

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Thomas J. Simmons	Vice Chairman
Gerald J. Isaacs	Member
Albert Kordiak	Ex-Officio Member
Mike E. O'Bannon	Ex-Officio Member

IN THE MATTER OF THE NOTICE OF INTENT AND RESOLUTION FOR ANNEXATION OF CERTAIN LAND TO THE CITY OF ANOKA, COUNTY OF ANOKA, PURSUANT TO MINNESOTA STATUTES CHAPTER 414.	}	<u>FINDINGS OF FACT</u> <u>CONCLUSIONS OF LAW</u> <u>AND ORDER</u>
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The above entitled matter came on for hearing before a quorum of the Minnesota Municipal Commission on the 12th day of December, 1973, in the City of Anoka, County of Anoka and State of Minnesota, upon the Resolution for annexation of certain lands to the City of Anoka by the City of Anoka. The hearing was adjourned and an additional hearing was held on February 25, 1974.

Mr. Edward E. Coleman, City Attorney, appeared for the City of Anoka; Weaver, Talle & Herrick by Charles R. Weaver and William K. Goodrich appeared on behalf of the Township of Ramsey; Babcock, Locher, Neilson and Mannella, by Richard A. Beens, appeared on behalf of the Township of Grow. Several property owners, some of whom appeared in opposition thereto, appeared and their names are shown on the record hereof.

The Commission, having duly considered the testimony of the witnesses, the exhibits received in evidence, and upon all the files, records and proceedings herein, and being fully advised in the premises, makes and enters the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1.

This matter was initiated by passage by the Commission of the City of Anoka of a Resolution for annexation on September 4, 1973, and the service of said Resolution and Notice of Intent to Annex on the Town Boards of Ramsey and Grow, and the filing of such Resolution and Notice of Intent with the Minnesota Municipal Commission, Anoka County Auditor and the Secretary of State. The Town Boards of Ramsey and Grow served

objections to such annexation with the Municipal Commission within the time allotted by statute.

2.

That due, timely and adequate notice of the hearing of February 25, 1974, was properly published, served and mailed.

3.

That the area proposed for annexation is described as follows:

Parcel A - Town of Ramsey

All that part of Township 32 North, Range 25 West, of the 4th Principal Meridian described as follows: Beginning at the intersection of the Westerly extension of the South line of Section 35, said Township and the centerline of the Main Channel of the Mississippi River; thence Northwesterly along the said centerline to the intersection with the Southerly extension of the West line of Section 35; thence North along said West line and its extension and North along the West line of Section 26, said Township to the Northwest corner of the Southwest quarter ($SW\frac{1}{4}$) of the Northwest quarter ($NW\frac{1}{4}$) of said Section 26; thence West along the South line of the North one-half ($N\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 27, said Township to the Southeast corner thereof; thence North along the West line of said North one-half ($N\frac{1}{2}$) and North along the West line of the South one-half ($S\frac{1}{2}$) of the Southeast quarter ($SE\frac{1}{4}$) of Section 22 of said Township to the Northwest corner thereof; thence East along the North line of said South one-half ($S\frac{1}{2}$) to the Northeast corner thereof; thence South along the East line of said South one-half to the Southeast corner thereof; thence East along the North lines of Section 26 and Section 25 to the centerline of the Main Channel of the Rum River; thence Southerly, Westerly, Southerly, Southeasterly and Southerly to the intersection with the East line of Section 36, said Township; thence South along the East line of said Section 36 to the Southeast corner thereof; thence West along the South lines of Section 36 and Section 35 to the point of beginning, except those portions heretofore included within the corporate limits of the City of Anoka.

Parcel B - Town of Grow

All that part of Section 30 of Township 32 North, Range 24 West of the 4th Principal Meridian except those portions heretofore included within the corporate limits of the City of Anoka.

That the area described is more than 60% bordered by the City of Anoka.

All public roads, streets and highways within the area above described should be included in such annexed lands.

4.

That the description of the area proposed for annexation was subsequently amended to include the following described property:

Any portion of Section 36, Township 32 North, Range 25 West of the 4th Principal Meridian that is not included in the above description.

5.

That the area proposed for annexation is partly platted and partly unplatted, and is partly urban and partly agricultural; that said area abuts the City of Anoka and is not included in any other municipality.

6.

That the population of the City of Anoka as of the year 1970 was 14,234 and that the present population of the City of Anoka is not known, and that the area proposed for annexation has an approximate population of 872 people.

7.

That the real estate taxes in the area may be expected to increase, but the increase will be proportional to the expected benefit inuring to said area as a result of the annexation.

8.

That the City of Anoka has a modern, well-equipped police department of adequate size which will be able to serve the area ordered annexed. That neither the Township of Ramsey nor the Township of Grow has a police department and they each now receive their respective police protection from the Anoka County Sheriff's office.

9.

That the City of Anoka has a modern, well-equipped fire department and through its facilities will be able to serve the area herein proposed to be annexed, and has served such area on a contract basis with the Townships for many years.

10.

That the City of Anoka has adopted a comprehensive zoning ordinance; that each of the Townships of Ramsey and Grow has zoning and building ordinances; and that the City of Anoka's plan is capable of expansion to apply to growth into the area herein proposed to be annexed.

11.

That neither the Township of Ramsey nor the Township of Grow provides sanitary sewer or water in the area herein proposed to be annexed, and that the evidence shows that the Townships have no plans for providing such services in the immediate future; and that part of the area proposed to be annexed has immediate need for such services and that it is likely that the City of Anoka will be better able to provide such services than the Townships of Ramsey and Grow.

12.

That the area of territory described in the Resolution totals approximately 1800 acres, and the City of Anoka at the present time embraces an area of over 3800 acres.

13.

That the City of Anoka has expanded with respect to population and construction, and will continue to do so, and the space is needed to accommodate that expansion.

14.

That the township form of government is inadequate to cope with the problems of urban and suburban growth in the area hereafter ordered annexed.

15.

That the area herein ordered annexed is suitable for both commercial enterprises and residential development.

16.

That the property proposed for annexation lying North and West of the following described line would be better served by the Township of Ramsey:

Beginning at the point where the North line of Government Lot Five (5), Section Thirty-Six (36), Township Thirty-Two North (32N), Range Twenty-Five West (25W) if extended Easterly would intersect with the current boundary of the City of Anoka; thence West along said Easterly extension of the North line of Government Lot Five (5) to the point of intersection with the North line of the plat of the Brom Addition, Anoka County, Minnesota; thence West along the North line of the Brom Addition to the point of intersection with the Easterly right of way of St. Francis Blvd.; thence North along said East right of way to the point of intersection with the South right of way of County Road Number 57; thence West along said South right of way to the point of intersection with the current city limits of the City of Anoka; thence continuing Westerly and Southerly along said existing boundary to the point of intersection with the South line of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-Five (35), Township Thirty-Two North (32N), Range Twenty-Five West (25W); thence West along said South line which is also the North line of Lot 30, Auditor's Subdivision No. 96 to the most Westerly corner of said Lot 30; thence Southerly to the most Northerly corner of Lot 24, said Auditor's Subdivision No. 96; thence Southwesterly along the Northwesterly line of said Lot 24 to the most Westerly corner thereof; thence Southwesterly to the most Northerly corner of Lot 14, said Auditor's Subdivision No. 96; thence Southwesterly along the Northwesterly line of said Lot 14 to the most Westerly corner thereof; thence Southeasterly along the Southwesterly line of said Lot 14 to a point of intersection with a line parallel with and distant 150 feet Northwesterly as measured at right angles from the Southeasterly line of said Lot 14; thence Southwesterly along said parallel line a distance of 500 feet; thence Southwesterly at a deflection angle of 45°00' to the right, a distance of 900 feet more or less to a point of intersection with the thread of the Mississippi River; thence Southeasterly along said thread to a point on the Westerly extension of the South line of said Section 35 which is also the present Westerly limits of the City of Anoka.

CONCLUSIONS OF LAW

1.

The Municipal Commission duly acquired and now has jurisdiction of the within proceeding.

2.

The Municipal Commission, by virtue of receipt of a Resolution by the Commission of the City of Anoka, has authority to grant the annexation without an election.

3.

That the property ~~herein annexed is now or is about to~~ become urban or suburban in character.

4.

That both the remainder of the Township of Ramsey and the remainder of the Township of Grow can continue to carry on the function of government without undue hardship.

5.

That said area is so conditioned and so located as to be properly subjected to municipal government by the City of Anoka.

6.

Annexation of said area by the City of Anoka will be in the best interest of the area to be annexed, and of the City of Anoka.

7.

Municipal Government of said area is necessary and is required to protect public health, safety and welfare, and to provide necessary governmental services.

8.

That an order should issue from the Minnesota Municipal Commission annexing to the City of Anoka the real estate located in the Township of Ramsey and the Township of Grow, both in Anoka County, Minnesota, described herein.

9.

That the property proposed for annexation should be decreased by excluding property lying North and West of the following described boundary line:

Beginning at the point where the North line of Government Lot Five (5), Section Thirty-Six (36), Township Thirty-Two North (32N), Range Twenty-Five West (25W) if extended Easterly would intersect with the current boundary of the City of Anoka; thence West along said Easterly extension of the North line of Government Lot Five (5) to the point of intersection with the North line of the plat of the Brom Addition, Anoka County, Minnesota; thence West along the North line of the Brom Addition to the point of intersection with the Easterly right of way of St. Francis Blvd.; thence North along said East right of way to the point of intersection with the South right of way of County Road Number 57; thence West along said South right of way to the point of intersection with the current city limits of the City of Anoka; thence continuing Westerly and Southerly along said existing boundary to the point of intersection with the South line of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-Five (35), Township Thirty-Two North (32N), Range Twenty-Five West (25W); thence West along said South line which is also the North line of Lot 30, Auditor's Subdivision No. 96 to the most Westerly corner of said Lot 30; thence Southerly to the most Northerly corner of Lot 24, said Auditor's Subdivision No. 96; thence Southwesterly along the Northwesterly line of said Lot 24 to the most Westerly corner thereof; thence Southwesterly to the most Northerly corner of Lot 14, said Auditor's Subdivision No. 96; thence Southwesterly along the Northwesterly line of said Lot 14 to the most Westerly corner thereof; thence Southeasterly along the Southwesterly line of said Lot 14 to a point of intersection with a line parallel with and distant 150 feet Northwesterly as measured at right angles from the Southeasterly line of said Lot 14; thence Southwesterly along said parallel line a distance of 500 feet; thence Southwesterly at a deflection angle of 45°00' to the right, a distance of 900 feet more or less to a point of intersection with the thread of the Mississippi River; thence Southeasterly along said thread to a point on the Westerly extension of the South line of said Section 35 which is also the present Westerly limits of the City of Anoka.

O R D E R

IT IS HEREBY ORDERED: That the following described parcels in the Township of Ramsey and the Township of Grow, in the County of Anoka and State of Minnesota, be and the same hereby is annexed to the City of Anoka, Minnesota, the same as if it had originally been made a part thereof:

Beginning at the point where the West line of the East 10 rods of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-Five (35), Township Thirty Two North (32N), Range Twenty-Five West (25W) intersects with the South line of said quarter section; thence West along said South line, which is also the North line of Lot 30, Auditors Subdivision No. 96 to the most Westerly corner of said Lot 30; thence Southerly to the most Northerly corner of Lot 24, said Auditor's Subdivision No. 96; thence Southwesterly along the Northwesterly line of said Lot 24 to the most Westerly corner thereof; thence Southwesterly to the most Northerly corner of Lot 14, said Auditor's Subdivision No. 96; thence Southwesterly along the Northwesterly line of said Lot 14 to the most Westerly corner thereof; thence Southeasterly along the Southwesterly line of said Lot 14 to a point of intersection with a line parallel with and distant 150 feet Northwesterly as measured at right angles from the Southeasterly line of said Lot 14; thence Southwesterly along said parallel line, a distance of 500 feet; thence Southwesterly at a defection angle of 45° 00' to the right; a distance of 900 feet more or less to a point of intersection with the thread of the Mississippi River; thence Southeasterly along said thread to a point on the Westerly extension of the Southline of said Section 35 which is also the present Westerly limits of the City of Anoka; thence Easterly, Northerly and Westerly along the current city limits of the City of Anoka to the point of beginning.

and

Beginning at the point where the North line of Government Lot Five (5), Section Thirty-Six (36), Township Thirty-Two North (32N), Range Twenty-five West (25W) if extended Easterly would intersect with the current boundary of the City of Anoka; thence West along said Easterly extension of the North line of Government Lot Five (5) to the point of intersection with the North line of the plat of the Brom Addition, Anoka County, Minnesota; thence West along the North line of the Brom Addition to the point of intersection with the Easterly right of way of St. Francis Blvd.; thence North along said East right of way to the point of intersection with the South right of way of County Road Number 57; thence West along said South right of way to the point of intersection with the current city limits of the City of Anoka; thence Southerly, Easterly, Northerly and Westerly along the current city limits of the City of Anoka, to the point of beginning.

IT IS FURTHER ORDERED: That the commission hereby retains jurisdiction for the limited purpose of adjusting population pursuant to Minnesota Statutes 414.01, Subdivision 14.

Dated this 14th day of May, 1974

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



Howard L. Kaibel, Jr.
Executive Secretary