

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert J. Ford	Vice Chairman
Harold J. Dahl	Member
Edwin H. Hoff	Ex-Officio Member
Fred Barrett	Ex-Officio Member

IN THE MATTER OF THE ANNEXATION)	FINDINGS OF FACT,
OF CERTAIN LANDS TO THE CITY OF)	CONCLUSIONS OF LAW,
VIRGINIA, MINNESOTA)	AND ORDER

This proceeding under Minnesota Statutes 169, Section 414.031, as amended, for the annexation to the City of Virginia of certain real estate located in the Town of Nichols, St. Louis County, State of Minnesota, more particularly described herein, came on for hearing before the Minnesota Municipal Commission at Virginia, St. Louis County, Minnesota, in the City Hall on December 15, 1971.

Bruce Rasmussen, Executive Secretary of the Minnesota Municipal Commission presided at the hearing. Also in attendance were the St. Louis County Commissioners, Edwin H. Hoff and Fred Barrett. The City of Virginia was represented by Milton Logan, its City Attorney. The Township of Nichols was represented by its Attorney, Jack Fena, and the Village of Mountain Iron was represented by Leonard Kne, its attorney.

The Commission, having considered the testimony of the witnesses, the exhibits received in evidence, and all other evidence, the arguments of counsel, and the files and records herein and being fully advised in the premises, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Due, timely and adequate legal notice of the hearing herein

ordered by the Minnesota Municipal Commission was posted, published, served and filed.

2. The area proposed for annexation contains approximately 130.85 acres. The area is located along the west limits of the present City of Virginia, St. Louis County, Minnesota.

3. The area above described is presently largely urban or suburban in character and the remainder is about to become urban or suburban in character.

4. The population of the area proposed to be annexed is none.

5. The City of Virginia presently is providing water facilities for this area and that the City of Virginia will have available fire and police protection, water, electricity, and sanitary sewer facilities, and maintains street maintenance crews and equipment. The City has constructed water mains for the area proposed to be annexed, which with proposed extensions and connections are adequate to serve the area.

6. The City of Virginia is in a position to develop the area for additional industrial sites and is in a position to construct sidewalks and streets.

7. The Minnesota Municipal Commission has before it a proceeding requesting the consolidation of the Village of Mountain Iron and the Town of Nichols. This proceeding bears Minnesota Municipal Commission Docket Number C7-mt. Said village and town and the City of Virginia are parties to said consolidation proceeding. A stipulation by and between all parties was entered into the record at public hearing, to-wit:

That the City of Virginia would petition the Minnesota Municipal Commission for annexation of five separate parcels located within the Town of Nichols, and more particularly

described by parcel, to-wit, as follows:

Parcel #1

Beginning at a point of intersection of the South Right of Way Line of Highway No. 135 and the West Corporate City Limits of the City of Virginia in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 12, Township 58 North, Range 18 West, proceed due West to the East Right of Way Line of the D.W. & P. Ry., main line; thence proceed Southerly along said Right of Way Line to a point 50 feet North of the Westbound centerline of Highway No. 169; thence proceed Easterly along this line 50 feet North of the West Bound Center Line of Highway 169 to the present West corporate limits of the City of Virginia; thence proceed Northerly along the present West corporate limits of the City of Virginia to the point of beginning, constituting a parcel of land of 79.38 acres more or less.

Parcel #2

Beginning at a point of intersection of the north boundary of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 58 North, Range 18 West and the East Right of Way Line of the D.W. & P. Ry., main line; thence proceed due east to the west corporate limits of the City of Virginia, thence proceed southerly along said corporate limits to a point of intersection of the east Right of Way Line of the D.W. & P. Ry., main line; thence proceed northerly along the East right of way line to the point of beginning constituting a parcel of land of 19.20 acres more or less.

Parcel #3

All that part of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 58 North, Range 18 West, lying West of the east right of way line of the D.W. & P. Ry., constituting a parcel of land of 34.59 acres more or less.

Parcel #4

All that part of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 58 North, Range 18 West, lying East of the East right of way line of County Road No. 19 constituting a parcel of land of 36.30 acres more or less.

Parcel #5

All that part of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24, Township 58 North, Range 18 West, lying West of the East right of way line of the D.W. & P. Ry., constituting a parcel of land of 40.76 acres more or less.

That the Town of Nichols or Village of Mountain Iron would not

object to the said annexation of said above described property to the said City of Virginia.

That if the Minnesota Municipal Commission did order the consolidation of the Village of Mountain Iron and the Town of Nichols, the consolidated municipality would no longer include the above described five parcels which would be part of the City of Virginia

8. The area herein ordered annexed is subject to the above stipulation.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Commission duly acquired and now has jurisdiction of this annexation proceeding.

2. The area proposed to be annexed is so conditioned and so located as to be properly subjected to municipal government of the City of Virginia.

3. There is no need for the continuance of any township government within the area proposed to be annexed.

4. Municipal government by the City of Virginia in the area proposed to be annexed is necessary and required to protect the public health, safety and welfare and to provide proper needed governmental services.

5. The City of Virginia is capable and is best situated to provide the governmental services presently needed and those services which will become necessary in the future in the area to be annexed.

6. The proposed annexation to the City of Virginia will not materially effect the capability of the Township of Nichols and the Village of Mountain Iron to continue normal operation.

7. The annexation of the area to the City of Virginia would be in the best interests of the area and the City of Virginia.

8. An Order should be issued by the Minnesota Municipal Commission annexing to the City of Virginia, the real estate located in St. Louis County, Minnesota, and described in the Order herein.

O R D E R

IT IS HEREBY ORDERED: That the real estate situated in the County of St. Louis, State of Minnesota, described as follows be and the same is hereby annexed to the City of Virginia, Minnesota, the same as if it had been originally made a part thereof:

Parcel #2

Beginning at a point of intersection of the north boundary of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 58 North, Range 18 West and the East Right of Way Line of the D.W. & P. Ry., main line; thence proceed due east to the west corporate limits of the City of Virginia, thence proceed southerly along said corporate limits to a point of intersection of the east Right of Way Line of the D.W. & P. Ry., main line; thence proceed northerly along the East right of way line to the point of beginning, constituting a parcel of land of 19.20 acres more or less.

Parcel #3

All that part of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 58 North, Range 18 West, lying West of the east right of way line of the D.W. & P. Ry., constituting a parcel of land of 34.59 acres more or less.

Parcel #4

All that part of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 58 North, Range 18 West, lying East of the East right of way line of County Road No. 19 constituting a parcel of land of 36.30 acres more or less.

Parcel #5

All that part of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24 Township 58 North, Range 18 West, lying West of the East right of way line of the D.W. & P. Ry., constituting a parcel of land of 40.76 acres more or less.

IT IS FURTHER ORDERED: That the population of the City of Virginia remain the same for all purposes until the next federal census.

Dated this 13th day of April, 1972

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

A handwritten signature in black ink, appearing to read "Bruce Rasmussen", with a long horizontal flourish extending to the right.

Bruce Rasmussen
Executive Secretary