

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Edward L. Henry	Vice-Chairman
Thomas R. Byrne	Member

IN THE MATTER OF THE PETITION OF CERTAIN FREEHOLDERS FOR
ANNEXATION OF UNINCORPORATED PROPERTY TO THE CITY OF
CHASKA, MINNESOTA

Certain owners of land located in the Town of Chanhassen and abutting on the boundaries of the City of Chaska have petitioned the Minnesota Municipal Commission to order the land described in their petition annexed to the City of Chaska pursuant to Minn. Stat. 414.03, Subd's. 1, 2, and 3.

The Commission has satisfied itself that the facts alleged in such petition are true and correct and that there has been compliance with all procedures prescribed by law. Therefore, upon all the files and records, the Commission makes and enters the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

I.

The area proposed for annexation to the City of Chaska is described in the Order herein.

II.

The area of the land described is approximately 3850 acres. The number of residents within the area is approximately 224, of which approximately 107 are adults. The number and character of existing buildings within the area are as described in the petition:

Buildings used for residences	49
Vacant houses	4
Cottages	2
Barns	35
Large indoor riding stable	1
Granarys	13
Sheds	38
Garages (unattached)	17
Truck storage garage	1
Office and storage building	1
Horse barns	2

III.

There are no existing municipal or community water systems for residential purposes in the above described territory. All of the property is served by individual wells. There are no sewage disposal systems other than private cesspools and septic tanks.

Chanhassen Township has a zoning ordinance but no major street plan. Fire protection service for the above described area is provided, for the most part, by yearly contract between individual landowners and the City of Chaska Fire Department, and in some part by yearly contract between the individual landowners and the Village of Victoria. Chanhassen Township does not maintain fire fighting equipment. Police service for the property described herein is provided by the Sheriff of Carver County. Chanhassen Township does have a constable.

IV.

The interests of the area contained in the petition for annexation to the City of Chaska described in the petition for annexation to the City of Chaska will be better served by annexation to the City of Chaska than by inclusion in a merger of the Town of Chanhassen with the Village of Chanhassen.

CONCLUSIONS OF LAW

I.

The petition has been initiated by a majority of the landowners in area and number. No hearing or election is necessary under the provisions of Minn. Stat. 414.03, Subd 3

II.

The property to be annexed is now, or is about to become, urban or suburban in character.

III.

Municipal government of the area is required to protect the public health, safety and welfare in reference to plat control or land development and construction which may be reasonably expected to occur within a reasonable time.

IV.

Annexation to the City of Chaska is to the best interest of the area proposed for annexation and of the City of Chaska based upon all studies and findings by the Commission in all proceedings relating to such area.

V.

The interests of the area contained in the petition for annexation to the City of Chaska described in the petition for annexation to the City of Chaska will be better served by annexation to the City of Chaska than by inclusion in a merger of the Town of Chanhassen with the Village of Chanhassen.

O R D E R

Upon the foregoing Findings of Fact and Conclusions of Law, and upon the petition and all the files and records, the Commission being fully advised in the premises,

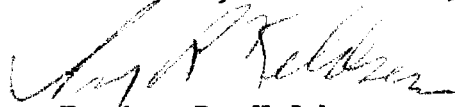
IT IS ORDERED: That the following described land be, and the same is hereby annexed to the City of Chaska, the same as if it had originally been a part thereof:

Beginning at the Southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty Two (32), Township One Hundred Sixteen (116), Range Twenty Three (23), Carver County, Minnesota, which said point is on the westerly corporate limit line of the City of Chaska, Minnesota; thence westerly along the South Line of Sections Thirty Two (32) and Thirty One (31) said Township One Hundred Sixteen (116), Range Twenty Three (23), to the southwest corner of said Section Thirty One (31); thence North along the West Line of Sections Thirty One (31) Thirty (30) and Nineteen (19) said Township One Hundred Sixteen (116), Range Twenty-Three (23), to the northwest corner of said Section Nineteen (19); thence easterly along the North Section Line of Section Nineteen (19) to the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Nineteen (19); thence North along the North-South center-section line of Section Eighteen (18), Township One Hundred Sixteen (116), Range Twenty Three (23), to the Northwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Eighteen (18); thence east along the east-west centersection line of section 18, to the east $\frac{1}{4}$ corner of Sec. 18; thence south along east line of section 18 to the centerline of the township road; thence southeasterly along centerline of township road to intersection with east-west 1/16th line of Sec. 17, thence east along 1/16th line to intersection with centerline of township road; thence northeasterly along centerline of township road to intersection with east-west $\frac{1}{4}$ line of Sec. 16; Thence east along east-west $\frac{1}{4}$ line of Sec. 16; to the Northwest corner of the

Northwest Quarter of the Southeast Quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$) of said Section Sixteen (16); thence South along the West Line of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$) of said Section Sixteen (16) to the Southwest corner of said Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$) of said Section Sixteen (16); thence West along the North Line of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of said Section Sixteen (16) to the Northwest corner of said Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of said Section Sixteen (16); thence South along the West Line of said Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of said Section Sixteen (16) to the South Line of said Section Sixteen (16); thence East along the South Line of said Section Sixteen (16) and the North Line of Section Twenty One (21) to the Northeast corner of Government Lot Two (2) in said Section Twenty One (21); thence South along the East Line of said Government Lot Two (2) to its intersection with the northerly right-of-way line of the Chicago, Milwaukee, St. Paul & Pacific Railway Company as now located in said Section Twenty One (21), Township One Hundred Sixteen (116), Range Twenty Three (23); thence southwesterly along said northerly right-of-way line of said Railroad Company to the North and South centersection line of Section Twenty Nine (29), Township One Hundred Sixteen (116), Range Twenty Three (23); thence southerly along the North and South centersection lines of Sections Twenty Nine (29) and Thirty Two (32) said Township One Hundred Sixteen (116), Range Twenty Three (23) to the point of beginning, all in Township One Hundred Sixteen (116), Range Twenty Three (23), Carver County, Minnesota, excepting therefrom the following: That part of the Southwest Quarter (SW $\frac{1}{4}$) of Section Sixteen (16), Township One Hundred Sixteen (116), Range Twenty Three (23), described as follows: Commencing at the Northwest corner of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Sixteen (16), Township One Hundred Sixteen (116), Range Twenty Three (23), thence East along the North Line of the Southwest Quarter (SW $\frac{1}{4}$) thereof a distance of 74 feet to the center line of Trunk Highway No. 41 as now laid out and traveled; thence South along said center line a distance of 200 feet; thence West and parallel to said North Line a distance of 326.7 feet; thence North and parallel to the center line of Trunk Highway No. 41 a distance of 200 feet to the North Line of said Southwest Quarter (SW $\frac{1}{4}$); thence East along said North line a distance of 252.7 feet to the place of beginning, subject to easement for highway purposes over the East 33 feet and the North 33 feet thereof, all in Township One Hundred Sixteen (116), Range Twenty Three (23), Carver County, Minnesota

Dated this 15th day of December, 1966

MINNESOTA MUNICIPAL COMMISSION
459 Rice Street
St. Paul, Minnesota 55103


Irving R. Keldsen
Secretary

OF THE STATE OF MINNESOTA

Robert W. Johnson
Edward L. Henry

Chairman
Vice-Chairman

IN THE MATTER OF THE PETITION OF CERTAIN FREEHOLDERS
FOR ANNEXATION OF UNINCORPORATED PROPERTY TO THE CITY
OF CHASKA, MINNESOTA

Pursuant to Minnesota Statutes 414.03 the Municipal Commission did on December 15, 1966, consider the apportionment of the property and obligations of the Town of Chanhassen. The Municipal Commission on all the records being fully advised in the premises finds:

(1) The City of Chaska has not requested that the Municipal Commission order the distribution of any portion of the assets of the Town of Chanhassen to the City of Chaska.

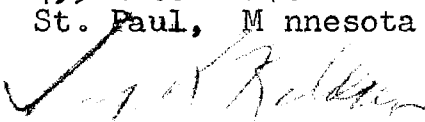
(2) That the property of the Town of Chanhassen is only slightly in excess of the obligations of the Town of Chanhassen.

(3) That it is just and equitable in view of the value of the township property, the assessed value of all of the taxable property in the township both within and without the area to be annexed, the indebtedness of the town and the taxes due and delinquent, that all of the town property remain with the Town of Chanhassen.

Therefore, the Minnesota Municipal Commission does hereby order that all of the property and obligations of the Town of Chanhassen shall remain with the Town of Chanhassen.

Dated this 15th day of February, 1967

MINNESOTA MUNICIPAL COMMISSION
459 Rice Street
St. Paul, Minnesota 55103


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