

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
William Koniarski	Ex-Officio Member
Anthony Worm	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)	
BETWEEN THE CITY OF PRIOR LAKE AND THE)	
TOWN OF SPRING LAKE FOR THE ORDERLY)	<u>FINDINGS OF FACT,</u>
ANNEXATION OF CERTAIN LAND TO THE CITY)	<u>CONCLUSIONS OF LAW,</u>
OF PRIOR LAKE)	<u>AND ORDER</u>

The above-entitled matter came on for hearing before the Minnesota Municipal Commission pursuant to Minnesota Statutes 414, as amended, on August 21, 1974 at the Prior Lake City Hall, Prior Lake, Minnesota. The City of Prior Lake appeared by and through Mark Sullivan, Prior Lake City Attorney. The Town of Spring Lake appeared by and through their Attorney, Louis J. Moriarty, Minneapolis, Minnesota. The hearing was conducted by Thomas J. Simmons, Chairman of the Minnesota Municipal Commission. Also in attendance were Gerald J. Isaacs, Member of the Municipal Commission and County Commissioners William Koniarski and Anthony Worm, Ex-Officio Members of the Commission. Testimony was heard and records and exhibits were received.

After due and careful consideration of all evidence, together with all records, files and proceedings, and being fully advised in the premises, the Minnesota Municipal Commission hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Due, timely and adequate legal notice of the hearing was published, served and filed.

2. That there is inadequate evidence in the record to prove that the following described area is in need of municipal services or will be in need of municipal services within a reasonable time:

That portion of the area proposed for annexation lying in government lot 6, Section 10, Township 114, Range 22, Scott County, Minnesota.

3. That the above described portion of the area proposed for annexation is not yet eligible for inclusion within the city according to the provisions of the joint resolution for orderly annexation previously adopted by the city and township.

4. That the remainder of the area proposed to be annexed is characterized by residential and commercial development, and will experience further development in the near future.

5. That no parties appeared in opposition to the annexation of the remainder of the area proposed for annexation.

6. That the City of Prior Lake is capable of and it is practical for it to provide to the remainder of the area proposed for annexation the following municipal services within the next three (3) years:

- a. Sanitary sewer
- b. Police protection
- c. Fire protection
- d. Road maintenance
- e. Parks and recreation

CONCLUSIONS OF LAW

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

2. The area herein annexed is now or is about to become urban or suburban in nature.

3. The City of Prior Lake is capable of providing the services required by the area described herein within a reasonable time.

O R D E R

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

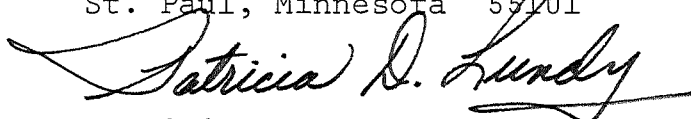
That part of Government Lot 5 and the Northwest Quarter of the Northeast Quarter of Section 10, Township 114, Range 22, Scott County, Minnesota, lying Northerly of the center line of State Trunk Highway No. 13.

IT IS FURTHER ORDERED: That the mill levy of the City of Prior Lake on the property herein ordered annexed shall be increased in substantially equal proportion over a period of three (3) years to equality with the mill levy of the property already within the city. In the year following annexation the increase in the mill rate for city purposes on the property annexed shall not exceed $1/3$ of the difference between the current mill levy for city and township purposes. In the second year following annexation the increase in the mill rate on the property annexed shall not exceed $1/2$ of the then existing difference between the mill levy on the property annexed and the full mill levy for city purposes. In the third year following annexation the property annexed shall be taxed at the full city rate.

IT IS FURTHER ORDERED: That the commission retain jurisdiction for the limited purpose of ordering population changes as a result of the annexation.

Dated this 10th day of September, 1974

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



Patricia D. Lundy
Asst. Executive Secretary