

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Thomas J. Simmons	Vice Chairman
Gerald J. Isaacs	Member
David Lloyd	Ex-Officio Member
Clarence Miller	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)	AMENDED
FOR THE ORDERLY ANNEXATION OF CERTAIN)	FINDINGS OF FACT,
LAND TO THE CITY OF MONTGOMERY PURSUANT)	CONCLUSIONS OF LAW,
TO MINNESOTA STATUTES 414, AS AMENDED)	AND ORDER

The above-entitled matter came on for hearing before the Minnesota Municipal Commission pursuant to Minnesota Statutes 414, as amended, on October 16, 1973, at the City Hall, Montgomery, Minnesota.

The City of Montgomery was represented by Theodore Mellby, Attorney at Law, 400 1st St. South, Montgomery, Minnesota and William C. Norris, Attorney at Law, Montgomery, Minnesota. No one entered an appearance in opposition. The hearing was conducted by Thomas J. Simmons, Vice-Chairman of the Commission. Also in attendance were County Commissioners David Lloyd and Clarence Miller, 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 enters the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1.) A joint resolution between the City of Montgomery and the Township of Montgomery, LeSueur County, Minnesota for orderly annexation of certain property was received by the Minnesota Municipal Commission on September 12, 1973.

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

3.) The City of Montgomery, Minnesota is providing or is capable of providing the municipal services required by the area described herein within a period of three (3) years, to include the following:

Fire Protection
Police Protection
Water and Sanitary Sewerage Services
Ambulance Services
Storm Sewers
Telephone & Electricity
Post Office, Park, Library
Street Repair & Maintenance

4.) The property proposed for annexation has experienced considerable residential, commercial and industrial development including an auction barn, print shop and Green Giant manufacturing plant. Further development will occur in the immediate future.

5.) That the population of the area proposed for annexation is eight (8) persons.

CONCLUSIONS OF LAW

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

2.) That the area proposed for annexation and described herein is now or is about to become urban or suburban in nature.

3.) That the City of Montgomery is capable of providing the services required by the area described herein within a reasonable time.

ORDER

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

Parcel Number 2

Commencing at a point on the South corporate limit line of the City of Montgomery at the intersection thereof with the center line of LeSueur County State Aid Road 3, thence in a Southerly direction on said center line to the point of intersection thereof with the center line of Minnesota Trunk Highway No. 21, thence in a Westerly direction on said center line to the intersection thereof with the center line of Minnesota Trunk Highway No. 21 and 13, thence in a Northerly direction on said center line of the City of Montgomery, containing approximately 60.72 acres.

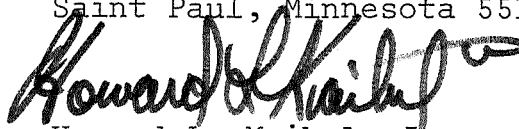
IT IS FURTHER ORDERED: That the mill levy of the City of Montgomery on the area herein ordered annexed shall be increased in substantially equal portions over a period of three (3) years to equality with the mill levy on property already within the City of Montgomery.

IT IS FURTHER ORDERED: That the population of the City of Montgomery be and the same hereby is increased by eight (8) persons for all purposes until the next federal or state census.

IT IS FURTHER ORDERED: That the population of the Township of Montgomery be, and the same hereby is, decreased by eight (8) persons for all purposes until the next federal or state census.

Dated this 21st day of December, 1973

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
Saint Paul, Minnesota 55101



Howard L. Kaibel, Jr.
Executive Secretary

Parcel Number 2

Commencing at a point on the South corporate limit line of the City of Montgomery at the intersection thereof with the center line of LeSueur County State Aid Road 3, thence in a Southerly direction on said center line to the point of intersection thereof with the center line of Minnesota Trunk Highway No. 21, thence in a Westerly direction on said center line to the intersection thereof with the center line of Minnesota Trunk Highway No. 21 and 13, thence in a Northerly direction on said centerline to the corporate limit line of the City of Montgomery thence Easterly to point of beginning, containing approximately 60.72 acres.


IT IS FURTHER ORDERED: That the mill levy of the City of Montgomery on the area herein ordered annexed shall be increased in substantially equal portions over a period of three (3) years to equality with the mill levy on property already within the City of Montgomery.

IT IS FURTHER ORDERED: That the population of the City of Montgomery be and the same hereby is increased by eight (8) persons for all purposes until the next federal or state census.

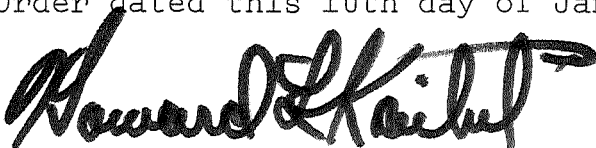
IT IS FURTHER ORDERED: That the population of the Township of Montgomery be, and the same hereby is, decreased by eight (8) persons for all purposes until the next federal or state census.

Dated this 21st day of December, 1973

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
Saint Paul, Minnesota 55101


Howard L. Kaibel, Jr.
Executive Secretary

Amended Order dated this 10th day of January, 1974


Howard L. Kaibel, Jr.
Executive Secretary