban or suburban in nature.

3. The City of St. Cloud is capable of providing the services required by the area described herein within a reasonable time.

#### ORDER

IT IS HEREBY ORDERED: That the following described property lying in the Township of St. Cloud, County of Stearns, State of Minnesota, be and the same hereby is annexed to the City of St. Cloud the same as if it had originally been made a part thereof:

#### Parcel A

That part of Section 8, Township 124N, Range 28W, described as follows: The entire Burlington Northern Right-of-way from the west line of said Section 8 to the thread of the Sauk River, there connecting to the existing St. Cloud corporate limits at the point where the thread of the Sauk River intersects with the Burlington Northern's northerly right-of-way line, containing 1.10 acres, more or less.

Parcel B

That part of Section 7, Township 124N, Range 28W, described as follows: Beginning at the southeast corner of said Section 7; thence North 89°38'24" west along the south line of said Section 7, a distance of 2383.53 feet; thence North 0°00' east to a point on the northerly right-of-way line of the Burlington Northern Railroad line; thence easterly along said right-of-way line to the east line of said Section 7, thence South 0°00' west along the east line of said Section 7 to the point of beginning, containing 72.36 acres, more or less.

IT IS FURTHER ORDERED: That the mill levy of the City of St. Cloud on the property herein ordered annexed shall be increased in substantially equal proportion over a period of three (3) years to equality with the mill levy of the property already within the City.

Dated this 15th day of August, 1974

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

*Howard L. Kaibel, Jr.*

Howard L. Kaibel, Jr.  
Executive Secretary

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STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

AUG 30 1974

*Arlen D. Edall*  
Secretary of State