

**State of Minnesota**

County of Jackson

ss.

I, C. H. Peterson County Auditor

of the County aforesaid, do hereby certify that I have carefully compared the annexed copy of the original document which includes all the papers in connection with the proceedings of the special election held at the Town Hall in the Town of West Heron Lake, on the 6th., day of July, 1938, on the question of the incorporation of the Village of Okabena in the County of Jackson.

with the original document in this office, and that the same is a true and literal exemplification thereof, and a correct transcript therefrom, and of the whole of each of said originals as the same appears upon the records and files of this office.

In Witness Whereof, I have hereunto set my hand and caused the seal of my said

office to be affixed at Jackson, Minnesota in said County

this 26th day of July, A. D. 19 38

8375

*C. H. Peterson*  
County Auditor.

By \_\_\_\_\_ Deputy.

AFFIDAVIT OF PUBLICATION

State of Minnesota,  
County of Jackson

ss.

Notice of Election

A petition having been duly presented to the Board of County Commissioners of Jackson County, Minnesota, asking that an election be ordered on the question of the proposed incorporation as a village of the following described territory, situated in the Town of West Heron Lake, Jackson County, Minnesota, described as follows, to-wit:

The South half of the Northeast Quarter (S½NE¼) and the North half of the Southeast Quarter (N½SE¼) of Section Seven (7) and the West half of the Southwest Quarter (W½SW¼) of the Northwest Quarter (NW¼) and the West half of the Northwest Quarter of the Southwest Quarter (W½NW¼SW¼) of Section Eight (8) all in Township One Hundred Three (103) North, Range Thirty-seven (37) West of the Fifth Principal Meridian, the proposed village to known as the Village of Okabena. Said petition having been found to be in proper form according to law and having been approved by the Board of County Commissioners of Jackson County, and an election on the proposed incorporation of said described territory having been ordered by said Board of County Commissioners,

NOW THEREFORE, notice is hereby given that an election will be held at the Town Hall in the Town of West Heron Lake on the 6th day of July, 1938, on the proposed incorporation of the territory hereinabove described as a village to known as the Village of Okabena. All voters residing within the limits of the territory hereinabove described will be entitled to vote at said election. Said election to be held between the hours of nine o'clock A. M. and eight o'clock P. M. on said day.

Dated this 10th day of June, 1938.  
Seal  
C. H. Petersen  
County Auditor,  
Jackson County, Minnesota.

Walter Taylor, being duly sworn on oath says: that he now is, and during all the times herein stated has been the publisher of the newspaper known as the ~~Heron Lake News~~ and has full knowledge of the facts herein stated. Okabena Press

That for more than one year immediately prior to the publication there-

in of the printed Notice of Election hereto attached, said newspaper was printed and published in the English language from its known office of publication within the village of ~~Heron Lake~~ Okabena in the county of Jackson, state of Minnesota, on Thursday of each week in column and sheet form equivalent in space to 450 running inches of single column two inches wide; has been issued from a known office established in said place of publication equipped with skilled workmen and the necessary material for preparing and printing the same; has had in its makeup not less than twenty-five per cent of its news columns devoted to local news of interest to said community it purports to serve, the press work of which has been done in its said known office of publication; has contained general news, comments and miscellany; has not duplicated any other publication; has not been entirely made up of patents, plate matter and advertisements; has been circulated at and near its said place of publication to the extent of 240 copies regularly delivered to paying subscribers; has been entered as second class mail matter in the local post office of its said place of publication; that there has been on file in the office of the County Auditor of said county the affidavit of a person having first hand knowledge of the facts constituting its qualifications as a newspaper for publication of legal notices; and that its publishers have complied with all demands of said County Auditor for proof of its said qualification.

That the printed Notice of Election hereto attached as a part hereof was cut from the columns of said newspaper; was published therein in the English language once each week for two

successive weeks; that it was first so published on the 16th day of June 1938 and thereafter on Thursday of each week to and including the 23rd day of June

1938, and that the following is a copy of the lower case alphabet which is acknowledged to have been the size and kind of type used in the publication of said Notice of Election

abcdefghijklmnopqrstuvwxyz

Subscribed and sworn to before me this 22nd day of July 1938  
R. H. JONES,  
Notary Public, Jackson County, Minn.  
My Commission expires Feb. 19th, 1942.  
Notary Public, Jackson County, Minn.

My commission expires \_\_\_\_\_ 19\_\_\_\_

AFFIDAVIT OF POSTING

STATE OF MINNESOTA )  
                          ) SS  
COUNTY OF JACKSON )

Henry C. Musegades, being first duly sworn,  
says that on the 11th day of June, 1938, he duly posted  
three true and correct copies of the attached Petition  
and Notice of Election at three of the most public places  
in the following described territory in said County of  
Jackson, as follows:

The South Half of the Northeast Quarter  
(S $\frac{1}{2}$ NE $\frac{1}{4}$ ) and the North Half of the South-  
east Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ ) of Section Seven  
(7) and the West Half of the Southwest  
Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$ ) of the Northwest Quarter  
(NW $\frac{1}{4}$ ) and the West Half of the Northwest  
Quarter of the Southwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ )  
of Section Eight (8) all in Township One  
Hundred Three (103) North, Range Thirty-  
seven (37) West of the Fifth Principal  
Meridian:

One at the side door of the Farmers Co-operative Creamery,  
One at the United States Postoffice,  
One at the Bulletin Board of the Town Hall.

(Signed) Henry C. Musegades

Subscribed and sworn to before me  
this 11th day of June, 1938.

(Signed) Warren P. Adams  
Warren P. Adams, Notary Public  
Jackson County, Minnesota.  
My commission expires September 25th, 1940.

C  
O  
P  
Y

July 6, 1938

Okabena, Minnesota

TO C. H. PETERSON, COUNTY AUDITOR,  
JACKSON COUNTY, STATE OF MINNESOTA.

We, D. D. Rempel and S. M. Dahl, acting as Judges for the election of the proposed Village Incorporation of Okabena, and appointed as such judges by the County Commissioners of Jackson County, do now and hereby, certify the results of said election, which was held according to law, with the following results:

Votes cast in favor of said Incorporation were 81.

Votes cast against said issue were 36.

The total number of votes cast being 117.

Witness our hands and seals this 7th., day of July, 1938.

Witness: R. M. Jones

(Signed) D. D. Rempel

Witness: Sam Frederickson

(Signed) S. M. Dahl

Subscribed and sworn to before me a Notary Public in and for the County of Jackson, State of Minnesota, this 7th., day of July, 1938.

(Signed) R. M. Jones  
R. M. Jones  
Notary Public, Jackson County,  
Minnesota  
My Commission expires Feb. 19, 1942

COPY OF PROCEEDINGS OF COUNTY BOARD,  
JULY 7, RELATIVE TO PETITION  
FOR SPECIAL ELECTION

A delegation from the Village of Okabena came before the Board and presented a petition asking that the Board call a special election to vote on the question of whether or not the following described territory should be incorporated as a Village, to be known as the Village of Okabena.

The South Half of the Northeast Quarter ( $S\frac{1}{2}NE\frac{1}{4}$ ) and the North Half of the Southeast Quarter ( $N\frac{1}{2}SE\frac{1}{4}$ ) of Section Seven (7) and the West Half of the Southwest Quarter ( $W\frac{1}{2}SW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) and the West Half of the Northwest Quarter of the Southwest Quarter ( $W\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$ ) of Section Eight (8) all in Township One Hundred Three (103) North, Range Thirty-seven (37) West of the Fifth Principal Meridian in Jackson County, Minnesota.

Said petition having been found in proper and legal form, a motion was made and carried approving said petition.

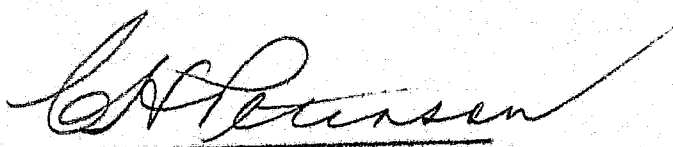
On motion made and carried, Wednesday, July 6, 1938, was fixed as the date for said special election to be held in the West Heron Lake Township Hall in the Village of Okabena, and the County Auditor was directed to cause notices to be posted and published as required by law.

On motion made and carried, the following persons were appointed as Judges of said election: Wm. Ikier, Sidney M. Dahl, and D. D. Rempel.

NOTICE OF ELECTION

Notice is hereby given that an election will be held at the Town Hall in the Town of West Heron Lake on the 6th day of July, 1938, on the proposed incorporation of certain territory in said Town of West Heron Lake, said territory being described in the petition praying for said election, which said petition is hereto attached, and made a part hereof by reference. All voters residing within the limits of the territory described in said petition will be entitled to vote at said election. Said election to be held between the hours of nine o'clock A.M. and eight o'clock P.M. on said day.

Dated this 10th day of June, 1938.

  
County Auditor,  
Jackson County, Minnesota.

TO THE BOARD OF COUNTY COMMISSIONERS OF JACKSON COUNTY  
MINNESOTA

Come now the undersigned voters residing within the territory herein proposed to be incorporated and hereinafter more fully described, and petition your Honorable Board to call an election for the determination of such proposed incorporation. Your petitioners represent and state that they first caused to be taken a census of the resident population of the territory within the proposed incorporation and found the same to contain more than the minimum required by law. The boundary of the territory proposed to be incorporated is within a line described as commencing at the Southwest corner of the North Half of the Southeast Quarter (SW corner of N $\frac{1}{2}$ SE $\frac{1}{4}$ ) of Section Seven (7), running thence North One Hundred Sixty (160) to the Northwest corner of the South Half of the Northeast Quarter (NW corner of S $\frac{1}{2}$ NE $\frac{1}{4}$ ) of Section Seven (7), thence East Two Hundred (200) rods to the Northeast corner of the West Half of the Southwest Quarter (NE corner of W $\frac{1}{2}$ SW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Eight (8), thence South One Hundred Sixty (160) rods to the Southeast corner of the West Half of the Northwest Quarter of the Southwest Quarter (SE corner of W $\frac{1}{2}$  of NW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section Eight (8), thence West Two Hundred rods (200) to the place of beginning, all in Township One Hundred Three (103) North, Range Thirty-seven (37) West of the Fifth Principal Meridian in Jackson County, Minnesota.

The territory embraced within the proposed incorporation is (the South Half of the Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$ ) and the North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ ) of Section Seven (7) and the West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) and the West Half of the Northwest Quarter of the Southwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section Eight (8) all in Township One Hundred Three (103) North, Range Thirty-seven (37) West of the Fifth Principal Meridian in Jackson County, Minnesota, comprising 200 acres, more or less according to government survey thereof. The actual number of residents thereon on this 19th day of May, 1938 is 214. The name of the proposed village is Okabena.

A portion of the territory proposed to be incorporated has prior hereto been platted into lots and blocks, which said plat has been duly and legally certified according to the laws of this state, and filed in the office of the Register of Deeds in and for the County of Jackson and State of Minnesota.

<u>(Signed) J. G. Ruthenbeck</u>	<u>(Signed) C. C. Beseke</u>
<u>" August Atz</u>	<u>" Chas. Ruthenbeck</u>
<u>" Ralph H. Jones</u>	<u>" R. R. Bayerkohler</u>
<u>" Mrs. J. G. Ruthenbeck</u>	<u>" Franz Atz</u>
<u>" Guy Paulson</u>	<u>" Adolf Pomerenko</u>
<u>" A. H. Ohlsen</u>	<u>" Theo. Milbrath</u>
<u>" Harn Saathoff</u>	<u>" Oscar Sundahl</u>
<u>" Mrs. Sam Fahl</u>	<u>" Leroy C. Pietz</u>

(Signed) H. H. Ahrens	J. B. Courts
" Theo. A. Groff	H. B. Mikelson
" R. A. Becker	Alfred Hotzler
" Sidney M. Dahl	A. E. Hyde
" Wm. Lietz	Mrs. Fred Mundt
" Geo. A. Sievert	Mrs. Minnie Sievert
" Mrs. A. H. Ohlsen	Mrs. Ralph Jones
" Mrs. Alfred Hotzler	Mrs. R. A. Becker
" Will Schulz	Mrs. H. L. Mikelson
" Walter Schulz	Miss Tillie Atz
" D. D. Rempel	Sam Frederickson
" Mrs. Esther Atz	M. C. Bloom
" Geo. Stephenson	Mrs. M. C. Bloom
" Adolph Baumgart	Mrs. Lillian Gehrls
" Mrs. A. Baumgart	Wm. H. Gehrls
" Mrs. Ferd Milbrath	Mrs. Wm. H. Gehrls
" Mrs. Bertha Kuhlman	Walter Taylor
" Mrs. Elsie Rempel	Mrs. Walter Taylor
" Mrs. A. Pomeranke	Emil Hemken
" John Bayerkohler	Fred Mundt
" Irvin Bayerkohler	
" Carl E. Huebner	
" Mrs. Guy Paulson	
M Mrs. R. R. Bayerkohler	
" Adolph Baumgard	
" Mrs. I. Bayerkohler	
" Mrs. Geo. Sievert	
" Emil Baumgard	
" Leo E. Snyder	
" Mrs. Leo Snyder	



STATE OF MINNESOTA )  
 ) SS  
COUNTY OF JACKSON )

J. C. Ruthenbeck, August Atz and Ralph M. Jones,  
all of Okabena, Minnesota, request that they, and each  
of them, are petitioners above named; that they have  
read the foregoing petition, and know the contents thereof.  
That the statements therein contained are true of their  
own knowledge. They and each of them do declare that a  
census was accurately taken of the territory contained  
and described in the foregoing petition and that the  
resident population thereof on this 19th day of May,  
1938 is 214 persons.

(SIGNED) J. C. Ruthenbeck

" August Atz

" Ralph M. Jones

Subscribed and sworn to before me this 19th day of May, 1938.

(SEAL)

F. B. Kalash  
Notary Public

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