

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Arthur R. Swan	Vice Chairman
Robert J. Ford	Member
Marvin Oldenburg	Ex-Officio Member
George J. Mingo	Ex-Officio Member

IN THE MATTER OF THE PETITION FOR)
ANNEXATION OF CERTAIN LANDS TO THE)
VILLAGE OF PRIOR LAKE, MINNESOTA)

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER

A petition of freeholders requesting the annexation to the Village of Prior Lake of certain real estate situated in the County of Scott, State of Minnesota, said real estate being described in the attached order, came duly on for hearing before the Minnesota Municipal Commission on the 5th day of March, 1970, at which time all members and ex-officio members of the Minnesota Municipal Commission were present. The Village of Prior Lake appeared by and through its mayor, Walter Stock, and its city attorney, Mark Sullivan. The Township of Spring Lake appeared through its attorney, Louis Moriarty. The following property owners of the property proposed to be annexed appeared in support of said petition:

Archie Paveck;
Bill Thomas;
Roger Harris;
William L. Bissonett.

It appeared that a petition was filed with the Village of Prior Lake for annexation of real estate herein described, said petition having been executed by freeholders of the area to be annexed.

It appeared that copies of the petition were duly filed with the County Board of Scott County, and the Town Board of Spring Lake Township and with the Minnesota Municipal Commission.

It appeared that notice of hearing had been duly published in

the official newspaper for the Village of Prior Lake, the Prior Lake American, on February 4th and 11th, 1970, and that notice of the hearing had been sent to all parties in interest.

Evidence was received in support of said petition of annexation by way of testimony of various property owners named above and evidence relating to the feasibility of providing sewer and water was presented by Harold Isrialson, engineer for the Village of Prior Lake.

The Township of Spring Lake offered evidence in opposition to said annexation, the nature of which was to claim that no difficulty existed with the drain fields and sewer systems of the residents in this area.

After due and careful consideration of the evidence offered and received, together with all records, files and proceedings had and taken herein, being duly advised in the premises, the Municipal Commission of the State of Minnesota now makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I.

That due, timely and adequate notice of the petition and the hearing hereon, was published, served and filed.

II.

That the property described in said petition abuts the legal boundaries of the Village of Prior Lake, Minnesota and is not included in any other municipality.

III.

That the petition for annexation of said property was signed by a majority of the owners of the property included in said petition.

IV.

That the Village of Prior Lake has indicated approval of such annexation.

V.

That the population of the area to be annexed is 50.

VI.

That the area to be annexed is approximately 4-1/2 acres.

VII.

That the area to be annexed is residential and is fully developed.

VIII.

That the taxes in the area will be increased but the increase will be commensurate with the municipal services to be provided by the Village of Prior Lake.

IX.

That there is a present need in the area to be annexed for all municipal services, including water, sewer and police protection.

X.

That the area to be annexed constitutes a small geographical portion of the Township of Spring Lake and that its annexation will not impair the ability of said township to function.

XI.

That the township in which the area to be annexed lies has no plans for the installation of water or sewage systems.

XII.

That the Village of Prior Lake has expanded and will continue to expand with respect to population and construction and requires space to accommodate this expansion.

CONCLUSIONS OF LAW

I.

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

II.

The area to be annexed herein is so conditioned and so located as to be properly subject to municipal government by the Village of Prior Lake, Minnesota and is urban or suburban in character.

III.

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

IV.

That the municipal form of government and the corresponding municipal services are required in the area to be annexed for the preservation and protection of public health, welfare and safety in the area to be annexed and in the Village of Prior Lake, Minnesota.

V.

The township form of government is not adequate to meet the problems found to exist in the area to be annexed.

VI.

The Village of Prior Lake can meet the problems existing in the area to be annexed, can remedy them and provide any and all governmental services presently required and which may become necessary in the future in the area to be annexed.

VII.

An order should be issued by the Minnesota Municipal Commission ordering the annexation of the land described herein to the Village

of Prior Lake, Minnesota

O R D E R

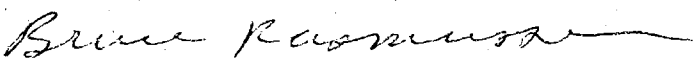
IT IS HEREBY ORDERED: That the following described real estate lying in the Township of Spring Lake, County of Scott, State of Minnesota, be and the same hereby is annexed to the Village of Prior Lake, Minnesota, the same as if it had originally been made a part thereof:

All of the Plat of Jo-anna Stepka's High-view Addition, Scott County, Minnesota.

IT IS FURTHER ORDERED: That the population of the Village of Prior Lake shall be increased by 50 for all purposes until the next federal census. The new population shall be arrived at by adding 50 to the 1970 census figures.

Dated this 18th day of June, 1970

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


Bruce Rasmussen
Secretary

A-1692
Prior Lake

MEMORANDUM

The annexations granted herein are a continuation of the pattern of piecemeal annexations which has been occurring throughout the state for many years. The 1969 session of the Legislature passed a new law which provides a procedure for orderly annexation. This procedure is set forth in Minnesota Statutes 1969, Section 414.032.

In general, the new law allows a village and a town to agree on the long-range boundaries of the city. The town area included is designated as in need of orderly annexation, and specific annexations within this designated area are ordered by the Municipal Commission after an appropriate hearing. The village must prove that it has the capability of providing needed services to their area. Taxes are increased on any area so annexed over a three to five year period, such period to be set depending on the time required by the village to provide services.

We believe the orderly annexation procedure may have application to the Prior Lake-Spring Lake area. We recommend it to local officers for their consideration.