



## Exhibit "A"

To: The Board of County Commissioners of Stearns County, Minnesota:

For the purpose of organizing and incorporating a village in accordance with Section 1111 of Mason's Minnesota Statutes of 1927 and other laws of the State of Minnesota, pertinent thereto, the undersigned respectfully request and petition that you call an election for the determination of such proposed incorporation, as provided by such laws.

Further, in accordance with said laws, and as a part of this petition, the undersigned do state and make known the following facts, to-wit:

1. The name of the proposed village shall be "Village of Elrosa".

2. That each of the undersigned is an actual resident and legal voter of and in the territory included in the boundaries of the said proposed village.

3. That the territory included in the said proposed village is situate in Stearns County, Minnesota and is all that part of Sections Nine (9) and Ten (10) of Township numbered One Hundred Twenty-four (124) of Range Thirty-four (34), contained within the following boundary lines, to-wit: Beginning at the Southwest corner of the Northeast Quarter of the Southeast Quarter ( $NE\frac{1}{4} SE\frac{1}{4}$ ) of said Section Nine (9) and running thence North to the Northwest corner thereof and thence East along the North line thereof to the westerly line of the right-of-way of the Minneapolis, St. Paul, and Sault Ste. Marie Railway, and thence in an approximate Northeasterly direction along the Northerly line of said right-of-way to the West line of the highway running along the East side of the said Section Nine (9); thence South along the West side of said highway to the narrowed right-of-way of said railway (being 50 feet at right angles from the center of the main track thereof) and thence following approximately Northeast along said right-of-way to a point due North of the East line of Lots One (1) to Seven (7) inclusive, of Rien's Addition to Elrosa, and thence South along said East line to a point Thirty-three (33) feet South of the East line of said Lot Seven (7); thence East to the East line of Bauer Street in Loehr's Second Addition to Elrosa; thence South along the East line of said Street; and thence South to the center of Third Avenue in said Loehr's Second Addition and thence West along the center line of said Third Avenue (and the center line of Block "A" of said Addition) to the East line of said Section Nine (9), being also the center line of State Street, according to the original plat of Elrosa, and thence South to the Southeast corner of said Northeast Quarter of the Southeast Quarter ( $NE\frac{1}{4} SE\frac{1}{4}$ ) of said Section Nine (9) and thence West along the South line thereof to the place of beginning. References to the said plats of the Townsite of Elrosa, of Rien's Addition to Loehr's Addition and to Loehr's Second Addition are in accordance with the plats thereof, on file and of record in the office of the Register of Deeds of said County.

4. That there is embraced within the above described boundaries of said proposed village, all of the said Original Townsite of Elrosa, all of said Rien's Addition and the said Loehr's Second Addition and part of Loehr's Addition, plats of which, platting the land included in said respective tracts into lots and blocks, have been duly and legally certified in accordance with the Laws of Minnesota and filed in the office of the said Register of Deeds. That said boundaries also embrace lands so conditioned as properly to be subjected to village government, adjacent to said platted lands, and that none of such territory is included in any incorporated village.

5. That the quantity of land embraced within the boundaries of said proposed village is Fifty-six and Sixty-eight one hundredths (56-68/100) acres.

6. That the number of actual residents on the land included within the boundaries of said proposed village is

168

SUBSCRIBERS

Edwin B. Stalberger

Norbert Illies

Peter Herges

C. P. Stalberger

Chas. Spaeth

Philomena Spaeth

Nick H. Mohs

Ben Osendorf

Mrs. Gust Spaeth

Mrs. P. Herges

Barney I. Imdieke

Norbert C. Brix

Jos. A. Scholz

Gust Spaeth

Leo F. Dolan

Fred Koll

Leander Bayer

Mrs. Peter Schneider

Peter Schneider

Gon Iverson

Arthur Kochmann

Ben H. Terhaar

Laura Stalberger

Elmer Spaeth

Veronica Weber

SUBSCRIBERS

Charles A. Ohmann

John H. Weber

Mary Weber

R. M. Vance

STATE OF MINNESOTA )  
COUNTY OF STEARNS )ss

I hereby certify that each of the persons who subscribed the foregoing petition personally appeared before me and, being duly sworn, each did say that he or she had read and knew the contents of the said petition and was a resident and legal voter of the territory of the proposed village of Elrosa as set forth in

said petition and that he or she subscribed said petition for the uses and purposes therein set forth.

I further certify that each of said subscribers is known to me and each is a resident and legal voter of the said territory and that the said petition was so subscribed and sworn to on this 27th day of January, 1938.

Witness my hand and official seal.

(SEAL)

Math Bauer *Math Bauer*  
Notary Public, Stearns County, Minn.  
My commission expires May 22, 1940/

STATE OF MINNESOTA  
  )ss  
COUNTY OF STEARNS

Gust Spaeth, Edwin B. Stalberger, and  
John H. Weber being first duly sworn, each for himself  
deposes and says:

That each of said affiants and all of the subscribers to the foregoing petition are personally known to each of affiants and that each and all of said persons are residents and legal voters of the territory included in the proposed village of Elrosa as described in the said petition and that each of the signatures to the said petition is the genuine signature of the person whose signature it purports to be and that each of said signatures was subscribed to the said petition on the 27 day of January, 1938.

That on behalf of the subscribers to said petition, affiants have taken a census of the resident population of the territory included within the boundaries of the said proposed village, <sup>on</sup> the day aforesaid, and that the number of actual residents of said territory on said date is 168. That the said census was accurately taken by affiants on the said date and that each and all of the statements in the said petition are true.

Gust Spaeth

Edwin B. Stalberger

John H. Weber

Subscribed and sworn to by

Gust Spaeth, Edwin B. Stalberger,

and John H. Weber, before me  
this 28 day of January, 1938.

Math Bauer *Math Bauer*  
Notary public, Stearns County, Minn.  
My commission expires May 22, 1940.

*Saul*

Exhibit "B"

BE IT RESOLVED by the Board of County Commissioners of Stearns County, Minnesota, as follows, to-wit:

THAT WHEREAS, a petition has been presented to this Board requesting that in accordance with Section 1111 of Mason's Minnesota Statutes of 1937 and of the Laws of Minnesota pertinent thereto, an election be called to determine whether there be incorporated a village to be known as "Village of Elrosa" and embracing in its territory approximately the following premises (reference is hereby made to said petition for further particularity) to-wit: Fifty-six and Sixty-eight one hundredths (56-68/100) acres of Sections Nine (9) and Ten (10) of Township One hundred twenty-four (124) Range Thirty-four (34) described as follows: The Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of said Section Nine (9) and all that part of the right-of-way of the Minneapolis, St. Paul, and Sault Ste. Marie Railway Company right-of-way which is in the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section Nine (9) and which lies West of the West line of the highway running along the East line of said Section, also all of Rien's Addition to Elrosa, all that part of said Railway right-of-way lying North of said Addition, all of Loehr's Second Addition to Elrosa, except the South Half (S $\frac{1}{2}$ ) of First Avenue, considering the same as Sixty-six (66) feet wide, and all of Loehr's Addition to Elrosa, excepting Blocks numbered Three (3) and Four (4) thereof and excepting the South Half (S $\frac{1}{2}$ ) of Block "A", (now part of Third Avenue), and said Addition be in accordance with the plats thereof on file and of record in the office of the Register of Deeds of said County, and

WHEREAS the said petition is signed by 29 duly qualified electors residing within the territory of the said proposed village and is accompanied by a census of the resident population of such territory, and in all things complies with the statute in such case made and provided,

NOW THEREFORE it is ordered that the said petition be granted and that the said election be held at the office of the Stalberger Garage on Lots 10 and 11 in Block 2 of the Original Townsite of Elrosa, according to the plat thereof on file and of record in the office of the said Register of Deeds, on Thursday, the 24th day of February, 1938, from nine o'clock A. M. until five o'clock P. M. and that the Chairman and County Auditor, on behalf of this Board, give notice of such election and cause the same to be posted according to law, (there being no newspaper within the territory of said proposed village), and that the Auditor prepare and furnish the necessary ballots and supplies to be used thereat and that he perform all acts and duties required of him by the said laws pertaining to the incorporation of villages.

BE IT FURTHER RESOLVED that Ben Osendorf, Fred Koll and John Weber, who are duly qualified electors residing within the said territory, are hereby appointed "inspectors" to conduct the said election and to perform all duties provided by law to be performed by such officers.

EXHIBIT "C"

"On motion duly seconded, the following resolution was adopted:

BE IT RESOLVED, that whereas, by its resolution adopted on February 1st, 1938, this Board appointed Ben Osendorf, Fred Koll and John Weber, to be "inspectors" to conduct the election to be held on February 24th, 1938, to determine whether there shall be incorporated a proposed village to be known as "Elrosa" and

WHEREAS, it appears that John Weber, so appointed as one of said inspectors is unable to act and has not qualified as such officer and refuses so to do,

NOW THEREFORE, Gust Spaeth is hereby appointed in his place and the said resolution of February 1st, 1938, is amended so that the inspectors appointed thereby are and shall be Fred Koll, Ben Osendorf and Gust Spaeth, who shall perform the duties of such office."

Exhibit "D"

CERTIFICATE AND RETURN OF INSPECTORS

We, Fred Koll and Gust Spaeth, as inspectors and as judges of an election held to determine on the question of whether the proposed Village of Elrosa should be incorporated, in accordance with a resolution of the Board of County Commissioners of Stearns County, Minnesota, passed and adopted on February 1st, 1938 and amended by another resolution passed and adopted by said Board on February 7th, 1938, do hereby make the following certificate and return, to-wit:

That Ben Osendorf, one of the persons named to be inspector, by the said resolution, was unable to act and has never qualified as such inspector.

That the said election was held on Thursday, February 24th, 1938, at the office of Stalberger Garage on Lots 10 and 11 in Block 2 of the Original Townsite of Elrosa, according to the plat thereof on file and of record in the office of the Register of Deeds of Stearns County, Minnesota, between the hours of nine o'clock A. M. and five o'clock P. M. of the said day.

That at the time of the opening of the said election, the duly qualified electors then present, by their unanimous choice, selected and elected Alfred Stalberger to be Judge of the said Election and Marie Stalberger to be Clerk of the said election and said persons performed the duties of such offices.

That the said election was in all things conducted in accordance with the laws of the State of Minnesota in such case made and provided.

That 83 votes were cast at the said election of which 44 were voted "For Incorporation Yes" and 39 were voted "For Incorporation No" and that, a majority of the votes cast at the said election were in the affirmative and in favor of such incorporation and the said proposition is therefor declared to be carried and adopted.

That Alfred Stalberger who was chosen as aforesaid to act as Judge of the said election and to carry on the duties of the inspector who was unable to act, joins in this certificate.

Dated February 25th, 1938.

Fred Koll  
Gust Spaeth  
Inspectors (Judges) of Election

Alfred Stalberger  
Judge of Election and Substitute  
Inspector.

STATE OF MINNESOTA

COUNTY OF STEARNS

)ss

Fred Koll, Gust Spaeth, and Alfred Stalberger being first duly sworn, each for himself, deposes and says:- That he is one of the persons described in the foregoing Certificate

and Return; that he has read and knows the contents thereof and that the facts therein set forth are in all things true.

Fred Koll  
Kurt Spauth  
Alfred St. August

Subscribed and sworn to before me  
this 25th day of February, 1938.

L. L. Kells, (L. L. Kells)  
Notary public, Stearns County, Minn.  
My commission expires Oct. 7, 1940.

Exhibit "E"

NOTICE OF ELECTION

Notice is hereby given that on Thursday, the 24th day of February, 1938, at the office of Stalberger Garage on Lots 10 and 11 in Block 2 of the Original Townsite of Elrosa, according to the plat thereof on file and of record in the office of the Register of Deeds in Stearns County, Minnesota, an election will be held, whereat the electors residing within the boundaries of the proposed "Village of Elrosa", described in the petition of which a copy is hereunto attached and hereby made a part hereof, shall determine whether the territory within said boundaries shall be incorporated as a village in accordance with Section 1111 of Mason's Minnesota Statutes of 1927 and other laws pertaining thereto. The poles will be open at such election from nine o'clock A. M. until five o'clock P. M. of said day.

By order of, and in accordance with a resolution of, the Board of County Commissioners of Stearns County, Minnesota.

Dated February 1<sup>st</sup>, 1938.

*Anton W. Traut*

Chairman of Board of County Commissioners of Stearns County, Minnesota.

ATTEST:

*Franz Rammel*

Auditor of Stearns County, Minnesota.

(OFFICIAL SEAL)

STATE OF MINNESOTA )  
COUNTY OF STEARNS )ss

*Gust Spaeth*

being first duly sworn, deposes and says:

That on the 1<sup>st</sup> day of February, 1938, he posted true and correct copies of the foregoing notice of election including the petition attached thereto, in three of the most public places within the boundaries of the proposed Village of Elrosa as described in the said notice and petition, to-wit: One of such notices was so posted on a posting board on the front of Elrosa Community Hall on Lots 16 and 17 in Block 7 in the Original Townsite of Elrosa, according to the plat thereof on file and of record in the office of the Register of Deeds of said County.

One was so posted on Elrosa Cooperative Creamery building on Lots 1 and 2 of Block 9, according to said plat.

Another of such notices was so posted on an electric light pole in the street at the northeast corner of Block 1 of Loehr's First Addition to Elrosa, according to the plat thereof on file and of record in said office.

Subscribed and sworn to before me this 1<sup>st</sup> day of February, 1938.

*Gust Spaeth*

*Franz Rammel*  
Notary public, Stearns County, Minn.  
My commission expires Co. Auditor

(Part of Exhibit E)

To: The Board of County Commissioners of Stearns County, Minnesota:

For the purpose of organizing and incorporating a village in accordance with section 1111 of Mason's Minnesota Statutes of 1887 and other laws of the state of Minnesota, pertinent thereto, the undersigned respectfully request and petition that you call an election for the determination of such proposed incorporation, as provided by such laws.

Further, in accordance with said laws, and as a part of this petition, the undersigned do state and make known the following facts, to-wit:

1. The name of the proposed village shall be "Village of Elrosa".
2. That each of the undersigned is an actual resident and legal voter of and in the territory included in the boundaries of the said proposed village.
3. That the territory included in the said proposed village is situate in Stearns County, Minnesota and is all that part of Sections Nine (9) and Ten (10) of Township numbered One Hundred Twenty-four (124) of Range Thirty-four (34), contained within the following boundary lines, to-wit: Beginning at the southwest corner of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of said Section Nine (9) and running thence North to the Northwest corner thereof and thence East along the North line thereof to the westerly line of the right-of-way of the Minneapolis, St. Paul, andault St. Marie Railway, and thence in an approximate Northeastly direction along the Northerly line of said right-of-way to the East line of the highway running along the East side of the said Section Nine (9); thence South along the East side of said highway to the narrowed right-of-way of said railway (being 50 feet at right angles from the center of the main track thereof) and thence following approximately Northeast along said right-of-way to a point due North of the East line of Lots One (1) to Seven (7) inclusive, of Rien's Addition to Elrosa, and thence South along said East line to a point Thirty-three (33) feet South of the East line of said Lot Seven (7); thence East to the East line of Gauer Street in Lochr's Second Addition to Elrosa; thence South along the East line of said Street; and thence South to the center of Third Avenue in said Lochr's Second Addition and thence East along the center line of said Third Avenue (and the center line of Block "A" of said Addition) to the East line of said Section Nine (9), being also the center line of State Street, according to the original plat of Elrosa, and thence South to the Southeast corner of said Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of said Section Nine (9) and thence West along the South line thereof to the place of beginning. Reference to the said plats of the Townsite of Elrosa, of Rien's Addition to Lochr's Addition and to Lochr's Second Addition are in accordance with the plats thereof, on file and of record in the office of the Register of Deeds of said County.
4. That there is embraced within the above described boundaries of said proposed village, all of the said original Townsite of Elrosa, all of said Rien's Addition and the said Lochr's Second Addition and part of Lochr's Addition, plats of which, platting the land included in said respective tracts into lots and blocks, have been duly and legally certified in accordance with the Laws of Minnesota and filed in the office of the said Register of Deeds. That said boundaries also embrace lands so conditioned as properly to be subjected to village government, adjacent to said platted lands, and that none of such territory is included in any incorporated village.

5. That the quantity of land embraced within the boundaries of said proposed village is Fifty-six and Sixty-eight one hundredths (56-68/100) acres.

6. That the number of actual residents on the land included within the boundaries of said proposed village is 188.

SIGNATURES

Edwin B. Stalberger

Norbert Illies

Peter Herges

G. F. Stalberger

Chas. Spaeth

Philomena Spaeth

Nick H. Mohs

Ben Osanderf

Mrs. Gust Spaeth

Mrs. P. Herges

Barney I. Indioke

Norbert G. Brix

Joe. A. Scholz

Gust Spaeth

Leo P. Delan

Fred Koll

Laender Bayer

Mrs. Peter Schneider

Peter Schneider

Con Iverson

Arthur Kochmann

Ben H. Ismaar

Laura Stalberger

Blair Spaeth

Veronica Weber

SIGNATURES

Charles A. Ohmann

John H. Weber

Mary Weber

R. M. Vance

STATE OF MINNESOTA )  
COUNTY OF STEARNS )ss

I hereby certify that each of the persons who subscribed the foregoing petition personally appeared before me and, being duly sworn, each did say that he or she had read and knew the contents of the said petition and was a resident and legal voter of the territory of the proposed village of Elrosa as set forth in

