

BEFORE THE MUNICIPAL COMMISSION  
OF THE STATE OF MINNESOTA

Joseph Robbie	Chairman
Robert W. Johnson	Vice-Chairman
Terrance S. O'Toole	Member

IN THE MATTER OF THE ANNEXATION OF LINCOLN TOWNSHIP,  
WASHINGTON COUNTY, STATE OF MINNESOTA, TO THE VILLAGE  
OF MAHTOMEDI, MINNESOTA

The Minnesota Municipal Commission on October 5, 1961, received a petition for the annexation of the Township of Lincoln, Washington County, Minnesota, to the Village of Mahtomedi accompanied by a census and an annexation resolution.

The matter came on for hearings before the Commission on November 17, 1961, December 8, 1961, and December 21, 1961.

The Commission having duly considered the testimony of the witnesses, the exhibits received in evidence and all other evidence, upon all the files and records, being fully advised in the premises, makes and enters the following:

FINDINGS OF FACTS

I.

Due, timely and adequate legal notices of the hearings herein, including adjourned sessions thereof, were posted, published, served and mailed.

II.

The following table contains the Commission's findings required in Minn. Stat. 414.03, Subdivision 4.

	<u>Lincoln Town when petition was filed</u>	<u>Mahtomedi Village</u>	<u>That part of Lincoln Tp. annexed to Grant Tp.</u>	<u>That part of Lincoln Tp. annexed to White Bear Lake (Alla-Bar)</u>	<u>Present Lincoln Tp. Status</u>
a Population	1,239	1,174	93	* 15	1,131
b Acres	3,860	486.87	2,258	11	1,591
c Assessed Valuation	\$496,431	703,353	95,362	44,412	369,001
Residential Dwellings	318		47	5	266
Commercial Buildings	21		0	11 (shopping center)	21

\*May 1, 1963 figures

All other figures are as of May 1, 1961

### III.

Lincoln Township has not undertaken to supply water or provide sewage disposal facilities on a community governmental basis and no plans to do so in the foreseeable future were disclosed.

### IV.

Lincoln Township has two elected constables but relies primarily upon the Sheriff's Department of Washington County for police protection. Emergency calls for Lincoln Township are referred to the Mahtomedi police if the Washington Sheriff is not in the vicinity. Mahtomedi has two full-time policemen and radio equipment.

### V.

The Village of Mahtomedi has a two-well municipal water works system which would be available to the Town of Lincoln, and has installed sewage facilities which will also be available for the Town of Lincoln.

### VI.

Lincoln Town has experienced the growth and construction of the urban areas in the metropolitan area and is in need of village government to meet with these expanding demands.

### VII.

Mahtomedi has within its present boundaries very limited space for population increase and construction. Mahtomedi since its incorporation in 1931 has had 27 separate annexations of land from the Town of Lincoln which annexations total 135 acres of land. The future urban development will undoubtedly be outwardly from the present boundaries of Mahtomedi into the present Town of Lincoln.

### VIII.

It is not anticipated that by annexation taxes will be

lowered in the Village of Mahtomedi and increased in said part of Lincoln Town. The annexation should operate with mutual benefit to the Village of Mahtomedi and the Town of Lincoln.

#### IX.

The following described lands should be annexed to the Village of Mahtomedi:

All of the Town of Lincoln, County of Washington, State of Minnesota, excluding:

That property known and described as the Alla Bar City Addition annexed to the City of White Bear Lake per the Municipal Commission Order dated May 5, 1964, and:

That property formerly in Lincoln Township lying north of State Highway 96 annexed to Grant Township by the Washington County Commissioners after being released from Minnesota Municipal Commission jurisdiction July 3, 1963.

## CONCLUSIONS OF LAW

### I.

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

### II.

The area described in paragraph IX of the Findings of Fact herein is so conditioned and so located as to be properly subjected to municipal government by the Village of Mahtomedi.

### III.

The annexation of the area described in paragraph IX of the Findings of Fact herein by the Village of Mahtomedi would be in the best interest of the territory affected and the Village.

### IV.

Municipal government of the area described in paragraph IX of the Findings of Fact herein is necessary and is required to protect the public health, safety, and welfare, to provide comprehensive planning and orderly development of the area.

### V.

The ~~township form of government is not adequate~~ to cope with the problems of urban and suburban growth in said area.

### VI.

In the area described in paragraph IX of the Findings of Fact described herein, the Village of Mahtomedi can practicably provide for the present and future needs for governmental services.

ORDER FOR ELECTION

ANNEXATION OF LINCOLN TOWNSHIP TO THE  
VILLAGE OF MAHTOMEDI, MINNESOTA

IT IS ORDERED: Election be held pursuant to Minn. Stat. 414.03 upon the proposition of whether or not the following described property should be annexed to the Village of Mahtomedi and that such election shall be held on the 25th day of August, 1964, at the following described polling place which shall be open from 1:00 P.M. to 8:00 P.M.:

All of the Town of Lincoln, Washington County, State of Minnesota

Judges: Mrs. Charles P. King, Mrs. John Duvlea, and Mrs. L. E. Denslow

Place: Lincoln Town Hall - Stillwater Road & Warner Road

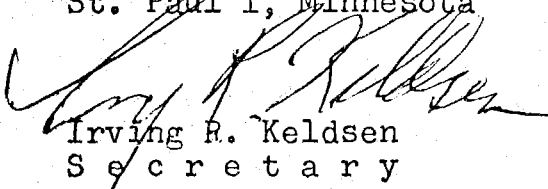
IT IS FURTHER ORDERED: That such election be conducted insofar as practicable in accordance with the election of town officers. Only qualified voters residing in the territory herein described shall be entitled to vote. The ballot shall bear the words "For Annexation" and "Against Annexation" with a square before each of the phrases, in one of which the voters shall make a cross to express his opinion. The ballots and necessary supplies shall be provided by Lincoln Township.

IT IS FURTHER ORDERED: That Lincoln Township shall cause a copy of this Order to be posted not less than 20 days before August 25, 1964, in three public places in the area proposed for annexation and to be published in a medium of official and legal publication of general circulation in the area proposed for annexation, two weeks before August 25, 1964.

IT IS FURTHER ORDERED: That all proper expenses incurred in the election should be borne by the Village of Mahtomedi.

Dated this 17th day of July, 1964

MINNESOTA MUNICIPAL COMMISSION  
51 State Office Building  
St. Paul 1, Minnesota

  
Irving R. Keldsen  
S e c r e t a r y

## MEMORANDUM OPINION

We pointed out in the annexation Opinion relating to Rochester and Marion Townships that one of the main concepts of the Municipal Commission Act is to permit cities to extend their jurisdiction to accommodate the urban growth which occurs on their boundaries. The purpose is to alleviate any problem created by the urban fringe; to provide municipal services to residential and commercial developments outside municipal boundaries; and to prevent the necessity of establishing new municipalities on the fringe to provide these services.

In short, the Municipal Commission Act favors annexation to permit cities to extend their boundaries to encompass the total urban population and to prevent the stunting of the growth of cities by permitting new municipalities to cluster at their borders.

Before the Municipal Commission Act had been adopted and gone into effect the damage had been done in the Twin Cities metropolitan area to an extent difficult to comprehend. The Minneapolis-St. Paul metropolis comprises about 130 municipalities interspersed with 82 remaining townships in a seven county area with no comprehensive land use control to give orderly direction to the establishment of new business locations or residential projects in the substantial pockets of unoccupied land that dot the metropolitan area. It will be difficult to bring order out of the jurisdictional chaos created. In this metropolitan situation the Commission can prevent the condition from worsening by halting new uneconomic incorporations within the metropolitan heartland.

We subscribe to the idea that the annexation of property as it becomes platted and built-up is the best method of

providing governmental services to newly developed urban property. But where this has not occurred because of the sensitive problems relating to annexation and the complexities of past annexation procedures, more drastic measures are needed immediately to harness urban growth occurring immediately beyond the municipal boundaries to permit the enjoyment of adequate municipal services and utilities in an environment that promotes happy and satisfactory living.

The Municipal Commission earnestly believes that if the present area of Lincoln Township is now annexed to the Village of Mahtomedi future savings to residents and taxpayers can be obtained by the advance planning of municipal services and utilities. When the boundaries have been adjusted to include all of the present urban development, Mahtomedi can plan its future with confidence and can achieve its place as a strong metropolitan community.

The sense of community importance will increase when all residents within the area of Lincoln Town and Mahtomedi become residents of one community. The new merged community of Lincoln Town and Mahtomedi will have a marvelous opportunity of achieving new municipal stature and importance to accompany its rapid growth and expansion.

Opinion by Joseph Robbie