

BEFORE THE MUNICIPAL COMMISSION

OF THE STATE OF MINNESOTA

Joseph Robbie
Robert W. Johnson
Terrance O'Toole

Chairman
Vice Chairman
Member

IN THE MATTER OF THE PETITION FOR ANNEXATION OF PROPERTY
TO THE CITY OF WHITE BEAR LAKE, MINNESOTA - A hearing

for The petition for annexation of the property of James A. Moe, Dalene V. Moe, and James R. Lang of certain property to the City of White Bear Lake was held on the 3rd day of May, 1965 at 10:30 A.M. in the City Hall, City of White Bear Lake. Mr. Charlton Dietz appeared on behalf of the petitioners.

The Commission took testimony and received exhibits. Upon all the files and records, including the evidence taken at the public hearing, the Commission makes and enters the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I.

Due, adequate, and timely notice was given. The proceedings are in all things regular.

II.

The area to be annexed is stated correctly in the petition dated February 17, 1965, which was filed by the petitioners, and includes that part of State Highway 244 which lies north of Lot 8, Block 1 to the southerly boundary line of the City of White Bear Lake and also includes that part of Mae Avenue which lies between Lot 8, Block 1 and Lot 8, Block 4, all in McGill's Corner according to the plat thereof on file with the Washington County Register of Deeds.

III.

The area to be annexed consists of approximately 6,000 square feet and the City of White Bear Lake, the annexing area, consists of approximately eight and one-half square miles.

IV.

The population of the area to be annexed is four persons and the population of White Bear Lake is approximately 18,000 persons. The assessed valuation of the premises is \$2,400, and the assessed valuation of White Bear Lake is approximately \$8,800,000.

V.

The business conducted upon the area to be annexed is that of a beauty salon and said business is an integral part of the adjoining shopping center known as Alla Bar Shopping Center, which is within the corporate limits of the City of White Bear Lake, and the Commission hereby takes judicial notice of its findings of fact and conclusions of law in the annexation proceeding involving said shopping center.

VI.

The area to be annexed requires municipal services, particularly water and sewer, in order to conduct and maintain the business operated thereon, and the present water and sewer facilities upon the premises are inadequate.

VII.

The Town of Lincoln and the County of Washington, wherein the premises are now located, have failed to submit or disclose any plans or express any interest in providing the municipal services required by petitioners and have failed to appear at this hearing; the City of White Bear Lake offered to provide municipal sewer to the Town of Lincoln and said offer was rejected; the record is completely devoid of any evidence in any way indicating that the Town of Lincoln or the County of Washington can provide municipal water to the area to be annexed.

VIII.

The City of White Bear Lake can provide municipal services of water and sewer and other municipal services and the establishment of such services is practicable, feasible and likely to occur within a reasonable period of time.

CONCLUSIONS OF LAW

I.

An order should be issued by the Municipal Commission approving the annexation of the described property to the City of White Bear Lake.

O R D E R

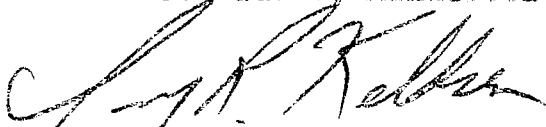
Upon the petition for the following described property to be annexed to the City of White Bear Lake, Minnesota, which came on hearing before the Municipal Commission on May 3, 1965, at which time evidence was taken, testimony heard, and exhibits received, and upon all the findings and records herein, the Commission being fully advised in the premises,

IT IS ORDERED: That such petition for annexation of land described as follows be, and same hereby is, annexed to the City of White Bear Lake, the same as if it had originally been made a part thereof:

Lot 8, Block 1, in McGill's Corner and also, Lot 8, Block 4, That part of State Highway 244 which lies north of Lot 8, Block 1 to the southerly boundary line of the City of White Bear Lake and also includes that part of Mae Avenue which lies between Lot 8, Block 1 and Lot 8, Block 4, all in McGill's Corner according to the plat thereof on file with the Washington County Register of Deeds.

Dated this 7th day of May, 1965

MINNESOTA MUNICIPAL COMMISSION
51 State Office Building
St. Paul 1, Minnesota



Irving R. Keldsen
S e c r e t a r y

MEMORANDUM OPINION

No objectors to this proposed annexation to the City of White Bear Lake made an appearance at the hearing of May 3, 1965.

The Commission is of the opinion that, in the absence of compelling reasons, owners of property abutting on a municipality should be permitted to have the property annexed to such municipality.

Where services to be rendered by the annexing municipality are commensurate with the tax base required, and such services are not available from the township in which the property is located, and no irreparable injury is done to the township, such annexation should in every case be approved.