

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert J. Ford	Vice Chairman
Robert J. Dahl	Member
I. A. Pederson	Ex-Officio Member
A. B. Schaefer	Ex-Officio Member

IN THE MATTER OF THE PETITION)
 TO ANNEX CERTAIN LAND TO THE)
 VILLAGE OF FOREST LAKE)

FINDINGS OF FACT,
 CONCLUSIONS OF LAW
 AND ORDER

This proceeding under Minnesota Statutes 1969, Section 414.033, for the annexation to the Village of Forest Lake, Minnesota, of certain property located in the Town of Forest Lake, Washington County, Minnesota, more particularly described herein, came on for hearing before the Minnesota Municipal Commission at the Forest Lake Village Hall in the Village of Forest Lake, Minnesota, on the 3rd day of June, 1971.

Robert W. Johnson, Chairman of the Minnesota Municipal Commission, presided at the hearing. Also in attendance were members Arthur R. Swan and Robert J. Ford, and Ex-Officio Members I. A. Pederson and A. B. Schaefer, Washington County Commissioners.

The Petitioners were represented by John V. Jergens of the law firm of Albertson, Norton, Jergens & Gunderson, Forest Lake, Minnesota. The Town of Forest Lake was represented by Lyle Eckberg, Attorney, Stillwater, Minnesota.

The Commission, having considered the testimony of the witnesses, the exhibits received in evidence and all other evidence, the arguments of counsel, and the files and records herein, and being fully advised in the premises, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Due, timely and adequate legal notice of the hearing ordered by the Minnesota Municipal Commission was published, served and filed.

2. The original Notice of Intent to Annex Lands contained an erroneous description of the area proposed to be annexed but that Amended Notice of Intent containing the correct description was duly and adequately served and filed in accordance with the rules of the Commission and the Statute in such case made and provided.

3. The area proposed for annexation contains approximately 41 acres of land, more or less, and is legally described as follows, to-wit:

That part of the Northeast Quarter (NE 1/4) of Section Seven (7), Township Thirty-two (32) North, Range Twenty-one (21) West, Washington County, Minnesota, bounded on the West by the West line of Interstate 35 and bounded on the North, South and East by the Village boundaries of the Village of Forest Lake.

4. The area proposed to be annexed is located West of the present Village of Forest Lake and is located in the most northwesterly corner of the Town of Forest Lake. The area proposed to be annexed is bounded on the West, South and East by the present Village boundaries of the Village of Forest Lake.

5. The area proposed for annexation contains within it parcels owned by three parties, one parcel of which is unimproved, one parcel of

which has been developed for a Standard Oil Gasoline Station, and one parcel of which consists of a private residence and lot. The population of the area proposed for annexation is 2, and the population of the Village of Forest Lake, according to the 1970 census is 3,198. The population of the Town of Forest Lake, according to 1970 census was 3,018 persons.

6. The assessed valuation of the Town of Forest Lake as of January 1, 1971 was in the amount of \$1,960,015.00. The total assessed valuation of the entire Village of Forest Lake as of January 1, 1971 was in the amount of \$1,869,025.00. The assessed valuation of the area proposed to be annexed is \$2,598.00.

7. The total area included within the present Village of Forest Lake is 1,713 acres and the area within the Town of Forest Lake is approximately 18,304 acres.

8. The area proposed to be annexed lies in the extreme northwest corner of the Town of Forest Lake and is relatively isolated from the balance of said Township, being separated from the balance of said Township by the Village of Forest Lake.

9. The area proposed to be annexed is now urban in nature, having within it a Standard Oil Gasoline Service Station and one single family residence. The area is within close proximity to other commercial and residential development within the Village of Forest Lake.

10. The area proposed to be annexed lies within 100 feet of an existing Village water main and Village sanitary sewer main with sufficient capacity to provide municipal water and sewer to the entire area proposed to be annexed.

11. The Town of Forest Lake has no municipal water system but does have a sanitary sewer system along the shore of Forest Lake which is in excess of two miles distant from the area proposed to be annexed.

12. That municipal services can best be provided to the area proposed to be annexed by the Village of Forest Lake, due to the proximity of said area to the Village of Forest Lake and its relative isolation from the balance of the Town of Forest Lake.

13. That real estate taxes can reasonably be expected to increase in the area proposed to be annexed but such increase will be proportional to the expected benefit inuring to the area proposed to be annexed as a result of such annexation.

14. That municipal government is required to protect the public health, welfare and safety of the existing residents of the area and the development within the area, and is further necessary to protect the future subdivision of property and development in said area.

15. That due to the relative location of the area proposed to be annexed in respect to the balance of the Town of Forest Lake, it is natural, feasible and practical that the Village of Forest Lake provide necessary governmental services to said area.

16. That the perimeter of the area proposed to be annexed is 60 per cent or more bordered by the Village of Forest Lake.

17. That the loss of the area proposed to be annexed from the Town of Forest Lake will not in any way impair its ability to continue to function as a Township. It will continue to enjoy an adequate tax base to provide the services that its residents will need.

18. Annexation to the Village of Forest Lake would best serve the interests of the area proposed for annexation.

CONCLUSIONS OF LAW

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

2. Municipal government of the area is required to protect the public health, safety and welfare in reference to zoning, sewage disposal, municipal water, planning, police and fire protection.

3. That the area to be annexed is so conditioned and so located as to be properly the subject of municipal government by the Village of Forest Lake, Minnesota.

4. That the interests of the Village of Forest Lake and the area proposed to be annexed would best be served by the annexation of said area to the Village of Forest Lake, Minnesota.

5. That the area proposed to be annexed is or is about to become urban or suburban in character.

6. That the Township form of government is not adequate to meet the problems found to exist in the area proposed to be annexed.

7. That the annexation will not materially affect the ability of the Town of Forest Lake to provide governmental services for the balance of said Town.

8. That an Order should be issued by the Municipal Commission ordering the annexation of the land described herein to the Village of Forest Lake. Let an Order for such annexation be entered and filed accordingly.

ORDER

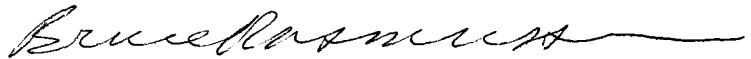
IT IS HEREBY ORDERED:

That the real estate situated in the County of Washington, State of Minnesota, described as follows be and the same hereby is annexed to the Village of Forest Lake, Minnesota, the same as if it had been originally made a part thereof:

That part of the Northeast Quarter (NE 1/4) of Section Seven (7), Township Thirty-two (32) North, Range Twenty-one (21) West, Washington County, Minnesota, bounded on the West by the West line of Interstate 35 and bounded on the North, South and East by the Village boundaries of the Village of Forest Lake.

Dated this 18th day of November, 1971.

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



Bruce Rasmussen
Executive Secretary