

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

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| Robert W. Johnson | Chairman |
| Arthur R. Swan | Vice Chairman |
| Robert J. Ford | Member |
| Bruce Jensen | Ex-Officio Member |
| F. A. Miller | Ex-Officio Member |

IN THE MATTER OF THE PETITION)
FOR ANNEXATION OF CERTAIN LANDS)
TO THE CITY OF WINDOM)

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER

A petition of Harris H. Knauss and June Knauss and Anna S. Granum requesting the annexation to the City of Windom of certain real estate situated in the Township of Great Bend, County of Cottonwood, State of Minnesota, said real estate being described in the attached order, came duly on for hearing before the Minnesota Municipal Commission on the 28th day of August, 1970, with Robert J. Ford presiding and Francis A. Miller and Bruce Jensen present. The City of Windom appeared by and through its City Clerk, T. N. Weeks, and by John S. Ruenitz, City Attorney. The Township of Great Bend appeared by and through its Town Board Chairman, Luverne Haberman, and its other officers and its attorney, James W. Remund. The petitioners, Harris Knauss and June Knauss, appeared personally, and all three of the petitioners appeared by and through their attorney, P. R. Griebler, Windom, Minnesota.

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

It appeared that copies of the petition were duly filed with the County Board of Cottonwood County, Minnesota, the Town Board of Great Bend Township, Minnesota, and 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 parties in interest.

Evidence was offered and received for and against the annexation at said hearing. Maps, plats and financial statements and calculations furnished by the Auditor of Cottonwood County were received as evidence.

After due and careful consideration of the evidence offered and received, together with all 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 hearing herein, was published, served and filed.

II.

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

III.

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

IV.

That the City of Windom has indicated approval of such annexation, and said City of Windom, by and through its common council, has passed and filed with the Minnesota Municipal Commission a resolution approving such annexation.

V.

That the area to be annexed consists of vacant land except for the residence of petitioner Anna S. Granum and except for her the land does

not have any permanent residents.

VI.

That the area to be annexed is approximately 26.5 acres.

VII.

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

VIII.

That the taxes in the area to be annexed will increase but the increase will be commensurate with the municipal services provided by the City of Windom, 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 Great Bend Township, and annexation of said area will not impair the ability of this 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 City of Windom has expanded and will continue to expand with respect to population and requires space to accommodate this expansion.

XIII.

That the boundaries of the area to be annexed are logical geographic boundaries of the City of Windom and that these boundaries

coincide with the orderly expansion of the City limits.

XIV.

Because of the existing growth in the area surrounding the City of Windom and because of the proximity of the area to be annexed to existing and proposed highways, the area is a logical area for continued development and, therefore, said area requires municipal planning, zoning, and utility services for the proper use and development of said area.

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 subjected to municipal government by the City of Windom, Minnesota, and is urban or suburban in character.

III.

That the interests of the City of Windom and the area to be annexed would be best served by the annexation of said area to the City of Windom, 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 the public health, welfare and safety in the area to be annexed and in the City of Windom, 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 Windom 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.

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

VIII.

An Order should be issued by the Minnesota Municipal Commission ordering the annexation of the land described herein to the City of Windom, Minnesota. 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 the Township of Great Bend in Cottonwood County, Minnesota, be and the same hereby is annexed to the City of Windom, Minnesota, the same as if it had originally been made a part thereof:

A tract of land - All that part of the Northwest Quarter of Section 36, Township 105, Range 36 not presently within the City limits of the City of Windom, and all that part of the North Half of the Southwest Quarter of Section 36, Township 105, Range 36 bounded by the following described lines:

On the West by the West line of Section 36;

On the South by a line beginning at the Southwest corner of the North Half of the Southwest Quarter of said Section 36 and running thence Easterly on and along the South line of the North Half of said Southwest Quarter a distance of 489.1 feet.

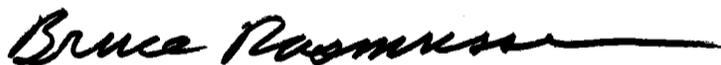
On the East by a line beginning at a point 489.1 feet East of the Southwest corner of the North Half of the Southwest

Quarter of said Section 36, and running thence North at right angles a distance of 806.12 feet more or less to the Southeast corner of Lot 5 in Block 4, South Windom; thence North on and along the East line of Lots 5 and 6 in Block 4, South Windom, to the Northeast corner of said Lot 6; thence West on and along the North line of said Lot 6 to the Southeasterly corner of Lot 7 in said Block 4; thence North on and along the East line of said Lot 7 and Lot 8 in Block 4 extended to the Southeast corner of Lot 15 in Block 5, South Windom; thence North on and along the East line of Lots 15, 14, 13, 12, 11 and 10, Block 5, South Windom, to the Northeast corner of said Lot 10; thence West on and along the North line of said Lot 10 to the point of intersection with the West line of Lot 5, Block 6, South Windom, extended; thence North on and along the West line of Lot 5, Block 6, extended, and the West line of Lot 6, Block 6 extended, to the South line of Lot 8, Block 1, Granum's Subdivision; thence West on and along the South line of Lot 8, Block 1 in Granum's Subdivision to the Southwest corner thereof; thence North on and along the West line of said Lot 8 to the most Northwesterly corner thereof; thence Northeasterly on and along the Northwesterly line of said Lot 8 to the Des Moines River.

On the Northeasterly and Northerly side, by a line beginning at the point of intersection with the East line above described and the Des Moines River and running thence Northwesterly along the Des Moines River to a point which is 125 feet North, measured at right angles from the South line of Lot 11 in State Subdivision of the Northwest Quarter of Section 36; thence West to a point on the West line of Section 36, which is 125 feet North of the South line of Lot 11 in State Subdivision of the Northwest Quarter of Section 36.

Dated this 5th day of January, 1971

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



Bruce Rasmussen
Executive Secretary