

## CHAPTER 9—H. F. No. 353

[Not Coded]

*An act relating to the village of Inver Grove, the town of Inver Grove, and the city of South St. Paul in Dakota county; providing for the consolidation of said town and village as the village of Inver Grove Heights, and for the extension of the boundaries of the city to include a certain tract in the village.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Inver Grove, village of; boundaries.** Subject to the election and the filing of the result thereof as hereinafter prescribed, the village of Inver Grove and the town of Inver Grove in Dakota county shall be consolidated as a single village to be known as the village of Inver Grove Heights.

Sec. 2. Subdivision 1. Within seven days after he has been notified that this act has become effective, the clerk of the town of Inver Grove shall fix a date for an election on the question of consolidation, such date to be not less than 20 nor more than 45 days from such notification. He shall also obtain from the metropolitan planning commission the most recent estimate made by it of the population of the village and town of Inver Grove.

Subd. 2. The clerk shall post a notice of such election not less than 20 days before the date of election in at least three public places within the area proposed to be consolidated, and shall also cause a notice of such election to be published once each week for two weeks in a legal newspaper having a general circulation within such area. The notice shall state the date of election, the polling hours and places, the voting precincts, the questions to be submitted, and the population of the village and town of Inver Grove as estimated by the metropolitan planning commission.

Subd. 3. The polling places and voting precincts shall be the same as for the last regular village and town elections. The polling hours shall be from 7 o'clock to 8 o'clock p.m.

Subd. 4. The clerk shall appoint not less than three judges of election for each polling place, and shall provide all supplies and equipment required for the election. In conducting the election, the laws applicable to annual village elections shall be followed as much as possible.

Subd. 5. The following questions shall be submitted at said election:

**Changes or additions indicated by *italics*, deletions by ~~strikeout~~.**

"Shall the present village of Inver Grove and town of Inver Grove be consolidated as the new village of Inver Grove Heights?"

"If the new village of Inver Grove Heights is created by the consolidation of the present village and town of Inver Grove, shall optional plan A (modifying the standard plan of village government by providing for the appointment by the council of the clerk and treasurer) be adopted for the government of the village?"

Subd. 6. If the question of consolidation shall fail, the costs of the election shall be paid one-third by the present village and two-thirds by the town. If the question carries, the costs shall be paid by the new village.

Sec. 3. The results of the election shall be forthwith filed by the judges of the election with the secretary of state, the Minnesota municipal commission, the auditor of Dakota county, and the clerks of the present town and village of Inver Grove. When such filings have been completed, and if a majority of the voters voting on the question have voted in favor of consolidation, the new village shall come into existence. The validity of the creation of the new village shall not be questioned directly or indirectly in any proceeding or action otherwise than by a contest instituted within ten days after completion of the filings required by this section, and in the manner prescribed by Minnesota Statutes, Chapter 209, and acts amendatory thereof. Service of the notice of contest shall be made on the clerks of the present village and town of Inver Grove.

Sec. 4. The new village of Inver Grove Heights shall have the same territorial extent as the town and village of Inver Grove had at the time of the election held under section 2 of this chapter, except that a certain tract of land which is now in the village of Inver Grove shall, if the village of Inver Grove Heights comes into existence hereunder, become a part of and be included in the city of South St. Paul, said tract being described as follows: Commencing at the Northeast corner of Section 3, Township 27N, Range 22W, thence South along the East boundary of said Section 3 a distance of 553.25 feet; thence in a Westerly direction a distance of 1317.45 feet to a point 549.46 feet South of the North line of said Section 3; thence Northerly a distance of 549.46 feet to a point on the North line of said Section 3, 1317.25 feet West of the Northeast corner of said Section 3, thence Easterly a distance of 1317.25 feet to the point of beginning and containing 16.67 acres more or less.

Sec. 5. Subdivision 1. The first election of officers in the new village shall be held on the seventh Tuesday after the date on which it shall have come into existence.

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Subd. 2. The clerk of the town of Inver Grove shall post and publish the notice of said election the same as for the consolidation election, and shall appoint at least three judges of election for each polling place, which shall be the same as for the consolidation election. The clerk shall provide all supplies and equipment required for the election.

Subd. 3. Affidavits of candidacy for such election shall be filed with said clerk, but shall otherwise be as provided by law for regular village elections.

Subd. 4. Officers shall be elected at said election for terms as follows:

Officer	For a Term Ending on the First Business Day of January in:
Mayor	1968
Clerk (if Plan A is not adopted)	1967
Treasurer (if Plan A is not adopted)	1968
Three Trustees (if Plan A is not adopted)	One term in 1967 One term in 1968 One term in 1969
Four Trustees (if Plan A is adopted)	One term in 1967 One term in 1968 Two terms in 1969
Two Constables	One term in 1967 One term in 1968
Two Justices of the Peace	One term in 1967 One term in 1968

No candidate for trustee, constable or justice of the peace shall run for a particular term, but the number of years of the term of each candidate who is elected shall be determined by his relative standing among the candidates for the office, the longest term going to the candidate receiving the highest number of votes. The officers who have been elected shall qualify within ten days after the election. The judges shall give to each official elected a certificate of his election, and each official, after qualifying according to law, shall forthwith assume his official duties.

Sec. 6. Until the election and qualification of such officers, the town board and other officers of the town shall continue to exercise their powers and duties under the town laws in that portion of the village that was formerly the town, and the council and other officers of the former village of Inver Grove shall continue to exercise their powers and duties in that portion of the new village included in the former village except the tract described in section 3 of this chapter;

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provided, that no town meeting or election of supervisors or other officers shall be held. Thereafter the town board and the council of the former village shall have no jurisdiction within the new village, and the new village council and other new village officers shall act in respect to any matters previously undertaken by the town board of supervisors or village council within the limits of the new village, including the making of any improvement and the levying of any special assessments therefor, in the same manner and to the same effect as if such improvement had been undertaken by the new village. Every town ordinance and resolution imposing regulations upon persons or private property within the new village shall continue in effect and become effective throughout the new village until repealed or superseded by new village ordinance. The new village council may continue or discontinue any commissions that may have previously existed in the town or former village.

Sec. 7. Subdivision 1. All moneys, claims and properties, including real estate belonging to, owned, held, or possessed by the town or former village, and any proceeds of taxes levied by the town and former village, collected or uncollected, shall become and be the properties of the new village with full power and authority to use and dispose of the same for public purposes as the council of the new village may deem best, subject to the rights of creditors.

Subd. 2. Any bonded indebtedness of the town and former village shall not be assumed by the new village.

Subd. 3. The new village shall be liable for payment of all expenses of incorporation, consolidation and annexation proceedings incurred during the last three previous years by the town and former village.

Sec. 8. Until the federal census of 1970 the population of the new village for all purposes shall be the estimated population furnished by the metropolitan planning commission for the purpose of the consolidation proceedings hereunder, except that if a special census shall be taken by the secretary of state pursuant to Minnesota Statutes, Section 275.45, then the population as shown by such special census shall supersede such estimated population for all purposes.

Sec. 9. The new village shall have the power to grant such number of licenses as might have been granted by the former village and by the town, had the town been separately incorporated.

Sec. 10. This chapter shall become effective when approved by resolutions adopted by a majority of the members of the board of supervisors of said town, by a majority of the members of the council

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of said village, and by a majority of the members of the council of said city, and upon compliance with Minnesota Statutes, Section 645.021.

Approved February 16, 1965.

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CHAPTER 10—S. F. No. 11

[Not Coded]

*An act authorizing the annexation of certain state owned land by the village of Stewartville.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Stewartville, village of; annexation of land.** Notwithstanding any law to the contrary, the commissioner of highways may petition the village of Stewartville to annex the following described lands in the county of Olmsted in the state of Minnesota which are owned by the state and used as a maintenance equipment and storage building site:

The west 525 feet of the south 1033 feet of the southeast quarter of the southwest quarter (SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ) of section 27, township 105 north, range 14 west; containing 12.08 acres, more or less, in addition to the existing highway.

Upon receipt of such petition from the commissioner, the village of Stewartville by duly adopted resolution of its governing body is hereby authorized to annex the above described property.

**Sec. 2.** This act shall become effective only after its approval by a majority of the governing body of the village of Stewartville and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved February 17, 1965.

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CHAPTER 11—S. F. No. 19

[Not Coded]

*An act relating to the city of Waseca; authorizing the annexation of certain land to the city.*

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