

BEFORE THE MUNICIPAL COMMISSION

OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Arthur R. Swan	Vice Chairman
Robert J. Ford	Member
W. A. Nibbe	Ex-Officio Member
Harry Diercks	Ex-Officio Member

IN THE MATTER OF THE PETITION FOR)
ANNEXATION OF CERTAIN LAND TO THE)
CITY OF RED WING, MINNESOTA)

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER

A petition of freeholders requesting the annexation to the City of Red Wing of certain real estate situated in the Township of Hay Creek in Goodhue County, Minnesota, said real estate being described in the attached order came duly on for hearing before the Minnesota Municipal Commission on the 25th day of September, 1970, at which time all members and ex-officio members of the Minnesota Municipal Commission were present, with the exception of Robert J. Ford. The City of Red Wing appeared by and through its City Attorney, Charles Richardson, and its acting Council Administrator, Robert F. Anderson. The Township of Hay Creek appeared by Emory Tomforde, a member of the Hay Creek Town Board. The County of Goodhue made no appearance. None of the property owners hereinafter described appeared, except Cletus Hallquist. William L. Christianson appeared as attorney for the property owners at said hearing.

It appeared that a petition was filed with the City of Red Wing for annexation of the real estate hereinafter described, said petition having been executed by the freeholders and owners of the area to be annexed.

It appeared that copies of the petition were duly filed with

the County Board of Goodhue County, Minnesota, and the Town Board of Hay Creek Township, Goodhue County, Minnesota, and within the jurisdiction of the Minnesota Municipal Commission.

It appeared that the notice of hearing had been duly published and further that notice of the hearing had been sent to all the parties in interest.

Evidence was offered and received for the annexation at said hearing, and the Commission viewed the premises. No evidence was offered against annexation of the property.

After due and careful consideration of the evidence offered and received, together with all the records, files and proceedings had and taken herein, and 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 City of Red Wing, Minnesota, and is not included in any other municipality.

III.

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

IV.

That the City of Red Wing has indicated approval of such annexation.

V.

That there are no residents in the area to be annexed.

VI.

That the area to be annexed is approximately 188.39 acres; that the total acreage of Hay Creek Township, including the above area to be annexed to the City of Red Wing is 23,040 acres.

VII.

That the area to be annexed is or is about to become urban or suburban in character and suited for municipal government.

VIII.

That the taxes in the area to be annexed will increase but that the increase will be commensurate with the municipal services provided by the City of Red Wing, Minnesota.

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 Hay Creek Township (188.39 acres), and such annexation to the City of Red Wing will not impair the ability of Hay Creek Township to function.

XI.

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

XII.

That the City of Red Wing has expanded and will continue to expand with respect to population and construction, and requires space to accommodate this expansion.

XIII.

That the property to be annexed bounds the City limits of the City of Red Wing to the south, and with its other boundaries, lends itself to an orderly expansion of the City limits of the City of Red Wing.

XIV.

Because of the existing growth of the City limits of the City of Red Wing, the area is a logical area for residential, commercial and industrial expansion, and therefor said area requires municipal planning and zoning for proper use and development of said area.

From the foregoing facts, the Municipal Commission of the State of Minnesota, makes the following Conclusions of Law:

CONCLUSIONS OF LAW

I.

The Minnesota Municipal Commission of the State of Minnesota 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 subjected to municipal government by the City of Red Wing, Minnesota, and is urban or suburban in character.

III.

That the interests of the City of Red Wing and the area to be annexed would be best served by the annexation of said area to the City of Red Wing, 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 City of Red Wing, 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 City of Red Wing can meet the problems existing in the area to be annexed, can remedy them and provide any and all governmental services presently required which may become necessary in the future in the area to be annexed.

VII.

That the City of Red Wing can properly provide for the orderly planning and regulation of growth and development in the area to be annexed.

VIII.

That an Order should be issued by the Minnesota Municipal Commission ordering the annexation of the land described herein to the City of Red Wing, Minnesota. Now Therefore, Let an Order for such an annexation be entered and filed accordingly.

O R D E R

IT IS HEREBY ORDERED: That the following described real estate lying in Hay Creek Township, all in Goodhue County, Minnesota, be and the same is hereby annexed to the City of Red Wing, Minnesota, the same as if it had originally been made a part thereof:

The West Half of the Northwest Quarter; Section 5, Township 112 North, Range 14 West, Goodhue County, Minnesota.

Also that part of the following described parcel lying Westerly of T. H. 58; The Southeast Quarter of the Northwest Quarter except beginning at an iron monument 280.7 feet West and 341.5 feet South of the Northeast corner thereof on the Westerly

Right of Way line of State Road No. 58, thence South 5 degrees West 419 feet along said Right of Way line to an iron monument, thence North 85 degrees West 419 feet to an iron monument, thence North 5 degrees East 419 feet to an iron monument, thence south 85 degrees East 251 feet, thence Northeasterly 175 feet more or less, to a point on the Westerly Right of Way line of said Highway, 53 feet Northerly of the place of beginning thence Southerly along said Westerly Right of Way line of said Highway, 53 feet to the place of beginning.

Also that part of the Northeast Quarter of the Northwest Quarter beginning at the Southwest corner thereof, thence north 401 feet, thence south 60 degrees 20 minutes East along a fence 229 feet, thence continuing along the fence south 66 degrees 25 minutes East 373 feet, thence South 80 degrees 34 minutes East 773 feet, more or less to a point 20 feet North of the Southeast corner of said Northeast Quarter of the Northwest Quarter, thence South 20 feet to the Southeast corner thereof, thence west 1320 feet to the place of beginning lying Westerly of the Westerly Right of Way line of Trunk Highway 58; all in Section 5, Township 112 North, Range 14 West, Goodhue County, Minnesota.

ALSO

That part of the North One-half of the Southwest One-Quarter of Section 5, Township 112 North, Range 14 West, Goodhue County, Minnesota, lying Westerly of the Westerly Right of Way of State Highway Number 58.

IT IS FURTHER ORDERED: That this annexation be effective on the date of the filing of the order herein with the Secretary of State, and the County Auditor of Goodhue County.

Dated this 17th day of November, 1970

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

Bruce Rasmussen

Bruce Rasmussen
Executive Secretary