

BEFORE THE MUNICIPAL COMMISSION  
OF THE STATE OF MINNESOTA

Robert W. Johnson  
Arthur R. Swan  
Robert J. Ford  
Wes D. Lane  
Gary Page

Chairman  
Vice Chairman  
Member  
Ex-Officio Member  
Ex-Officio Member

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IN THE MATTER OF THE PETITION FOR )	FINDINGS OF FACT,
ANNEXATION OF CERTAIN LAND TO THE )	CONCLUSIONS OF LAW
CITY OF HASTINGS, MINNESOTA. )	AND ORDER.

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Petition of C. A. Wallin, Theresa H. Wallin and Siewert Construction Co, Inc. to annex the real estate described in the following order to the City of Hastings, Minnesota, came duly on for hearing before the Minnesota Municipal Commission on the 18th day of August, 1971, in the Dakota County Courthouse, Hastings, Minnesota, at 10:00 o'clock a.m. All of the members of the Municipal Commission were present.

The City of Hastings appeared by its City Attorney, Donald J. Fluegel. The Township of Nininger appeared by its Town Board. The petitioners, C. A. Wallin and Theresa H. Wallin appeared in person and the petitioner, Siewert Construction Co., Inc. appeared by its attorney, Charles Richardson.

Evidence was offered and received at the hearing and the members of the Commission viewed the premises.

After consideration of the evidence and all the records, files and proceedings 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 proper 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 Hastings, Minnesota, and is not included in any other municipality.

III.

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

IV.

That the City of Hastings has indicated approval of such annexation and has passed a resolution to that effect.

V.

That there are no persons residing in the area to be annexed.

VI.

That the area to be annexed is approximately 40 acres.

VII.

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

VIII.

That the area to be annexed constitutes a small geographical portion of Nininger Township and such annexation to the City of Hastings will not impair the ability of Nininger Township to function.

IX.

That the Township of Nininger has no plans for the installation of water or sewage systems.

X.

That the property to be annexed is bounded on the north by the City limits of Hastings and on the east by the City limits of Hastings and lends itself to an orderly expansion to the city limits of the City of Hastings.

XI.

The area to be annexed is a practical area for residential development and requires municipal planning and sewer and water services for its proper use and development.

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

CONCLUSIONS OF LAW

I.

The 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 subject to municipal government by the City of Hastings, Minnesota, and is about to become urban or suburban in character.

III.

That the interest of the City of Hastings and the area to be annexed would be best served by annexation to the City of Hastings, Minnesota.

IV.

That the municipal form of government and the corresponding municipal services are required in the area to be annexed.

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 Hastings can meet the problems existing in the area to be annexed, can remedy them and provide all governmental services presently required which may become necessary in the future in the area to be annexed.

VII.

That the City of Hastings 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 Hastings, Minnesota.

NOW THEREFORE, let an Order for such an annexation be entered and filed accordingly.

ORDER

IT IS ORDERED; That the following described real estate lying in Nininger Township, Dakota County, Minnesota, be and the same is hereby annexed to the City of Hastings, Minnesota:

The East 1/2 of the East 1/2 of the Northwest 1/4 of Section 32, Township 115 North, Range 17 West, Dakota County, Minnesota, containing 40 acres, more or less, according to Government Survey.

IT IS FURTHER ORDERED; That any taxes heretofore levied upon the hereinbefore described real estate by the Township of Nininger and due and payable in 1971, and now unpaid, shall be payable to said Township of Nininger.

Dated this 29<sup>th</sup> day of September, 1971  
MINNESOTA MUNICIPAL COMMISSION  
304 Capitol Square Bldg., St. Paul, Minn.

  
Bruce Rasmussen, Executive Secretary

A-1961 Hastings

MEMORANDUM

The territory herein ordered annexed to the City of Hastings is clearly urban or suburban in nature or about to become so. Nevertheless, we wish to emphasize that today's decision should not be taken as a precedent for further piecemeal annexations. Such a practice would make orderly planning difficult for both the Town of Nininger and the City. A more comprehensive solution is required. We urge that consideration be given to the orderly annexation procedure as set forth in Minnesota Statutes 414.032.