

IN THE MATTER OF THE PETITION OF CERTAIN PERSONS  
FOR ANNEXATION OF UNINCORPORATED PROPERTY  
TO THE CITY OF MADISON LAKE, MINNESOTA,  
PURSUANT TO MINNESOTA STATUTES, SECTIONS 414.031 AND 414.033

[Brief Description of Subject Matter to Which this  
Petition Relates:

This is a petition of owners of land in Doran's Subdivision Duck Lake, and Hagen Park Subdivision, Blue Earth County, Minnesota, to annex their land to the City of Madison Lake. The land is connected to the City of Madison Lake by Blue Earth County Road 26. The petitioners are in need of water, sewer and police protection services. The lands abut Duck Lake, and there are potential problems of environmental pollution which will require the municipal services of the City of Madison Lake to resolve these problems.]

TO: THE CITY COUNCIL OF THE CITY OF MADISON LAKE, THE  
TOWNSHIP OF JAMESTOWN, BLUE EARTH COUNTY, MINNESOTA, AND  
THE EXECUTIVE DIRECTOR OF THE MINNESOTA MUNICIPAL BOARD

THE UNDERSIGNED Property Owners of lands included in the  
Boundaries of Territory Proposed Area to be Annexed to the City of  
Madison Lake, Minnesota, which is attached hereto as Exhibit A and  
made a part hereof, make the following statements of fact:

1. The Boundaries of the Territory Proposed to be Annexed to  
The City of Madison Lake, Minnesota is attached hereto as  
Exhibit A.
2. The Area Proposed to be annexed contains approximately 15  
acres. The filing fee submitted with this petition is  
\$100.00.
3. Twenty-four Property Owners own the land within the  
Territory Proposed to be Annexed.
4. The number of Property Owners required to commence this  
proceeding is five.
5. This Petition has been signed by 7 Property Owners, who  
constitute 50 percent of the Property Owners within the  
Territory Proposed to be Annexed.
6. The Resolution of the City Council for the City of  
Madison Lake, supporting this Petition, is attached  
hereto as Exhibit B.

7. A map showing the property proposed to be annexed, together with the plats of Doran's Subdivision Duck Lake, and Hagen Park Subdivision Blue Earth County, Minnesota, are attached hereto collectively as Exhibit C.
8. The names of all parties entitled to notice under Minnesota Statute §414.09 is attached hereto as Exhibit D.
9. The present population of the area proposed to be annexed is approximately 25 persons. The population of the area proposed to be annexed is not expected to grow; however, if municipal services are extended to the area proposed to be annexed, numerous additional persons could benefit from the future extension of those services to them. The current population of the City of Madison Lake is 643, and that population is expected to grow to a population of 1000 by the year 2000.
10. The natural terrain of the property proposed to be annexed causes all drainage of the property proposed to be annexed to eventually flow into the waters of Duck Lake.
11. The boundaries of the property proposed to be annexed are contiguous to the municipal boundaries of the City of Madison Lake.
12. The present pattern of physical development of the City of Madison Lake is easterly and northerly, in the direction of the area proposed to be annexed.
13. At the present time, no municipal services are or have been extended to the area proposed to be annexed. However, the City of Madison Lake currently has the capacity to add municipal services to the area proposed to be annexed efficiently and economically.
14. The area proposed to be annexed is in need of water, sewer and police protection services. The lands abut Duck Lake, and there are potential problems of environmental pollution which will require the municipal services of the City of Madison Lake to resolve these problems.
15. The Township of Jamestown, Blue Earth County, Minnesota, does not have the ability or the facilities to provide the needed services to the area proposed to be annexed.
16. Because only a small fraction of the Township of Jamestown, Blue Earth County, Minnesota is proposed to be annexed to the City of Madison Lake, the remainder of

OCT 21 1992

Jamestown Township can continue to function under the town form of government. The supporting resolution of Jamestown Township is attached hereto as Exhibit E. Because the population and area proposed to be annexed is small, it is not feasible to incorporate it separately. There is no other municipality in the immediate area to which the area proposed to be annexed can be annexed.

WHEREFORE, THE UNDERSIGNED request the Minnesota Municipal Board issue its Order:

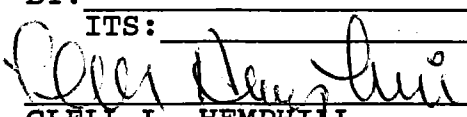
1. Designating a time and place for a hearing, if such a hearing is required, in accordance with Minnesota Statutes §414.09;
2. Finding that the area proposed to be annexed is now, or is about to become urban in character;
3. Finding that the municipal government of the City of Madison Lake is required to protect the health, safety and welfare of the citizens in the area proposed to be annexed, and the citizens of the Duck Lake area as a whole;
4. Finding that annexation is in the best interest of the property proposed for annexation; and
5. Ordering that the property described in Exhibit A be annexed to the City of Madison Lake.


Dated this 12 day of October, 1992.

BLUE EARTH COUNTY, MINNESOTA

BY:

ITS:

  
CLELL L. HEMPHILL  
ROUTE 1 BOX 504  
MADISON LAKE, MN 56063

  
MARY K. HEMPHILL  
ROUTE 1 BOX 504  
MADISON LAKE, MN 56063

GWENDOLYN R. KEIM  
327 DOLPH ROAD  
MANKATO, MN 56001

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Alice M. Benson  
ALICE M. BENSON  
ROUTE 1, BOX 503  
MADISON LAKE, MN 56063

Bernard H. Lamm  
BERNARD F. LAMM  
1412 FAIR STREET  
MANKATO, MN 56001

Helen A. Lamm  
HELEN A. LAMM  
1412 FAIR STREET  
MANKATO, MN 56001

Susan Mary Krohn  
SUSAN MARY KROHN  
ROUTE 1 BOX 501  
MADISON LAKE, MN 56063

ROBERT F. KRENİK  
ROUTE 1 BOX 487  
MADISON LAKE, MN 56063

JACQUELINE KRENİK  
ROUTE 1 BOX 487  
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RICHARD E. JONES  
P.O. BOX 473  
MADISON LAKE, MN 56063

FAYMA D. JONES  
P.O. BOX 473  
MADISON LAKE, MN 56063

Edward S. Benson  
EDWARD BENSON  
ROUTE 1 BOX 500  
MADISON LAKE, MN 56063

Karen Benson  
KAREN BENSON  
ROUTE 1 BOX 500  
MADISON LAKE, MN 56063

See attached letter dated 9/15/92  
& Certification of receipt by the  
Madison Lake City Council on 10/12/92.

See attached letter dated 9/15/92  
& Certification of receipt by the  
Madison Lake City Council on 10/12/92.

REC'D BY OCT 21 1992  
MAIL

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THOMAS J. BOWEN  
ROUTE 1 BOX 506  
MADISON LAKE, MN 56063

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LUCILLE M. BOWEN  
ROUTE 1 BOX 506  
MADISON LAKE, MN 56063

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WILLIAM R. MILLER  
ROUTE 1 BOX 499  
MADISON LAKE, MN 56063

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MARY J. MILLER  
ROUTE 1 BOX 499  
MADISON LAKE, MN 56063

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LOUISE DEGLMAN ESTATE  
C/O LOUISE DEGLMAN  
115 ECHO STREET, #303  
MANKATO, MN 56001

---

DONALD S. PETERSON  
ROUTE 1 BOX 505A  
MADISON LAKE, MN 56063

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CHERYL L. PETERSON  
ROUTE 1 BOX 505A  
MADISON LAKE, MN 56063

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*Robert J. Hobbs*  
ROBERT J. HOBBS  
BOX 296  
MADISON LAKE, MN 56063

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*Cynthia A. Hobbs*  
CYNTHIA A. HOBBS  
BOX 296  
MADISON LAKE, MN 56063

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KNIGHTS OF COLUMBUS ASSN  
C/O RENE F. MAES  
10 HANTEN DRIVE  
MANKATO, MN 56001

OCT 21 1992

9/15/92

We Richard E. and Fayma D. Jones  
vote yes, for the proposed option of  
annexation with Madison Lake, Mn.  
Our property is located in Dorans  
Subdivision, Lot #7, North shore of  
Duck Lake.

SS# 478-34-3772 Fayma Darlene Jones  
SS# 483-34-7513 Richard Eugene Jones  
P.O. Box 473  
Madison Lake Mn 56063

I, Shirley Schaub, Clerk of the City of Madison Lake,  
do hereby certify that I have compared the above copy of a  
written statement from Fayma and Richard Jones with the  
original on file in the office of City Clerk, and that it is  
a true and correct transcript therefrom and the whole of  
such original.

In witness Whereof, I have set my hand and affixed  
the seal of the City of Madison Lake this 19th day of October, 1992.

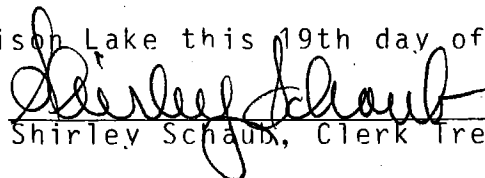
  
Shirley Schaub, Clerk Treasurer

EXHIBIT A  
BOUNDARIES OF TERRITORY PROPOSED AREA TO BE ANNEXED  
TO THE CITY OF MADISON LAKE, MINNESOTA

Commencing at the intersection of the Easterly Right-Of-Way line of Blue Earth County Road Number 26 with the Northerly boundary line of the City of Madison Lake, as presently laid out, being the point of beginning of the lands to be described herein;

Thence Northerly, along the Easterly Right-Of-Way of Blue Earth County Road Number 26 to a point which is fifty feet Easterly and 1,527.30 feet southerly of the South East corner of Section 22, Township 109 Range 25, Blue Earth County, Minnesota;

Thence Westerly, a distance of 100 feet to the Northerly line of a Private Access-Egress Driveway, as platted within Doran's Subdivision Duck Lake, Blue Earth County, Minnesota;

Thence continuing Westerly, along the Northerly Line of said Private Access-Egress Driveway, approximately 445 feet to a point where said Road turns Northwesterly;

Thence Northwesterly, along the Easterly line of said Private Access-Egress Driveway, to a point which intersects with the Easterly extension of the Northerly line of Doran's Subdivision Duck Lake, Blue Earth County, Minnesota;

Thence Westerly, along the Easterly extension of the Northerly line of Doran's Subdivision Duck Lake to the Northeasterly corner of Doran's Subdivision Duck Lake;

Thence continuing Westerly, along the Northerly Line of Doran's Subdivision Duck Lake to the Northwesterly corner of Doran's Subdivision Duck Lake, also being a point on the water's edge of Duck Lake;

Thence Southeasterly, along the Westerly line of Doran's Subdivision Duck Lake and to the Southwesterly corner of Doran's Subdivision Duck Lake;

Thence continuing Southeasterly, along the water's edge of Duck Lake, to the Westernmost corner of OutLot A, Hagen Park Subdivision, Blue Earth County, Minnesota;

Thence Northeasterly a distance of 102.2 feet along the Northwesterly line of OutLot A, Hagen Park Subdivision;

Thence Easterly a distance of 330.00 feet along the North line of OutLot A, Hagen Park Subdivision, to the Westerly Right-Of-Way line of Blue Earth County Road Number 26;

Thence Southerly, along the Westerly Right-Of-Way line of Blue Earth County Road Number 26 to a point which is 100 feet West of the Point of Beginning;

Thence East, a distance of 100 feet to the Point of Beginning.

EXHIBIT B  
RESOLUTION OF THE CITY COUNCIL  
FOR THE CITY OF MADISON LAKE  
SUPPORTING PETITION FOR ANNEXATION

I, Shirley Schaub, duly qualified and acting Clerk/Treasurer of the City of Madison Lake, Minnesota, do hereby certify that the following is a true and correct transcript of a Resolution duly adopted by the City Council for the City of Madison Lake at a regular meeting on October 12, 1992, moved for adoption by Councilmember James HIRKE and seconded by Councilmember Raymond Jacobs, and after vote being taken thereon, said Resolution was carried and approved by a vote of 4 in favor and 1 against:

WHEREAS, the City Council for the City of Madison Lake has been presented with a Petition for Annexation of Doran's Subdivision Duck Lake and certain parts of Hagen Park Subdivision, Blue Earth County, Minnesota, whereby the residents of those areas seek the extension of municipal services to the area proposed to be annexed; and

WHEREAS, the Petition appears to have been signed by the requisite number of Property Owners; and

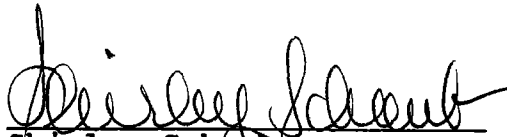
WHEREAS, the petitioners are in need of municipal water and sewer services, which are required to eliminate potential problems of environmental pollution; and

WHEREAS, the area proposed to be annexed abuts Duck Lake, a valuable resource to the City and this area; and

WHEREAS, the City has the capacity to supply the needed services and can do so economically.

NOW, THEREFORE, BE IT RESOLVED, that the City of Madison Lake, Minnesota, hereby supports the Petition for Annexation of Unincorporated Property to the City of Madison Lake, the lands proposed to be annexed being described in Exhibit A of that Petition.

Dated this 19th day of November 1992.

  
Shirley Schaub  
City Clerk/Treasurer

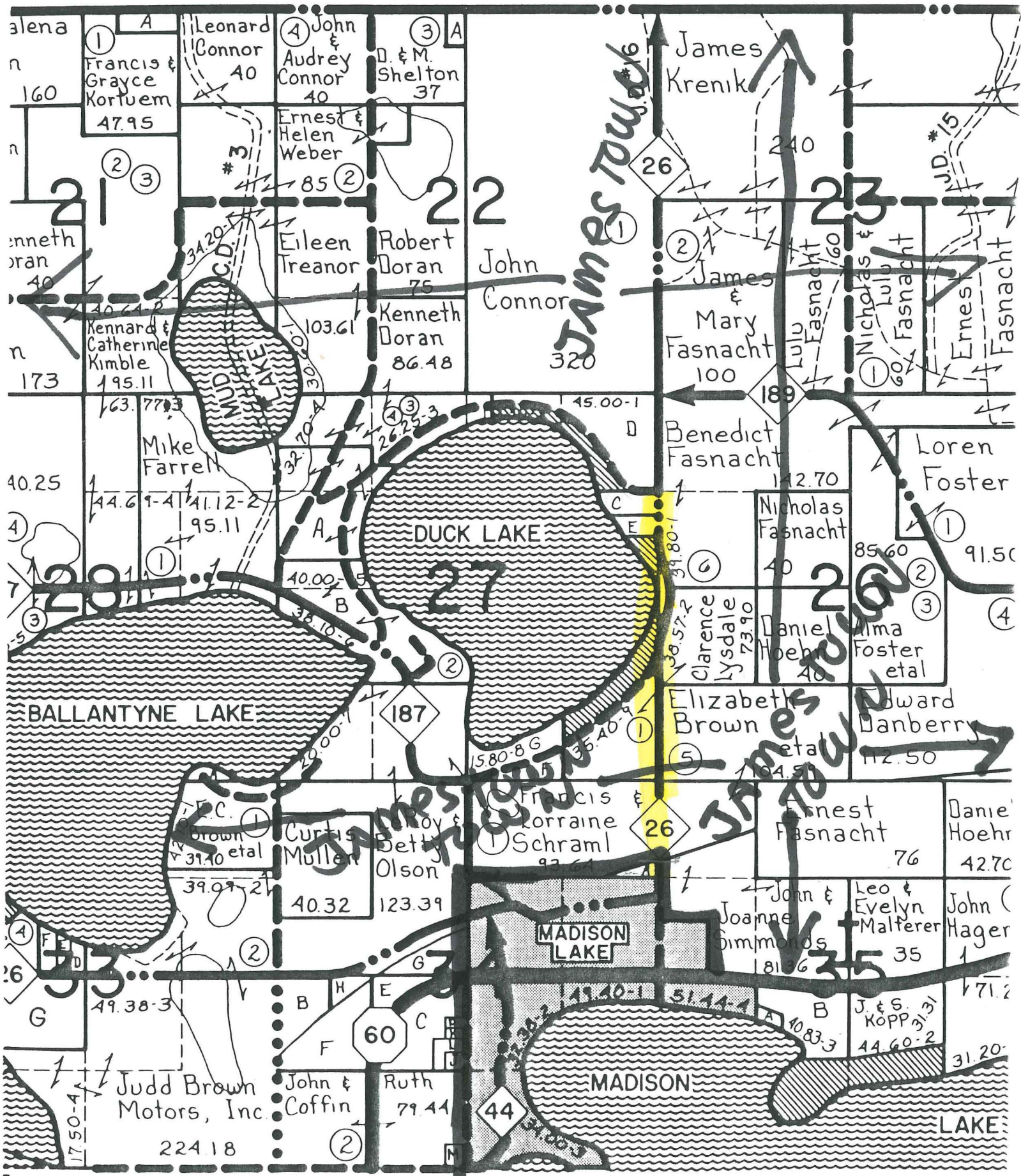


REC'D BY  
DMMB

OCT 21 1992

**EXHIBIT C**

**MAPS SHOWING PROPERTY PROPOSED TO BE ANNEXED**





RECORDED BY OCT 21 1992  
MAMB

# DORAN'S SUB-DIVISION DUCK LAKE BLUE EARTH COUNTY MINN.

Know all men by these presents that we Robert D. Doran and Anne M. Doran his wife owners and proprietors of the following described property lying within Government Lot 1, of Section 27, Township 109 N., Range 25 W., to wit; Commencing at a point 1547.3 feet South and 497.5 feet West of the Northeast corner of Section 27, Township 109 N., Range 25 W., thence running N. 34° 04' W., a distance of 437.5 feet, thence N. 28° 54' W., 452.09 feet, thence S. 64° 39' W. to the shore line of Duck Lake, thence Southeasterly along the said shore line of said Duck Lake 842.4 feet to a point directly West of the place of beginning, thence East to the place of beginning. Said tract containing 1.78 acres more or less. Have caused the same to be surveyed and platted, that we have named this platted area DORAN'S SUB-DIVISION and that we dedicate the 20 foot Driveway as shown on the plat for the private access and egress to and from the platted property.

Witness A. M. Kircher  
Robert D. Doran  
Anne M. Doran

STATE OF MINNESOTA  
COUNTY OF BLUE EARTH

On this 2nd day of December, 1960, before me a Notary Public within and for said County, personally appeared Robert D. Doran, and Anne M. Doran his wife, known to me to be the persons who did execute the above instrument and who being each by me duly sworn did say that they executed the same as their own free act and deed.

my commission expires Dec. 9, 1962 William C. J. Rine  
Notary Public, Blue Earth County, Minnesota

I, A. M. Kircher, a duly Registered Land Surveyor under the Laws of Minnesota, do hereby certify that this plat is a true and accurate representation and delineation of the survey thereof made by me or under my direction, that all dimensions, angles and bearings as shown are true and correct, that monuments for the guidance of future surveys have been correctly placed in the ground, as shown, that the outside boundary lines are correctly designated on the plat, that the topography of the land is all high and dry, no swamps or marsh, and that there are no Public Highways to be designated.

A. M. Kircher  
A. M. Kircher  
Registered Land Surveyor, Minnesota No. 329

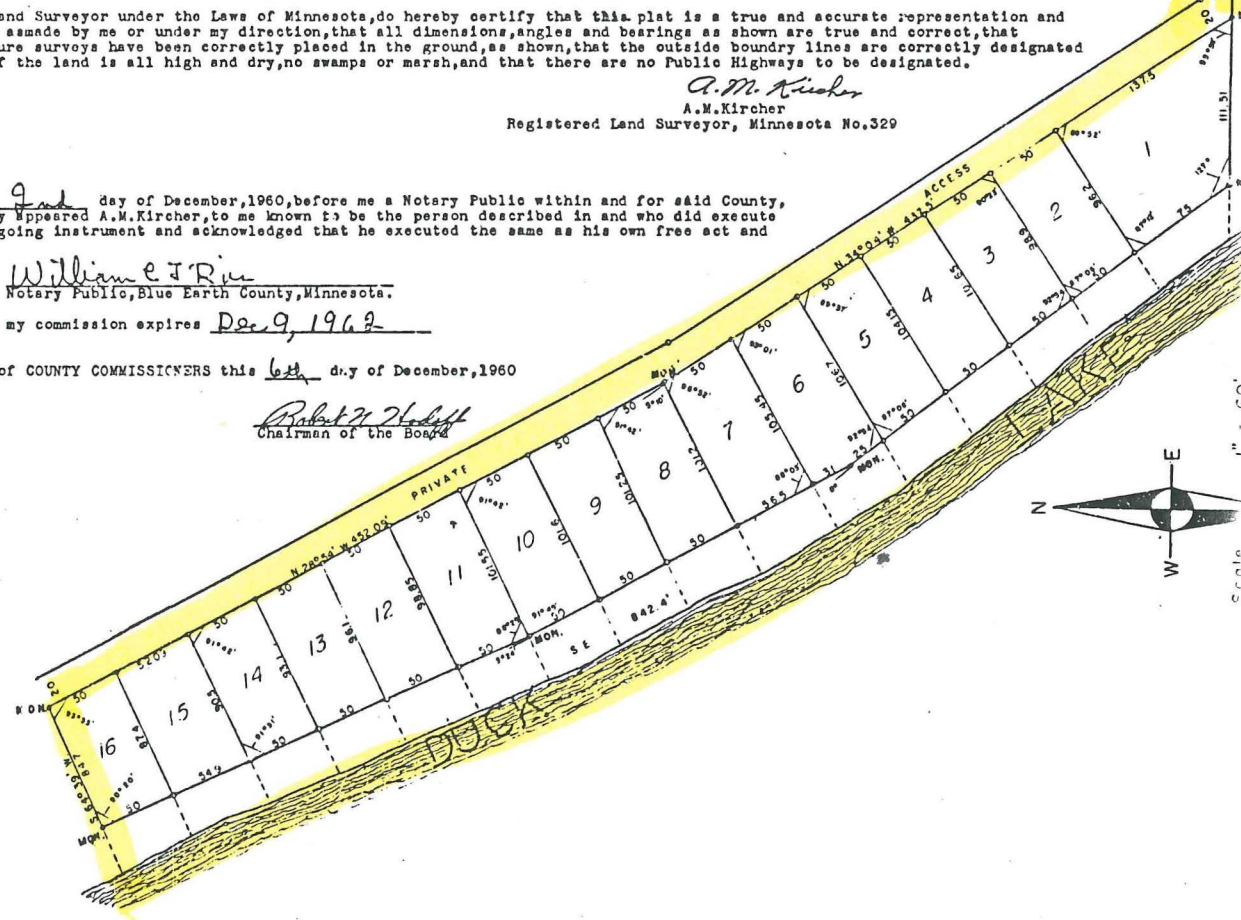
STATE OF MINNESOTA  
COUNTY OF BLUE EARTH

On this 9th day of December, 1960, before me a Notary Public within and for said County, personally appeared A. M. Kircher, to me known to be the person described in and who did execute the foregoing instrument and acknowledged that he executed the same as his own free act and deed.

William C. J. Rine  
Notary Public, Blue Earth County, Minnesota.  
my commission expires Dec. 9, 1962

APPROVED AND ADOPTED by the BOARD of COUNTY COMMISSIONERS this 6th day of December, 1960

Robert D. Doran  
Chairman of the Board



I hereby certify that the taxes for the year of 1959 on the land herein described are paid.

Joseph J. Olson  
County Treasurer, Blue Earth County, Minnesota

I hereby certify that all taxes on the lands herein described have been paid and transfer made this 6th day of December 1960

Robert D. Doran  
County Auditor, Blue Earth County, Minnesota

251253

I hereby certify that this instrument was filed in my office for record on this 7 day of December at 10 o'clock PM.

County Register of Deeds, Blue Earth County, Minnesota



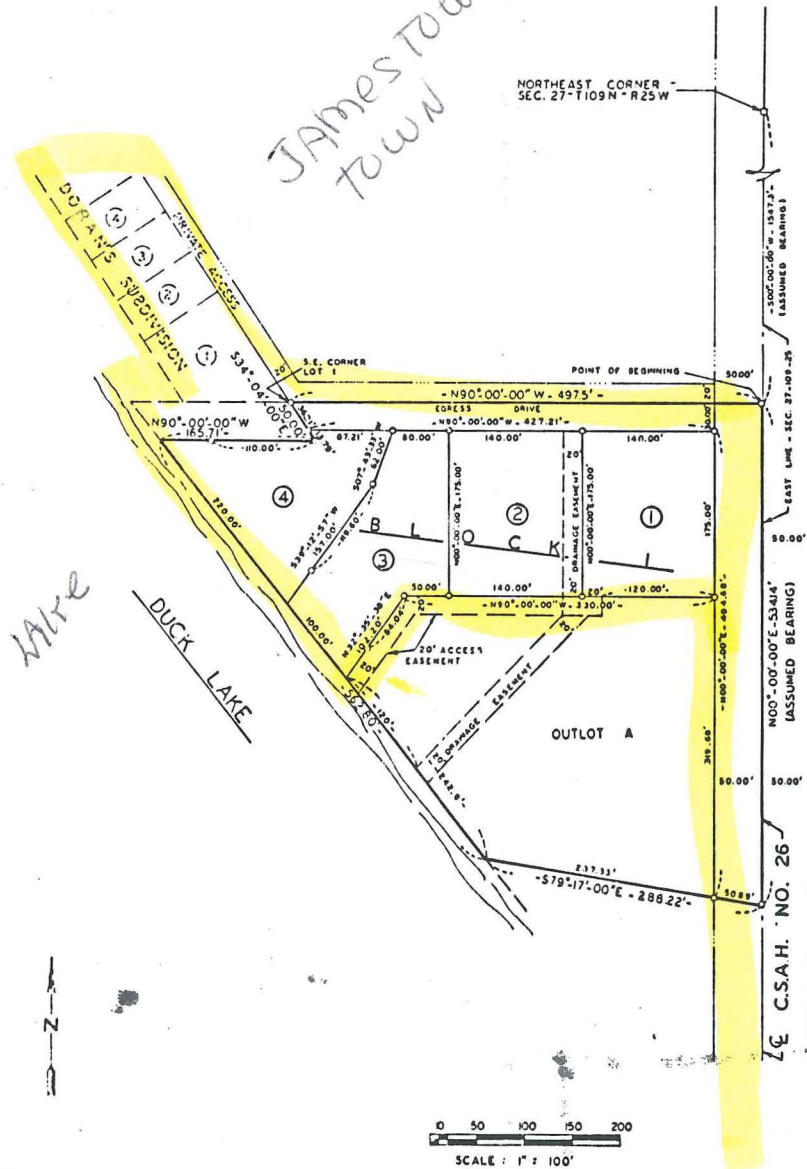




HAGEN PARK SUBDIVISION  
BLUE EARTH COUNTY, MINNESOTA

REC'D. BY  
MAB  
OCT 21 1992

Jamestown  
town



INDICATES IRON PIPE MONUMENTS

INSTRUMENT OF DEDIC.

Know all men by these present that we, Knights of Columbus Home Association, a corporation under the laws of the State of Minnesota, owners of the following described property, to wit:

All that part of the Northeast quarter of Section 27, Township 109 North, Range 25 West, described as: Commencing at the Northeast corner of Section 27; thence South 00 degrees 00 minutes 00 seconds West, (assumed bearing) along the East line of Section 27, a distance of 1547.3 feet to the point of beginning; thence North 90 degrees 00 minutes 00 seconds West, 497.5 feet to the Southeast corner of Lot 1, Doran's Subdivision; thence South 34 degrees 04 minutes 00 seconds East 50.00 feet; thence North 90 degrees 00 minutes 00 seconds West, 165.71 feet to the shoreline of Duck Lake; thence Southeastly 79 degrees 17 minutes 00 seconds East, 288.22 feet to the East line of Section 27; thence North 00 degrees 00 minutes 00 seconds East along the East line of Section 27, 534.14 feet to the point of beginning, subject to easements of record.

do hereby declare that we have caused the above described property to be surveyed and platted and monuments to be set and that we have named said platted area HAGEN PARK SUBDIVISION, and that we dedicate to the public use the streets and easements shown thereon.

SIGNED:

President Michael J. Kluck

Trustee Donald Leach

NOTARY'S CERTIFICATE

State of Minnesota )  
County of Blue Earth) ss

On this, the 16<sup>TH</sup> day of November, 1978, before me a Notary Public in and for said County of Blue Earth, personally appeared Michael J. Kluck, known by me, who being by me duly sworn did say that he is the President of the corporation named in the foregoing instrument, and Donald Leach, known by me, who being by me duly sworn did say that he is the Trustee of the corporation named in the foregoing instrument, and that said instrument was signed in behalf of said corporation, and who did acknowledge the same to be their free act and deed.

Shirley T. Christ  
Notary Public



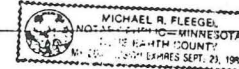
SURVEYOR'S CERTIFICATE

I, W. A. Maher, Registered Land Surveyor, State of Minnesota, do hereby certify that this survey and plat was made at the request of the owners of the land platted, and that all measurements are correct as shown thereon, that monuments have been set as indicated for the guidance of future surveys, and that there are no marshlands or public highways within the platted area, except as shown thereon.

W. A. Maher  
Reg. No. 9640

On this, the 16<sup>TH</sup> day of November, 1978, before me a Notary Public in and for said County, appeared W. A. Maher, and being duly sworn did say that he has executed the foregoing instrument.

Michael P. Lepp  
Notary Public



APPROVAL

Be it known that on this, the 6<sup>TH</sup> day of September, 1978, the Planning Commission of Blue Earth County did duly approve this plat of HAGEN PARK SUBDIVISION.

Phil E. Sible  
Secretary

James J. Sack  
Chairman

APPROVAL

Be it known that on this, the 12<sup>TH</sup> day of Sept, 1978, the County Board of Blue Earth County did duly approve this plat of HAGEN PARK SUBDIVISION.

David M. Stevens  
Chairman

TITLE OPINION

I, DANIEL H. MEYER, licensed attorney, State of Minnesota, do hereby certify that the owner as indicated hereon, represents all ownership interests of record in the land described above.

Daniel H. Meyer DECEMBER 11, 1978

COUNTY AUDITOR

I hereby certify that there are no delinquent taxes and the transfer has been entered on the land described on the 12<sup>TH</sup> day of Dec, 1978.

322905

COUNTY RECORDER

I hereby certify that this instrument was filed in my office for record on this, the 20 day of DECEMBER, 1978, at 5:00 o'clock P.M., and that it was duly recorded on Page 0 of Book PLATS 490.

OFFICE OF COUNTY RECORDER,  
BLUE EARTH COUNTY, MINNESOTA

I hereby certify that I have carefully compared the within copy of  
Plat of HAGEN PARK SUBDIVISION  
with the original, which was filed in this office for record this 20  
day of DECEMBER, 1978, at 5:00 o'clock P.M.,  
and find the same to be a true and correct copy thereof.

County Recorder

Deputy

OFFICIAL PLAT

**EXHIBIT D**

**NAMES OF ALL PARTIES ENTITLED TO NOTICE**

**UNDER MINNESOTA STATUTES, §414.09**

**JAMESTOWN TOWNSHIP**

**ATTN:** Mickael Bisch, Town Clerk  
RR 2,  
Madison Lake, Mn 56063

**BLUE EARTH COUNTY**

**ATTN:** Chairman, Linley Barnes  
Blue Earth County Board  
P.O.Box 8608, Mankato, Minnesota 56002-8608

**MINNESOTA SECRETARY OF STATE**

**180 STATE OFFICE BUILDING  
ST. PAUL, MN 55155**

**MINNESOTA DEPARTMENT OF REVENUE**

**ATTN:** 10 River Park Plaza Attn: Local Government Services  
Mail Station 5555  
St. Paul, MN 55146-5555

**MINNESOTA STATE DEMOGRAPHER**

**ATTN:** R. Thomas Gillaspy, State Demographer  
658 Cedar Street,  
St. Paul, MN 55155

**CLELL L. HEMPHILL**

**ROUTE 1 BOX 504  
MADISON LAKE, MN 56063**

**MARY K. HEMPHILL**

**ROUTE 1 BOX 504  
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**HELEN A. LAMM**

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REC'D BY  
MMB OCT 21 1992

SUSAN MARY KROHN  
ROUTE 1 BOX 501  
MADISON LAKE, MN 56063

ROBERT F. KRENIK  
ROUTE 1 BOX 487  
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KNIGHTS OF COLUMBUS ASSN  
C/O RENE F. MAES  
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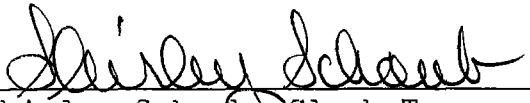
**EXHIBIT E**

**SUPPORTING RESOLUTION OF JAMESTOWN TOWNSHIP**

RECEIVED BY  
FIMB OCT 21 1992

CERTIFICATION OF FILINGS  
DUCK LAKE HOMEOWNERS PETITION FOR ANNEXATION

I, Shirley Schaub, Clerk Treasurer of the City of Madison Lake, do hereby certify that copies of the attached petition for annexation of lands described in Exhibit A, Boundaries of Territory Proposed to be Annexed to the City of Madison Lake, Minnesota were filed this 19th day of October, 1992, with the Minnesota Municipal Board, Jamestown Town Board, and Blue Earth County Board.

  
Shirley Schaub, Clerk Treasurer

October 19, 1992.

REC'D BY OCT 21 1992  
DAMB

Resolution of Waiver of Objection to Annexation

WHEREAS, the Town Board of Jamestown Township, Blue Earth County, has received notice of intention of the Council of the City of Madison Lake to annex certain lands abutting the Madison Lake Corporate limits; and

WHEREAS, such land is urban or suburban in character, or about to become so;

NOW THEREFORE, the Town Board of Jamestown Township, Blue Earth County, hereby waives the 90-day notice period so that the City of Madison Lake, may, pursuant to M.S. 414.033, Subdivision 2, annex the following described territory:

See Exhibit A, Page 6, Annexation Petition  
dated October 12, 1992

Adopted by the town board of Jamestown, Blue Earth County, Minnesota, \_\_\_\_\_, 19\_\_\_\_.

ATTEST

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Chairman