

REC'D BY
M.M.B. MAY 12 1993

BEFORE THE MINNESOTA

MUNICIPAL BOARD

Kenneth F. Sette	Chair
Robert Ferderer	Vice-Chair
John W. Carey	Commissioner
_____	Ex-officio Member
_____	Ex-Officio Member

In the Matter of the Petition
of the City of Farmington
for Annexation of Unincorporated
Property in the Townships of
Castle Rock and Empire to the
City of Farmington Pursuant to
Minn. Stat. §414.031

Docket No. _____
Petition for Annexation

**TO: Minnesota Municipal Board
Suite 475 McColl Building
366 Jackson Street
St. Paul, Minnesota 55101**

Petitioner City of Farmington, Dakota County Minnesota ("Farmington") hereby petitions the Minnesota Municipal Board pursuant to Minn. Stat. §414.031 for a public hearing and an order annexing to Farmington certain property in the Township of Empire, Dakota County ("Empire") and in the Township of Castle Rock, Dakota County ("Castle Rock"). Pursuant to Minn. Stat. Ch. 414 and in support of this Petition, Farmington states as follows:

1. The area proposed for annexation ("Annexation Area") is described as follows:

FROM THE TOWNSHIP OF CASTLE ROCK

All of the property in Section 5 and Section 6 in which is not already included in the Farmington

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City limits including the entire right-of-way width of Biscayne Avenue which adjoins the east side of the south half of Section 5 ("Castle Rock Property"); and

FROM THE TOWNSHIP OF EMPIRE

All of the property of Sections 5,6,7,8,17,18,19,20 and 29 and all of the property in Sections 30 and 32 which is not already included in the Farmington City limits including the entire right-of-way width of Biscayne Avenue which adjoins the east side Sections 5,8,17,20 and 29 ("Empire Property").

Corporate boundary maps showing existing Farmington boundaries and the Annexation Area are set forth in exhibit A. Plat maps showing the platted property in the Annexation Area are set forth in exhibit B.

2. The Castle Rock Property abuts Farmington on its southern border and is not part of any incorporated city or in an area designated for orderly annexation.

3. The Empire Property abuts Farmington on its eastern border and/or on its northern border and is not part of any incorporated city or in an area designated for orderly annexation.

4. The total acreage of the Annexation Area constitutes approximately 7,520 acres of which 1,120 acres are Castle Rock Property and 6,400 acres are Empire Property.

5. The Annexation Area is or is about to become urban or suburban in character.

6. Annexation of the Annexation Area into Farmington is required to protect the public, health safety and welfare.

7. Annexation of the Annexation Area will be in the best interests of the residents of the Annexation Area.

8. After annexation of the Annexation Area, Castle Rock and Empire will be able to continue to carry out the functions of township government without hardship and the remaining residents of Castle Rock and Empire will not be harmed by the annexation.

9. The increase in revenues to Farmington as a result of the annexation will be commensurate with the benefits provided to the Annexation Area.

10. Annexation to another municipality would not be in the best interests of the residents of the Annexation Area.

11. Farmington's reasons for submitting this Petition are set forth in paragraphs 5 through 10 above and are more fully described in Farmington City Council Resolution 93-R36 dated 5/10, 1993 which authorized the submission of this Petition, which Resolution is attached as exhibit C and made part of this Petition.

12. The entities entitled to notice under Minn. Stat. § 414.09 are: The Townships of Castle Rock and Empire as the townships presently governing the Annexation Area; Dakota County as the county in which the Annexation Area is situated; the Township of Eureka and the Cities of Rosemount, Apple Valley and Lakeville as municipalities with abutting territory to the Annexation Area; the Metropolitan Council and the Vermillion Watershed Management Commission as planning agencies with jurisdiction over the Annexation Area.

WHEREFORE, the City of Farmington requests that the Minnesota Municipal Board Order that the Annexation Area be annexed to Farmington and provide such other relief as is just and equitable.

Dated: 5/10, 1993

THE CITY OF FARMINGTON

By Eugene "Bob" Kuckera
Mayor

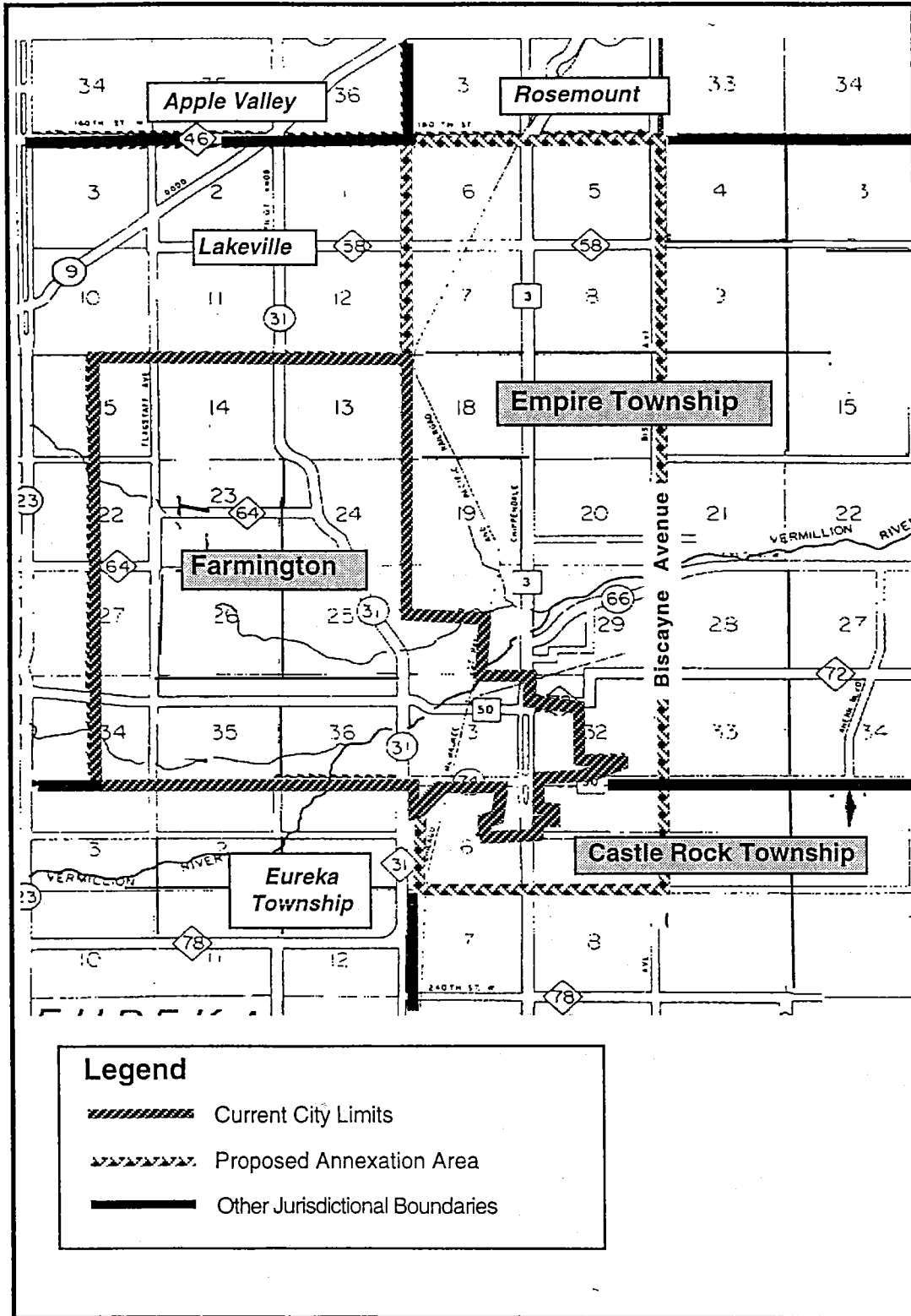
Attested to the 11th day of May, 1993

[Signature]
Clerk Administrator

EXHIBIT A

City of Farmington
Proposed Annexation Area
Empire and Castle Rock Townships

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EXHIBIT B

Plat Maps Showing Platted
Property in Annexation Area

(On File with the Minnesota Municipal
Board and the City of Farmington)

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M M B MAY 12 1993

RESOLUTION NO. R36-93

**AUTHORIZING A PETITION TO THE MINNESOTA MUNICIPAL BOARD
FOR ANNEXATION OF PORTIONS OF EMPIRE AND CASTLE ROCK TOWNSHIPS**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Farmington, Minnesota was held in the Civic Center of said City on the 10th day of May, 1993 at 7:00 p.m.

The following members were present:
The following members were absent:

Member Orr introduced and Member Gallen seconded the following resolution:

WHEREAS, the City of Farmington ("City") and the surrounding Townships of Eureka, Empire, and Castle Rock (the "Townships") (together the City and the Townships will be referred to as the "Farmington Community") have experienced significant urban growth over the last several years; and

WHEREAS, the Farmington Community will continue to experience significant growth and urban development pressures over the next several years; and

WHEREAS, the impact of past growth patterns needs to be addressed and future growth managed so that (i) necessary governmental services can be planned for and provided cost-effectively and (ii) the health, safety, and welfare of the residents of the Farmington Community can be protected and promoted; and

WHEREAS, on May 20, 1991, the City adopted Resolution R-45-91 calling for the City and the Townships to work together to address the growth issues affecting the Farmington Community and suggesting a process for all interested parties to work together to identify potential solutions; and

WHEREAS, the City sought but did not receive input from the Townships on how to structure a process to identify and resolve growth issues; and

WHEREAS, the City, in order to identify growth issues, prepared a thorough and extensive preliminary study of such issues dated May, 1992 (the "Growth and Annexation Study"); and

WHEREAS, the Growth and Annexation Study was provided to the Townships and a meeting conducted to obtain Township input so that a final study could be prepared and a process established to resolve issues of mutual concern; and

WHEREAS, the City conducted extensive meetings with Empire and Castle Rock Townships to resolve immediate growth issues that cross jurisdictional lines, which meetings were unsuccessful in resolving any issues; and

WHEREAS, it has been the City's intent and desire to negotiate mutually acceptable solutions to identified growth issues without having to file for contested annexation; and

WHEREAS, the resolving the growth and related issues confronting the Farmington Community requires the filing of a petition for contested annexation for portions of Castle Rock and Empire Townships in order to promote the public, health, safety and welfare and enhance the quality of life for the Farmington Community for generations to come; and

WHEREAS, the City remains open to a negotiated solution with the Townships of Empire and Castle Rock and encourages them to work with the City toward a negotiated solution for the benefit of the Farmington Community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Farmington as follows:

1. That the recitals set forth above are hereby adopted as findings of fact.
2. That a petition for annexation of the following described property be filed with the Minnesota Municipal Board:

FROM THE TOWNSHIP OF CASTLE ROCK

All of the property in Section 5 and in Section 6 which is not already included in the Farmington City limits including the entire right-of-way width of Biscayne Avenue which adjoins the east side of the south half of Section 5; and

FROM THE TOWNSHIP OF EMPIRE

All of the property of Sections 5,6,7,8,17,18,19,20, and 29 and all of the property in Section 30 and 32 which is not already included in the Farmington City limits including the entire right-of-way width of Biscayne Avenue which adjoins the east side of Sections 5,8,17,20 and 29.

3. That it be communicated to the Town Boards of Castle Rock and Empire Townships that the City remains open to a negotiated resolution to this matter.

This resolution adopted by recorded vote of the Farmington City Council in open session on the 10th day of May, 1993.

REC'D. BY
MAY 12 1993

Eugene "Pete" Luckera
Mayor

Attested to the 11th day of May, 1993

Larry Thompson
Clerk Administrator

SEAL

CITY OF FARMINGTON, COUNTY OF WASHINGTON
HEREBY CERTIFIES THAT THE ATTACHED IS
A FULL AND TRUE COPY AS IT APPEARS ON
FILE IN THE OFFICE OF THE CITY CLERK.
DATED THIS 11th DAY OF May, 1993

Larry Thompson
LARRY THOMPSON, CITY CLERK
BY *Mary Hanson*