

A-2727 North Oaks

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Thomas J. Simmons
Robert W. Johnson
Gerald J. Isaacs
Anthony Danna
John Finley

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

IN THE MATTER OF THE NOTICE OF INTENT)
FOR THE ANNEXATION OF CERTAIN LAND TO)
THE CITY OF NORTH OAKS)

ORDER

A Notice of Intent for the annexation of the following described land was received by the Minnesota Municipal Commission on the 12th day of November, 1974. An objection to the proposed annexation by the Town of White Bear was received by the Minnesota Municipal Commission on the 9th day of January, 1975. A hearing was held on the 8th day of May, 1975 in the North Oaks Recreation Center, North Oaks, Minnesota, pursuant to Minnesota Statutes 414, as amended, before the Minnesota Municipal Commission. A joint resolution as to annexation was presented to the Minnesota Municipal Commission whereby the Town of White Bear withdraws its objection to the Notice of Intent in order that the City of North Oaks may annex the territory by ordinance as provided in Minnesota Statutes 414.033, Subdivision 3.

The Minnesota Municipal Commission, upon all records and files herein, being fully advised in the premises, hereby issues its

ORDER

IT IS HEREBY ORDERED: That the objection of the Town of White Bear to the annexation of the following described land to the City of North Oaks be dismissed:

The Northeast Quarter of the Northwest Quarter
(NE $\frac{1}{4}$ of NW $\frac{1}{4}$) Section Sixteen (16), Township
Thirty (30), Range Twenty-two (22), Ramsey
County, Minnesota, according to the United
States Government Survey thereof. Subject
to Centerville Road.

28203

IT IS FURTHER ORDERED: That the Minnesota Municipal Commission hereby relinquishes its jurisdiction over the above described property.

Dated this 9TH day of July, 1975

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
Saint Paul, Minnesota 55101



Howard L. Kaibel, Jr.
Executive Secretary

#28203

STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
JUL 14 1975

James Anderson Howe
Secretary of State

MEMORANDUM

This annexation proceeding was initiated by the city pursuant to Minnesota Statutes 414.033, Subdivision 3, which permits municipalities to annex property by ordinance when property is 60% or more surrounded by city boundaries if the town board involved has no objection after proper filing of a notice of intent to annex. The town supervisors filed a proper notice of objection pursuant to that section of the statutes which goes on to require in such instances that the boundary adjustment dispute be decided by the Municipal Commission after proper notice and hearing. At that hearing, the city and township presented a joint agreement wherein the town supervisors withdraw their notice of objection and the city among other things agrees not to approve any further annexations of township property for a period of ten years.

Representatives of the two governing bodies clarified their intent for the record with assurances that this is not an attempt to supersede state law permitting property owners to petition the commission for inclusion within the city, nor was it an attempt to restrict in any way the jurisdiction, authority or responsibility of this or future municipal commissions.

We have today decided based on the evidence and arguments presented at the hearing to comply with the unopposed joint request of the parties that the commission relinquish its jurisdiction. In so doing, we wish the record to clearly show that this action is taken without regard to the specific provisions of that agreement, more particularly emphasizing that any petitions of citizens provided for by the legislature will at all times, of course, be fully, freely and objectively entertained.