

LAW FIRM OF

Frauenschuh and Spooner, P.A.

RONALD R. FRAUENSHUH, SR.
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July 14, 1988

Secretary of State
Corporate Division
180 State Office Building
St. Paul, MN 55155

RE: GEM Sanitary District

Dear Madam:

Enclosed for filing as a newly formed corporation is the MPCA Order Creating GEM Sanitary District along with the Findings of Fact Conclusions and Order in support of it. Please return to us, the original recorded documents. Also enclosed is the \$125.00 recording fee.

Thank you.

Sincerely,

FRAUENSHUH AND SPOONER, P.A.

Ronald R. Frauenschuh, Sr.
Ronald R. Frauenschuh, Sr.

RRF/mp

Enclosure

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JUL 19 1988

Grant Anderson
Secretary of State

38254

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY


In the Matter of the
Petition by the
Cities of Greenwald,
Elrosa and Meire Grove
for the Formation of the
GEM Sanitary District

NOTICE OF MPCA
ORDER CREATING
GEM SANITARY
DISTRICT

PLEASE TAKE NOTICE that on February 23, 1987, the Minnesota Pollution Control Agency (Agency) adopted Findings of Fact and Conclusions determining that the conditions requisite for the formation of a sanitary district exist in the territory described in the petition submitted by the Cities of Greenwald, Elrosa and Meire Grove, Minnesota, on December 15, 1987, for the formation of a district. On February 23, 1987, the Agency issued its Order creating the GEM Sanitary District to include the Cities of Greenwald, Elrosa and Meire Grove and the land and easements necessary for construction of a sewage treatment plant to be located in Grove Township. A copy of the Agency's Findings of Fact, Conclusions, and Order is attached.

For further information please contact Joel Marquardt,
Minnesota Pollution Control Agency, 520 North Lafayette Road,
St. Paul, Minnesota 55155, telephone (612) 296-9286.

Dated: 2-24, 1988


for GERALD WILLET
Commissioner
Minnesota Pollution Control Agency

STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

In the Matter of the Petition
by the Cities of Greenwald,
Elrosa, and Meire Grove for
the Formation of the GEM
Sanitary District

FINDINGS OF FACT
CONCLUSIONS AND
ORDER

The above-entitled matter came on for hearing before Allan W. Klein, Administrative Law Judge from the State Office of Administrative Hearings, on February 4, 1988 at 2:00 PM and 7:00 PM in Meire Grove.

The following persons appeared at the hearing: For the cities of Greenwald, Elrosa, and Meire Grove, Ronald R. Frauenshuh, Sr., Frauenshuh & Spooner, P.A., Attorney at Law, 113 Washburne Avenue, Paynesville, Minnesota 56362. For the staff of the Minnesota Pollution Control Agency (hereinafter "MPCA" or "Agency"), Beverly Conerton, Special Assistant Attorney General, Suite 200, 520 Lafayette Road, St. Paul, Minnesota 55155.

The record closed on February 4, 1988.

On February 8, 1988, the Administrative Law Judge issued his Report, including Findings of Fact, Conclusions and Recommendations. The matter then came on before the Agency at its regular monthly meeting on February 23, 1988.

The Agency, having considered the Report of the Administrative Law Judge and the record created herein, and after affording all interested persons an opportunity to be heard, and being fully advised in the matter, hereby makes the following

FINDINGS OF FACT

The Agency hereby adopts as its Findings of Fact the findings of the Administrative Law Judge in his report dated February 8, 1988.

Based upon the foregoing Findings of Fact, the Agency hereby makes the following

CONCLUSIONS

1. That the Agency has subject matter jurisdiction over the Petition and the proposed establishment pursuant to Minn. Stat. § 115.18 to 115.37 (1986).

2. The Agency has complied with all the procedural requirements of Minn. Stat. § 115.20 (1986), as well as other substantive and procedural requirements of law and rule. This matter is, therefore, properly before the Agency.

3. The conditions described in Minn. Stat. § 115.19 (1986) for the creation of a sanitary district do exist within the corporate limits of the cities of Greenwald, Elrosa and Meire Grove, including areas in Grove Township proposed for the location of the sewage treatment facility.

4. Any of the foregoing Findings of Fact that might properly be termed Conclusions, and any Conclusions that might properly be termed Findings, are hereby adopted as such.

NOW THEREFORE, the Minnesota Pollution Control Agency hereby makes the following

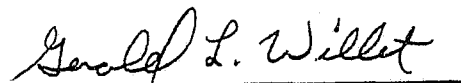
ORDER

IT IS ORDERED that the GEM Sanitary District is hereby created to include the cities of Greenwald, Elrosa, and Meire Grove and the land and easements necessary to construct and operate a sewage treatment plant in Grove Township.

Dated this 23rd day of February, 1988.



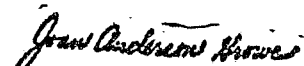
KEITH H. LANGMO
Chairman
MPCA



GERALD WILLET
Commissioner
MPCA

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JUL 19 1988



Secretary of State

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