OF THE STATE OF MINHESOTA

Robert W. Johnson Arthur R. Swan Robert J. Ford Patrick J. Scully Charles E. Mertensotto

Chairman
Vice Chairman
Member
Ex-Officio Member
Ex-Officio Member

IN THE MATTER OF THE PETITION AND RESOLUTION FOR THE MERGER OF THE VILLAGE OF ROSEMOUNT, DAKOTA COUNTY, MINNESOTA WITH THE TOWN OF ROSEMOUNT, DAKOTA COUNTY, MINNESOTA

FENDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The Minnesota Municipal Commission is herein designated as "the" Commission." The instant proceeding is one of five proceedings consolidated by the Commission for hearing. The Commission's docket number for these proceedings, together with a short description of the proceedings, is as follows:

A-798 Farmington Annexation of 195 acres

I-13 Lakeville Consolidation

I-34m Rosemount Consolidation

A-1672 Farmington Annexation of 8,144 acres

A-1673 Apple Valley Annexation

The units of government involved in the proceedings are as follows:

Town of Lakeville

Village of Lakeville refers to the Village as it existed prior to the Commission's order of October 20, 1966. References to the Village of Lakeville as created by the Commission's order of October 20, 1966, will contain such qualifying language.

Village of Apple Valley (Apple Valley)

Town of Empire (Empire)

Town of Castle Rock (Castle Rock)
Village of Inver Grove Heights (Inver Grove Heights)

Town of Rosemount

Village of Rosemount

Village of Farmington (Farmington)

'All of the territory within these governments is located in Dakota County, Minnesota.

PROCEDURAL HISTORY

A petition of a majority of the property owners of a certain 195 acre area in the Town of Lakeville requesting annexation to Farmington was filed with the Farmington Village Council on April 13, 1965. Objections to the petition were filed with the Commission by the Town Board of the Town of Lakeville, and by the Village Council of the Village of Lakeville, thereby automatically transferring jurisdiction over the petition to the Commission. The proceeding (MMC A-798) came on for hearing before the Commission on June 28, September 16 and November 4, 1965, in the Farmington Village Hall.

A petition of certain freeholders of the Town of Lakeville, requesting consolidation of the Town of Lakeville, and the Village of Lakeville into a single new municipality was filed with the Commission on July 2, 1965. A resolution of the Village Council of Lakeville requesting consolidation of the Town of Lakeville and the Village of Lakeville into a single new municipality was filed with the Commission on July 2, 1965. The proceeding (ITIC I-13m), which included the 195 acre tract in 1710 A-798, came on for hearing before the Commission on October 21, and November 4, 1965, and September 22, 1966 in the Takeville Village Hall.

On July 23, 1966, before the Commission issued its order on MMC A-798, Farmington appealed to the District Court, Dakota County alleging that the Commission failed to issue an order relative to the annexation proceeding within the statutory time limit of one year from June 28, 1965, the date set for the first hearing thereon.

The Commission, on October 20, 1966, issued its Findings of Fact Conclusions of Law, and Order in the Lakeville consolidation proceeding. The Commission's order consolidated the Town of Lakeville and the Village of Lakeville into a single new municipality. Separate appeals from this order were filed in the District Court of Dakota County by Farmington, by a majority of property owners of the 195 acres of land included in the Farmington annexation MIC A-798 and by other property owners in the Town of Lakeville.

The District Court considered Farmington's appeal from the statutory denial of NMC A-798 together with the three appeals from the Commission's order in NMC I-13m and on February 14, 1968, issued orders affirming the statutory denial and affirming the Commission's order. All of the appellants in District Court appealed separately to the Minnesota Supreme Court.

The Minnesota Supreme Court consolidated the various appeals from the District Courts' orders and on July 11, 1969, reversed and remanded the entire matter to the District Court. The District Court was directed to vacate the Commission's order, and to remand the Lakeville consolidation proceeding to the Commission for further findings in accordance with the Supreme Court's opinion. The District Court was further directed to vacate its order affirming the statutory

denial of Farmington annexation FMC A-798, and to remand it to the Commission for reconsideration and findings.

On August 7, 1969, the Minnesota Supreme Court denied respondent's Village of Lakeville and Town of Lakeville motion for rehearing of the appeal. The Supreme Court further expressed the opinion that the existing municipal government of the Village of Lakeville as created by the Commission's order of October 20, 1966 should continue pending redetermination by the Commission.

The District Court remanded both proceedings (MMC I-13m, and MMC A-798) to the Commission on September 5, 1969. The District Court further ordered, on September 11, 1969, that the existing municipal government of the Village of Lakeville, as created by the Commission's order of October 20, 1966, should continue pending redetermination and further order of the Commission.

The remanded proceedings then came on for hearing before the Commission on October 28, 1969, and December 3, 1969 at the Farmington Village Hall.

Resolutions of the Village Council of the Village of Rosemount and the Board of Supervisors of the Town of Rosemount and a petition of certain freeholder residents of the Town of Rosemount requesting consolidation of the Village and Town of Rosemount into a single new Village of Rosemount were filed with the Commission on June 3, 1969. This proceeding (IMC I-34m) came on for hearing on August 28, 1969, September 16, 1969, October 28, 1969 and December 3, 1969.

A petition of a majority of the property owners of a certain

8.144 acre area in the Town of Lakeville requesting annexation to Farmington was filed with the Commission September 10, 1969, together with a resolution of the Village Council of the Village of Farmington approving the proposed annexation. This proceeding (IMC A-1672) came on for hearing on October 28, 1969 and December 3, 1969.

A resolution of the Council of the Village of Apple Valley for annexation of a certain unincorporated area in the Town of Lakeville was filed with the Commission on September 16, 1969. This proceeding (MMC A-1673) came on for hearing on October 28, 1969 and December 3, 1969.

On December 3. 1969, at continued hearings on all five of the proceedings herein (NIC A-798, NMC I-13m, NHC I-34m, NMC A-1672, MMC A-1673), the Chairman of the Commission ordered said five hearings consolidated in the interest of economy and expediency, and ruled that the consolidated hearing would be conducted under Finnesota Statutes 1969, Chapter 414. The records of all previous hearings on the matters herein were incorporated by reference. Hearing dates on the consolidated hearing were January 7, 1970, January 8, 1970, January 22, 1970, January 23, 1970, February 18, 1970, April 14, 1970 and April 15, 1970.

APPEARANCES

John J. McBrien, Attorney for Farmington, the petitioners in proceeding 124C A-798 and the petitioners in proceeding 124C A-1672.

Edward McMenomy, Attorney for Apple Valley.

Gerald W. Kalina. Attorney for the Village of Lakeville and

Castle Rock.

David L. Grannis, Jr., Attorney for the Town of Rosemount, and the petitioners in proceeding MAC I-34m.

Vance B. Grannis, Jr., and Patrick A. Farrell, Attorneys for the Village of Lakeville as created by the Commission's order of October 20, 1966.

Harold LeVander, Jr., Attorney for Inver Grove Heights.

Vance B. Grannis, Jr., and David L. Grannis, Jr., Attorneys for the Town of Lakeville and petitioners in proceeding IMC I-13m.

. Peter Schmitz, Attorney for Empire.

The Board of Commissioners of the County of Dakota appointed Commissioner Patrick Scully as an Ex-Officio Member of the Commission for all five of the proceedings herein, Commissioner Thomas Freiling as an Ex-Officio Member for proceedings LEC A-798 and LEC I-13m, and Commissioner Charles Mertensotto as an Ex-Officio Member for proceedings LEC I-34m, LEC A-1672, and LEC A-1673. By resolution of the Board of Commissioners of the County of Dakota dated October 28, 1969, Commissioner Mertensotto replaced Commissioner Freiling for proceedings LEC A-798 and LEC I-13m. The Commission convened by lawful cuorum at all of the hearings herein.

Evidence was taken and testimony heard from all those appearing and indicating a desire to be heard. Certain exhibits were received in evidence. The Commission having carefully considered all of the evidence included in all of the testimony and exhibits, being fully advised in the premises, upon all of the files, records, and proceedings herein, hereby makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

- 1. Resolutions of the council of the Village of Rosemount and the Board of the Town of Rosemount and a petition of certain freeholder residents of the Town of Rosemount requesting consolidation of the Village and Town of Rosemount into a single new Village of Rosemount were filed with the Commission on June 3, 1969. Said Resolutions and petition were in all respects proper in form, content and execution.
- 2. Due, timely and adequate legal notice of the hearing ordered by the Commission were properly published, posted, served and filed pursuant to law.
- 3. The area to be incorporated as a new municipality is the entire
 Town of Rosemount, and the entire Village of Rosemount.
- 4. The area of the Town of Rosemount and Village of Rosemount is approximately 36 sections of land.
- 5. Approximately 5% of the combined area of the Town and Village of Rosemount is platted and 95% is unplatted.
- 6. The Village of Rosemount is almost entirely developed having residential, commercial and industrial type buildings. The Town of Rosemount is largely undeveloped. However, there has been some residential, commercial, industrial, public and semi-public, development in the Town.
- 7. Population and construction in the Village of Rosemount have grown in the past to the point where the Village is completely developed

and has nowhere else to grow. Population and construction in the Town of Rosemount have grown in the past and are expected to continue to grow at an increased rate in the future. The present population of the Village is 1,354. The present population of the Town is 2,693. The total present population is 4,047. The projected population for 1985 is 12,603.

- 8. The Village of Rosemount has its own scwage treatment facilities and central water system. The systems can be expanded to service a considerable portion of the area in the Town of Rosemount. The Metropolitan Sewer Board has jurisdiction over the entire area herein in matters relating to sanitary sewer. The Town of Rosemount has a central water system. The Village of Rosemount has a voluntary fire department which services the Village and the Town of Rosemount. The Town of Rosemount has police protection furnished by the Dakota County Sheriff's Office and the Village of Rosemount. The Village of Rosemount Police Department can be expanded to provide additional police protection for the proposed new village.
- 9. There is now and will be in the immediate future a need for increased governmental service in the area to be consolidated and the Village form of government will better be able to protect the public health, safety and welfare of the residents of the Town of Rosemount.
- 10. It is in the best interest of the public and the area proposed for consolidation that the Town and Village be consolidated to form a new municipality so that municipal services to the residents in the Town and Village can be more efficiently and economically provided to the residents.
- 11. The area proposed to be consolidated can best be served by one
 Village in the matter of community planning, installation of thoroughfares, street systems, sewer and water systems, fire and police protection

and other vital and necessary community services.

- 12. Annexation to an adjoining municipality would not be in the best interests of all or any part of the area proposed for consolidation.
 - 13. The name of the proposed Village is Rosemount.

CONCLUSIONS OF LAW

- 1. The Commission duly acquired and now has jurisdiction over this consolidation proceeding.
- 2. The area proposed for consolidation is the Town of Rosemount and the Village of Rosemount.
- 3. The entire area to be consolidated is now or is about to become urban or suburban in character.
- 4. It is in the best interests of the area for the Town of Rosemount and the Village of Rosemount to be consolidated.
- 5. Annexation to an adjoining municipality would not be in the best interests of all or any part of the area proposed for consolidation.
- 6. The Minnesota Municipal Commission should order the consolidation of the Village of Rosemount and the Town of Rosemount into a single new Village, to be known as the Village of Rosemount, and set an election of new municipal officers as required by law, and establish the population for all purposes until the next Federal Census.

ORDER

IT IS ORDERED: That the Town of Rosemount and the Village of Rosemount be consolidated to form a single new municipality to be known as the Village of Rosemount.

IT IS FURTHER ORDERED: That the plan of government for the new Village shall be Optional Plan "A".

IT IS FURTHER ORDERED: That the first election of officers in the new village shall be held on January 12, 1971.

IT IS FURTHER ORDERED: That said election be held in accordance with Minnesota Statutes 1969, Section 414.09, Subdivision 3.

IT IS FURTHER ORDERED: That the polling places for said election shall be: The Village Fire Hall for the voters residing in the Village of Rosemount; The Town Hall for those residents residing in the Town of Rosemount.

IT IS FURTHER ORDERED: That Margaret Alsip is appointed Acting Clerk for election purposes.

IT IS FURTHER ORDERED: That the following are appointed Election

Judges for the first election of Village officers:

Town.

Mrs. Donald Wachter Mrs. Malin Rechtzigel Mrs. Fred Linkert Village:

Mrs. Frank McDonough Mrs. Fred Ultdenbogerd Mr. David Toombs

IT IS FURTHER ORDERED: That the Secretary of the Minnesota Municipal Commission shall cause the mailing and filing of this Order with the proper parties as required by law.

IT IS FURTHER ORDERED: That all money, claims of property, including real estate, held, or possessed by the Town or Village of Rosemount, and any proceeds or taxes levied by said Town or Village, collected or uncollected, shall become and be the property of the Village of Rosemount herein created, with the full power and authority to use and dispose of the same for public purposes.

IT IS FURTHER ORDERED: That the consolidation herein ordered shall be effective upon the election and qualification of new village officers.

IT IS FURTHER ORDERED. That the population of the Village herein created shall be 4,047 for all purposes until the next Pederal census.

Dated this 16th day of November, 1970

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MINNESOTA MUNICIPAL COMMISSION 610 Capitol Square Building St. Paul, Minnesota 55101

Bruce Rasmussen

Executive Secretary

A-798 Farmington
A-1672 Farmington
A-1673 Apple Valley
I-34m Rosemount
I-13m Lakeville

MEMORANDUM

On October 20, 1966, the Commission ordered the consolidation of the Town and Village of Lakeville. The Commission had already denied an annexation to Farmington of 195 acres in the Town of Lakeville by not issuing our order within the statutory period. Both of these matters came back to the Commission on remand from the District Court via the Supreme Court.

The remanded proceedings were consolidated with three additional proceedings seeking annexation to Farmington of 8,144 acres in the Town of Laketown, annexation by Apple Valley of the Town of Rosemount and parts of the Towns of Lakeville and Empire, and consolidation of the Village and Town of Rosemount. Each of these proceedings conflicted with at least one other proceeding. Todays orders resolve these conflicting claims.

The Commission found it absolutely essential for Farmington to have growth area. The 10 square miles annexed to Farmington by granting, in the main, the petition of a majority of property owners, are in the same school district as Farmington, are served by the Fire Department of Farmington, and share numerous service areas with Farmington. They are in the same major watershed. Farmington has shown that it can best serve this area and plan and control development within the area. There was no need for the Commission to order or deny the annexation of the 195 acre tract of MMC A-798 as this area is included within the area ordered annexed to Farmington.

The annexation of the 9 square miles designated in our order as Valley Park will afford the Village of Apple Valley the opportunity of improving its tax base by the addition of commercial property at major highway intersections, and for providing unified land use control around such commercial centers. Apple Valley and Valley Park are in the same major watershed and the same sewer district. The evidence showed a strong community of interest between these areas, and that Valley Park could best be served by Apple Valley, and not by a consolidated Village of Lakeville.

By the granting of the Farmington and Apple Valley annexations,

Lakeville has been reduced in area from 48 to 29 square miles. The

29 square miles has an excellent diversified tax base and contains the

commercial and industrial growth areas of the former 48 square mile

village. The consolidated Village and Town of Lakeville as ordered today

will be a sound unit of government.

The Village of Rosemount was obviously too small and needed room for expansion. Population projections showed a need for municipal government in the Town of Rosemount. The consolidated Village is in the same major watershed and is bound together by a strong community of interest. The new village already contains sound diversified tax base.

Each of the four municipalities has the capacity to function effectively in the Metropolitan area. By this we mean more than the efficient provision of services, which is an extremely important factor. We mean also the ability to effectively represent their citizens before higher units of government, which units make decisions vital to the well being of all of

A-/98, A-10/2, A-10/3 I-34m and I-13m

the people of the Metropolitan area.

Effectuating these orders will cause some transitional problems.

We now address ourselves to the question of how this transition should occur.

The Village of Lakeville as created by the Commission's order has been continuing to function by leave of the Supreme Court pending redetermination and further order of the Commission. This government should continue to function until January 12, 1971, the date of the election of officers in the Village of Lakeville created by todays order (and the effective date of the consolidation.) Thus, there is no need for the presently scheduled December 8, 1970, election in the Village of Lakeville.

The Apple Valley annexation of Valley Park is subject to a vote which will also be held on January 12, 1971. The Village of Lakeville as created by our order of October 20, 1966, should continue to govern this area until the referendum.

If the vote in Valley Park favors annexation, Valley Park would immediately become a part of Apple Valley. If the vote in Valley Park disapproves annexation, Valley Park will become the Town of Lakeville. While this town presently exists, it has not had a functioning government for four or five years because it has been governed by the Village of Lakeville as created by the Commission's order of October 20, 1966. In the event the vote disapproves annexation the County Auditor should

A-798, A-1672, A-1673 I-34m and I-13m

set a town meeting for February 2, 1971, and such meeting should be held in accordance with Minnesota Statutes Section 365.50 insofar as applicable. During the period between January 12, 1971, to February 2, 1971, the County of Dakota should assume the responsibility for the government of Valley Park.

The Farmington annexation becomes effective today. The Rosemount consolidation becomes effective on January 12, 1971, the date of the election of new Village officers.

The population of all of the villages as ordered should be in accordance with the 1970 Federal census. The Commission is retaining jurisdiction for the purpose of holding a supplemental hearing for establishing population where it appears that census tracts may be bisected by the new municipal boundaries. It is important that these figures be as accurate as possible, for they serve as the basis for many state revenue distributions.

In resolving the conflicting claims of villages and towns the Commission must provide governments for the future. The Commission believes that local government in Dakota County will be greatly strengthened by these rulings.

BEFORE THE MUNICIPAL COMMISSION OF THE STATE OF MINNESOTA

Robert W. Johnson Arthur R. Swan Robert J. Ford

Patrick J. Scully Ex-Officio Member Charles E. Mertensotto Ex-Officio Member

Chairman
Vice Chairman
Member
Ex-Officio Member

IN THE MATTER OF THE PETITION AND RESOLUTION FOR THE ANNEXATION OF CERTAIN ADJOINING UNINCORPORATED TERRITORY TO THE VILLAGE OF FARMINGTON, MINNESOTA A-1672

IN THE MATTER OF THE PETITION AND RESOLUTION FOR THE MERGER OF THE VILLAGE OF LAKEVILLE, DAKOTA COUNTY WITH THE TOWN OF LAKEVILLE, DAKOTA COUNTY, MINNESOTA 1-13m

IN THE MATTER OF THE PETITION FOR THE ANNEXATION OF CERTAIN LAND TO THE VILLAGE OF FARMINGTON, MINNESOTA, PURSUANT TO MINNESOTA STATUTES 414.03, A-798

IN THE MATTER OF THE PETITION AND)
RESOLUTION TO CONSOLIDATE ROSEMOUNT)
TOWNSHIP WITH THE VILLAGE OF ROSEMOUNT)
AND FORM A SINGLE MUNICIPALITY I-34m)

IN THE MATTER OF THE RESOLUTION OF THE)
VILLAGE OF APPLE VALLEY FOR ANNEXATION)
OF UNINCORPORATED PROPERTY IN THE)
TOWNSHIPS OF ROSEMOUNT, EMPIRE AND)
LAKEVILLE TO THE VILLAGE OF APPLE)
VALLEY, A-1673

ORDER

A letter from the Village of Lakeville requesting a change in the effective date of the orders herein was filed by the Commission on November 25, 1970. The Commission, upon due deliberation on the contents of the letter, and all other records and files herein, hereby makes and issues its

ORDER

IT IS HEREBY ORDERED: That the request of the Village of

Lakeville be in all respects DENIED.

Dated this // day of December, 1970

MINNESOTA MUNICIPAL COMMISSION 610 Capitol Square Building St. Paul, Minnesota 55101

Bruce Rasmuss

Bruce Rasmussen

Executive Secretary

BEFORE THE MUNICIPAL COMMISSION

OF THE STATE OF MINNESOTA

Robert W. Johnson Arthur R. Swan

Chairman Vice Chairman

Robert J. Ford

Member

Patrick J. Scully Charles E. Mertensotto

Ex-Officio Member Ex-Officio Member

IN THE MATTER OF THE PETITION AND RESOLUTION TO CONSOLIDATE ROSEMOUNT TOWNSHIP WITH THE VILLAGE OF ROSEMOUNT AND FORM A SINGLE MUNICIPALITY, 1-34m

SUPPLEMENTAL ORDER

Pursuant to the Findings of Fact and Conclusions of Law previously issued herein, and the report of the acting Clerk Margaret Alsip, that because of the number of filings for village offices in the election to be held on January 12, 1971, it is necessary that additional Election Judges be appointed.

IT IS ORDERED: That the acting Clerk Margaret Alsip may appoint such additional Election Judges as are needed to effectively, properly and legally handle the election of new village officers to be held on January 12, 1971.

Dated this 11th day of January, 1971

MINNESOTA MUNICIPAL COMMISSION 610 Capitol Square Building St. Paul, Minnesota 55101

Bruce Rasmus

Bruce Rasmussen Executive Secretary

BEFORE THE MUNICIPAL COMMISSION OF THE STATE OF MINNESOTA

Thomas J, Simmons Robert W. Johnson Gerald J. Isaacs Patrick J. Scully Gerald Hollenkamp Chairman Vice Chairman Member Ex-Officio Member Ex-Officio Member

IN THE MATTER OF THE PETITION AND RESOLUTION FOR THE MERGER OF THE VILLAGE OF ROSEMOUNT, DAKOTA COUNTY, MINNESOTA WITH THE TOWN OF ROSEMOUNT, DAKOTA COUNTY, MINNESOTA

FINDINGS OF FACT,
 CONCLUSIONS OF LAW AND
 ORDER FOR AUTHORIZATION
 OF SPECIAL LEVY

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The Minnesota Municipal Commission issued an order in the aboveentitled matter on the 16th day of November, 1970, consolidating the Town of Rosemount and the Village of Rosemount to form a single new municipality to be known as the Village of Rosemount effective upon the election and qualification of new village officers. Said election was held on January 12, 1971.

On August 21, 1975 the Commission received a request from the City of Rosemount petitioning the Commission to schedule a hearing to grant a special levy. A public hearing was held on the 1st day of October, 1975, pursuant to Minnesota Statutes 414, as amended before the Minnesota Municipal Commission to determine whether the City of Rosemount should be granted a special levy pursuant to Minnesota Statutes 414.01, Subd. 15. Testimony was heard and records and exhibits were received.

After due and careful consideration of all of the evidence, together with all records, filed and proceedings, and being fully advised in the premises, the Minnesota Municipal Commission hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. The Municipal Commission received a request from the City of Rosemount petitioning the Commission to schedule a hearing to grant a special levy on August 21, 1975.

- 2. A hearing was scheduled for October 1, 1975 and due, timely and adequate legal notice of the hearing was published, served, and filed.
- 3. The evidence at the hearing showed increased costs for such services as fire & police protection, road maintenance, recreation and administration as the result of the Minnesota Municipal Commission order merging the City of Rosemount with the Town of Rosemount in an amount beyond that which the Commission is allowed to grant.

CONCLUSIONS OF LAW

- 1. The Minnesota Municipal Commission has jurisdiction to grant a special levy pursuant to Minnesota Statutes 414.01, Subd. 15.
- 2. The City of Rosemount has been required to provide additional services and bear the resultant increased costs because of the Commission order merging the City of Rosemount with the Town of Rosemount.
- 3. The Commission should issue an order authorizing the City of Rosemount to implement a special tax levy to the maximum of its authority of three years and 50% of the existing levy limit base.

 (Pursuant to Laws 1975, Chapter 437, Article IV, Section 1, Subd. 5 of the Omnibus Tax Bill.)

ORDER

IT IS HEREBY ORDERED: that the City of Rosemount is granted and is hereby authorized to implement a special tax levy for increased costs for the taxes levied in 1974 any payable in 1975 in the amount \$103,040.92; for the taxes levied in 1975 and payable in 1976 in the amount of \$103,040.92; and for taxes levied in 1976 and payable in 1977 in the amount of \$103,040.92.

Dated this 19th day of November, 1975

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

William A. Neiman Executive Secretary



STATE OF MINNESOTA MUNICIPAL BOARD

Suite 165 Metro Square 7th & Robert Streets St. Paul, Minnesota 55101

October 25, 1976

TO:

Parties of Record

FROM:

William A. Neiman

Executive Secretary

SUBJECT:

I-34m Rosemount Special Levy

Upon motion by the City of Rosemount, the Municipal Board has rescinded its Special Levy Order dated November 19, 1975 for the taxes levied in 1976 payable in 1977 in the amount of \$103,040.92.

This rescission is effective immediately.

WAN:b