

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Thomas J. Simmons	Vice Chairman
Gerald J. Isaacs	Member
Robert Hupfer	Ex-Officio Member
William Soderberg	Ex-Officio Member

IN THE MATTER OF THE PETITION AND)	AMENDED
RESOLUTION FOR THE ANNEXATION OF)	FINDINGS OF FACT
CERTAIN LAND TO THE VILLAGE OF)	<u>CONCLUSIONS OF LAW</u>
CAMBRIDGE, ISANTI COUNTY, MINNESOTA,)	AND ORDER
PURSUANT TO MINNESOTA STATUTES)	
CHAPTER 414)	

The above-entitled matter came on for hearing before a quorum of the Minnesota Municipal Commission on the 24th day of October, 1973, in the Village of Cambridge, Isanti County, State of Minnesota, upon the petition of a majority of land owners for annexation of certain lands to the Village of Cambridge, and resolution by the Village of Cambridge approving the annexation.

Mr. Robert S. Parker, Attorney at Law, of Parker and Olsen, Cambridge, Minnesota, appeared for the Village of Cambridge. Mr. David C. Johnson, Attorney at Law, of Dablow and Johnson, Cambridge, Minnesota, appeared for himself as a property owner and for the Township of Cambridge. The Township Boards of the Township of Cambridge and the Township of Isanti were each represented at the hearing. Several other property owners, some of whom appeared in opposition thereto, appeared and whose names appear on the record hereof.

The Commission, having duly considered the testimony of the witnesses, the exhibits received in evidence, and upon all the files, records and proceedings herein, and being fully advised in the premises,

makes and enters the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1.

A petition of a majority of land owners for the annexation of certain land described herein to the Village of Cambridge was filed with the Minnesota Municipal Commission on the 17th day of October, 1972, and was in all respects proper in form, contents, execution and filing. A Resolution approving the annexation was filed by the Village of Cambridge on the 17th day of October, 1972.

2.

That due, timely and adequate notice of the hearing of October 24, 1973, was properly published, served and mailed.

3.

That the area proposed for annexation is described as follows:

Cambridge Township: All of the tracts and parcels of land located in Section Thirty-three (33), Township Thirty-six (36) North, Range Twenty-three (23) West, lying and being East of the present village limits and West of the East line of the proposed Trunk Highway #65 Bypass (as drawn on the map entitled "Layout #2, Copy #17," prepared by D. Smilonich in January, 1972). Also, all of those tracts and parcels of land located in the North Half of the North-east Quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$) of Section Thirty-three (33), Township Thirty-six (36), Range Twenty-three (23), lying and being East of the East line of proposed Trunk Highway #65 Bypass.

Isanti Township: All of those tracts and parcels of land located in Sections Four (4) and Five (5), Township Thirty-five (35), Range Twenty-three (23), lying and being West of the East line of the proposed Trunk Highway #65 Bypass (as drawn on the map entitled "Layout #2, Copy #17," prepared by D. Smilonich in January, 1972), and North of the East-West One-Quarter lines of said Sections Four (4) and Five (5), excepting, however, those lands owned in fee by the State of Minnesota.

All public roads, streets and highways within the area above described should be included in such annexed lands.

4.

That a majority of the land owners of the area proposed for annexation executed the petition for annexation.

5.

That the area proposed for annexation is partly platted and partly unplatted, and is partly urban and partly agricultural; that said area abuts the Village of Cambridge and is not included in any other municipality.

6.

That the population of the Village of Cambridge as of the year 1970 was $\frac{2720}{3467}$ and that the present population of the Village of Cambridge is not known, and that the area proposed for annexation has an approximate population of 457 people.

7.

That the Village of Cambridge proposes and has developed plans for water and sanitary sewer pipe lines in the area proposed for annexation suitable to provide such services as may become necessary.

8.

That the real estate taxes in the area may be expected to increase, but the increase will be proportional to the expected benefit inuring to said area as a result of the annexation.

9.

That the Village of Cambridge has a modern, well-equipped police department of adequate size which will be able to serve the area ordered annexed. That neither the Township of Cambridge nor the Township of Isanti has a police department and they each now receive their respective police protection from the Isanti County Sheriff's office.

10.

That the Village of Cambridge has a modern, well-equipped fire department and has recently added a new fire department building and truck. That these facilities will be able to serve the area herein proposed to be annexed and has served such area, on a contract basis with the Townships, for many years.

11.

That the County of Isanti has adopted a comprehensive zoning ordinance. That the Townships of Cambridge and Isanti each have limited zoning and building ordinances and that the Village of Cambridge has adopted a comprehensive zoning ordinance together with a comprehensive plan indicating future growth patterns which include growth into the areas herein proposed to be annexed.

12.

That neither the Township of Cambridge nor the Township of Isanti provides sanitary sewer or water in the area herein proposed to be annexed, and the evidence shows that the Townships have no plans for providing such service in the future, and that the area to be annexed has immediate need for such services.

13.

That the area of territory described in the petition totals approximately 375 acres, and the Village of Cambridge at the present time embraces an area of over 750 acres.

14.

That the Village of Cambridge has expanded with respect to population and construction, and will continue to do so, and the space is needed to accommodate that expansion.

15.

That the township form of government is inadequate to cope with the problems of urban and suburban growth in the area hereafter ordered annexed.

16.

That the area herein ordered annexed is suitable for both commercial enterprises and residential development.

CONCLUSIONS OF LAW

1.

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

2.

The Municipal Commission, by virtue of receipt of a petition by the majority of the property owners within the area to be annexed, has authority to grant the annexation described herein without an election.

3.

That the property proposed for annexation is now or is about to become urban or suburban in character.

4.

That both the remainder of the Township of Cambridge and the remainder of the Township of Isanti can continue to carry on the function of government without undue hardship.

5.

That said area is so conditioned and so located as to be properly subjected to municipal government by the Village of Cambridge.

6.

Annexation of said area by the Village of Cambridge will be in the best interest of the area to be annexed, and of the Village of Cambridge.

7.

Municipal Government of said area is necessary and is required to protect public health, safety and welfare, and to provide necessary governmental services.

8.

That an order should issue from the Minnesota Municipal Commission annexing to the Village of Cambridge the real estate located in the Township of Cambridge and the Township of Isanti, both in Isanti County, Minnesota, described herein.

O R D E R

IT IS HEREBY ORDERED: That the following described real estate in the Township of Cambridge and the Township of Isanti, in the County of Isanti, and State of Minnesota, be and the same hereby is annexed to the Village of Cambridge, Minnesota, the same as if it had originally been made a part thereof:

Cambridge Township: All of the tracts and parcels of land located in Section Thirty-three (33), Township Thirty-six (36) North, Range Twenty-three (23) West, lying and being East of the present village limits and West of the East line of the proposed Trunk Highway #65 Bypass (as drawn on the map entitled "Layout #2, Copy #17," prepared by D. Smilonich in January, 1972). Also, all of those tracts and parcels of land located in the North Half of the North-east Quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$) of Section Thirty-three (33), Township Thirty-six (36), Range Twenty-three (23), lying and being East of the East line of proposed Trunk Highway #65 Bypass.

Isanti Township: All of those tracts and parcels of land located in Sections Four (4) and Five (5), Township Thirty-five (35), Range Twenty-three (23), lying and being West of the East line of the proposed Trunk Highway #65 Bypass (as

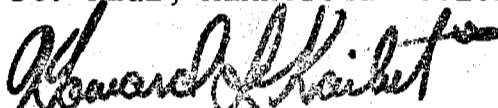
drawn on the map entitled "Layout #2; Copy #17," prepared by D. Smilonich in January, 1972), and North of the East-West One-Quarter lines of said Sections Four (4) and Five (5), excepting, however, those lands owned in fee by the State of Minnesota.

All public roads, streets and highways within the area above described should be included in such annexed lands.

IT IS FURTHER ORDERED: That the population of the Village of Cambridge is hereby increased by 457 so that the population thereof after the effective date of this order shall be ~~3924~~³¹⁷⁷ for all purposes until the next federal census.


Dated this 17th day of December, 1973

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


Howard L. Kaibel, Jr.
Executive Secretary

Amended Order dated this 8th day of January, 1974

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


Howard L. Kaibel, Jr.
Executive Secretary

MEMORANDUM

We have today approved the annexation of property pursuant to a majority petition of property owners filed with the commission more than a year ago. The delay was caused by efforts of local officials aimed at developing a comprehensive long range "orderly annexation" agreement resolving boundary adjustment problems.

In November of last year both townships exercised their legal "option" under the statute to initiate discussions between city and township officials aimed at an "orderly annexation" agreement (M.S. 414.031 Subdivision 2). This section automatically postpones the hearings for up to six months or more while discussions take place. The Executive Secretary of the Commission conducted several informal separate and joint meetings of local officials as well as one well attended public meeting in Cambridge Township. Both city and township officials endeavored in good faith to work out an acceptable local solution. The city hired a professional planner with exceptional qualifications at considerable expense to provide guidance. Nevertheless, local officials were not able to reach an agreement.

The statute provides that in this event the Minnesota Municipal Commission should hold comprehensive hearings and decide what area in both townships should be designated in need of orderly annexation to the city. Instead, city and

township officials agreed to a different approach. The city agreed not to attempt to annex the Cambridge State School and Hospital property for a period of five years in return for a township agreement to withdraw their opposition to the originally petitioned annexation. A hearing was held on this proposal August 8, 1973 and there was no opposition. The Minnesota Municipal Commission agreed to this procedure in September and have today approved the originally petitioned annexation after holding a hearing on the proposal October 24, 1973.