



STATE OF MINNESOTA
MUNICIPAL COMMISSION

304 Capitol Square Building
10th & Cedar Streets
St. Paul, Minnesota 55101
September 10, 1975

Mr. Mark Winkler
Deputy Secretary of State
State Office Building
St. Paul, Minnesota

Re: Municipal Commission Docket Number A-2148(OA)-2

Dear Mr. Winkler:

The subject order of the Minnesota Municipal Commission makes the following changes in the population of the named units of government:

The population of the City of Prior Lake
is increased by 364 to 5,365

The population of The Town of Spring Lake
is decreased by 364 to 2,325

A new municipality named _____
has been created with a population of _____

The _____
has been dissolved.

Official Date of the Order 9/8/75

Other _____

c.c. Mr. Wallace O. Dahl
Director
Tax Research Division
205 Centennial Bldg.

[Signature]
Patricia D. Lundy
Asst. Executive Secretary
STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
SEP 11 1975

[Signature]
Secretary of State

#28554

[Signature]

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
William Koniarski	Ex-Officio Member
Anthony Worm	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)	
BETWEEN THE CITY OF PRIOR LAKE AND THE)	
TOWN OF SPRING LAKE FOR THE ORDERLY)	<u>FINDINGS OF FACT,</u>
ANNEXATION OF CERTAIN LAND TO THE CITY)	<u>CONCLUSIONS OF LAW,</u>
OF PRIOR LAKE)	<u>AND ORDER</u>

The above entitled matter came on for hearing before the Minnesota Municipal Commission, pursuant to Minnesota Statute 414, as amended, on July 23, 1975, at the Prior Lake City Hall, Prior Lake, Minnesota. The City of Prior Lake appeared by and through Mark Sullivan, Prior Lake City Attorney. The Town of Spring Lake appeared by and through their attorney, Michael Mollerus, Minneapolis, Minnesota. The Northwood Improvement Association and residents of the Northwood area of the proposed annexation were represented by Clint Grose, attorney, Minneapolis, Minnesota. The hearing was conducted by Thomas J. Simmons, Chairman of the Minnesota Municipal Commission. Also in attendance was Gerald J. Isaacs, member of the Minnesota Municipal Commission, and County Commissioners William Koniarski and Anthony Worm, 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 the files, records 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. The attached joint resolution for orderly annexation was adopted by the City of Prior Lake and the Township of Spring Lake and duly filed with the Minnesota Municipal Commission.
2. Due, Timely and adequate legal notice of the hearing was properly published, served and filed.

3. That the area proposed to be annexed is characterized by substantial residential development and will experience further development in the near future.

4. That the City of Prior Lake does now provide fire protection to the area proposed for annexation.

5. That the City of Prior Lake 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 years:

- | | |
|-----------------------|----------------------|
| a) Police Protection | d) Planning & Zoning |
| b) Parks & Recreation | e) Water |
| c) Street Maintenance | f) Sewer |

6. The two parcels of property to be annexed are described as follows:
That parcel designated as the "Old Spring Lake Townsite" described as follows:

All those parts of Sections 3, 4 and 10, Township 114, Range 22, encompassed by the following description:
Beginning at the North one-quarter of Section 10; thence South along the North-South one-quarter of said Section 10 to the Northerly Right-of-Way line of State Trunk Highway No. 13; thence Southwesterly along said Northerly Right-of-Way line to a point distant 33.0 feet East of the West line of said Section 10; thence North along a line parallel with and 33.0 feet East of the West line of said Section 10 to the shore of Spring Lake; thence Northerly to the Southwest corner of the plat of Butternut Beach; thence Northerly to the Northwest corner of said plat; thence Easterly to the most Easterly corner of said plat of Butternut Beach; said point lying on the Northerly line of County Road No. 12; thence Easterly along said Northerly line to the Westerly line of the plat of Spring Lake Townsite; thence Northerly along said Westerly line of said Townsite to the Northwest corner of Lot 10, Block 20 of said Townsite; thence Easterly along said Townsite to the Westerly line of Northwood Road; thence Northeasterly along said road to the East line of said Section 4; thence South along said East line to the shore of Prior Lake; thence Southeasterly to the intersection of the Westerly line of First Street in the plat of Spring Lake Townsite and the shore of Prior Lake, said point being on the existing city limits of the City of Prior Lake; thence Southerly and Easterly along city limits to the point of beginning.

and that parcel designed as the "Northwood Road Area" described as follows:

All that part of Section 3, Township 114, Range 22 encompassed the following description:
Beginning at the intersection of the West line of said Section 3 with the Northerly shoreline of Prior Lake; thence North along the West line of said Section to the Northwest corner of said Section 3, said corner being on the existing Southerly city limits of the City of Prior Lake; thence Easterly and Southerly along the then existing city limits to the point of beginning.

7. That the City of Prior Lake and the Town of Spring Lake have agreed to a division of financial assets in the Joint Resolution for Orderly Annexation, dated September 1972, a copy of which is attached hereto and marked as "Exhibit A".

8. It has been stipulated by all parties that annexation should occur forthwith in that area of Spring Lake Township described as the "Old Spring Lake Townsite" and the annexation of the remaining portion of Spring Lake described as the "Northwood Road Area" should occur April 1, 1976.

9. Population of the "Old Spring Lake Townsite" area is 364 persons; population of the area designed as the "Northwood Road Area" is 174 persons; the existing city population is 5,001; and the Township has a population of 2,689.

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 Prior Lake 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 area be and hereby is annexed to the City of Prior Lake immediately upon issuance of this Order:

All those parts of Sections 3, 4 and 10, Township 114, Range 22, encompassed by the following description:

Beginning at the North one-quarter of Section 10; thence South along the North-South one-quarter of said Section 10 to the Northerly Right-of-Way line of State Trunk Highway No. 13; thence Southwesterly along said Northerly Right-of-Way line to a point distant 33.0 feet East of the West line of said Section 10; thence North along a line parallel with and 33.0 feet East of the West line of said Section 10 to the shore of Spring Lake; thence Northerly to the Southwest corner of the plat of Butternut Beach; thence Northerly to the Northwest corner of said plat; thence Easterly to the most Easterly corner of said plat of Butternut Beach; said point lying on the Northerly line of County Road No. 12; thence Easterly along said Northerly line to the Westerly line of the plat of Spring Lake Townsite; thence Northerly along said Westerly line of said Townsite to the Northwest corner of Lot 10, Block 20 of said Townsite; thence Easterly along said Townsite to the Westerly line of Northwood Road; thence Northeasterly along said road to the East line of said Section 4; thence South along said East line to the shore of Prior Lake; thence Southeasterly to the intersection of the Westerly line of First

Street in the plat of Spring Lake Townsite and the shore of Prior Lake, said point being on the existing city limits of the City of Prior Lake; thence Southerly and Easterly along city limits to the point of beginning.

IT IS FURTHER ORDERED: that the following described area be annexed to the City of Prior Lake effective April 1, 1976.

All that part of Section 3, Township 114, Range 22 encompassed by the following description:

Beginning at the intersection of the West line of said Section 3 with the Northerly shoreline of Prior Lake; thence North along the West line of said Section to the Northwest corner of said Section 3, said corner being on the existing Southerly city limits of the City of Prior Lake; thence Easterly and Southerly along the then existing city limits to the point of beginning.

IT IS FURTHER ORDERED: that the mill levy of the City of Prior Lake on the property herein ordered annexed shall be increased in substantially equal proportion over a period of three years to equality with the mill levy of the property already within the City. In the year following the effective date of the annexation increase in the mill rate for city purposes on the property annexed shall not exceed $\frac{1}{3}$ of the difference between the current mill levy for city and township purposes. In the second year following annexation the increase in the mill rate on the property annexed shall not exceed $\frac{1}{2}$ of the then existing difference between the mill levy on the property annexed and the full mill levy for city purposes. In the third year following annexation the property annexed shall be taxed at the full city rate.

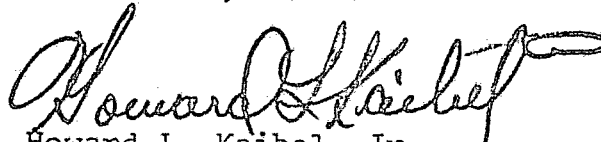
IT IS FURTHER ORDERED: that the population of the City of Prior Lake be and the same hereby is increased by 364 to 5,365 for all purposes until the next federal or state census; and further increased effective April 1, 1976 by 174.

IT IS FURTHER ORDERED: that the population of the Town of Spring Lake be and the same hereby is decreased by 364 to 2,325 for all purposes until the next federal or state census; and further decreased effective April 1, 1976 by 174.

IT IS FURTHER ORDERED, that financial distribution and tax division shall be conducted in accordance with the terms of the Joint Resolution for Orderly Annexation, dated September 1972.

Dated this 8th day of September, 1975

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



Howard L. Kaibel, Jr.
Executive Secretary

#28664
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 11 1975
James Anderson Brown
Secretary of State