

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Gerald J. Isaacs	Chairman
Robert W. Johnson	Vice Chairman
Thomas J. Simmons	Member
Ernie Bullert	Ex-Officio Member
Lawrence Fiecke	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)
BETWEEN THE CITY OF HUTCHINSON AND)
THE TOWNSHIP OF HUTCHINSON FOR THE ORDERLY)
ANNEXATION OF CERTAIN LAND TO THE)
CITY OF HUTCHINSON)

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on October 18, 1978, at Hutchinson, Minnesota. The hearing was conducted by William A. Neiman, Executive Director, pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Ernie Bullert and Lawrence Fiecke, ex-officio members of the Board. The City of Hutchinson appeared by and through Gary Plotz. Testimony was heard, and records and exhibits were received.

After due and careful consideration of all evidence, together with all records, files and proceedings, the Minnesota Municipal Board hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I. That a joint resolution for orderly annexation was adopted by the City of Hutchinson and the Township of Hutchinson on November 14, 1973 and duly accepted by the Minnesota Municipal Board.

II. A resolution was filed by one of the signatories to the joint resolution, the City of Hutchinson on August 9, 1978 requesting annexation of certain properties within the orderly annexation area. The resolution contained all the information required by statute including a description of the territory subject to annexation which is as follows:

Beginning at the Northwest corner of Lot 6 of Auditor's Plat of the South half of Section 30 and the North half of Section 31 in Township 117 North of Range 29 West;

Thence due South along the West line of said Lot 6, 294 feet; thence due East on a line parallel with the North line of said Lot 6, 30 feet to the point of beginning of the tract herein described, thence due North on a line parallel with the West line of said Lot 6 a distance of 125 feet; thence due East on a line parallel with the North line of said Lot 6, 130 feet thence due South on a line parallel with the West line of Lot 6, 125 feet; thence due West on a line parallel with the North line of said Lot 6, 130 feet to the point of beginning, subject to easements of record.

III. Due, timely and adequate legal notice of the hearing was published, served and filed.

IV. Geographic Features

- A. The area subject to annexation is unincorporated and abuts the City of Hutchinson.
- B. The total area of the territory subject to annexation is $\frac{1}{2}$ acres.
- C. The perimeter of the area to be annexed is 50% bordered by the municipality.

V. Population Data in the area subject to annexation:

- A. The present estimated population is 4. By 1980, the projected population is 10 or more.

VI. Development Issues

- A. The pattern of physical development: The area is partially developed with a single family home and will be fully developed in this fashion within 2 years.

VII. Governmental Services

- A. The Town of Hutchinson provides the area subject to annexation with the following services:
 - 1. Water: No
 - 2. Sewer: No
- B. The City of Hutchinson provides its residents with all municipal services.
- C. The City of Hutchinson provides the area subject to annexation with the following services:
 - 1. Water: No
 - 2. Sewer: No
 - 3. Fire protection and rating: Unknown
 - 4. Police protection: Unknown
 - 5. Street improvements: Unknown
 - 6. Street maintenance: Yes
 - 7. Recreational: Unknown
 - 8. Administrative services: No
- D. Existing or potential environmental problems and the need for additional services to resolve these problems: None
- E. Plans and programs by the annexing municipality to provide needed governmental services for the area proposed for annexation include:
The city will extend all services, including utilities, as the area is developed.

VIII. Tax Data

- A. In the Township of Hutchinson: the mill rate in 1978 is 8.15.

B. In the area subject to annexation: the assessed valuation is \$5,928.

IX. Is annexation to the City of Hutchinson the best alternative?

A. Relationship and effect if the proposed annexation on area school districts and on adjacent communities: none

B. Adequacy of town government to deliver services to the area proposed for annexation: No utility service.

C. Could necessary governmental services best be provided by incorporation or annexation to an adjacent municipality? No.

D. Can Hutchinson Township continue to function without the area subject to annexation. Yes.

X. The annexation is consistent with the joint agreement.

CONCLUSIONS OF LAW

I. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.

II. The area subject to annexation is now or is about to become urban or suburban in nature and the annexing municipality is capable of providing the services required by the area within a reasonable time.

III. The existing township form of government is not adequate to protect the public health, safety, and welfare.

IV. The annexation would be in the best interests of the area proposed for annexation.

V. The annexation does not conflict with the terms of the joint agreement.

VI. Five years will be required to effectively provide full municipal services to the annexed area.

VII. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

O R D E R

I. IT IS HEREBY ORDERED: That the property described herein situated in the County of McLeod, State of Minnesota, be and the same is hereby annexed to the City of Hutchinson, Minnesota, the same as if it had been originally made a part thereof:

Beginning at the Northwest corner of Lot 6 of Auditor's Plat of the South half of Section 30 and the North half of Section 31 in Township 117 North of Range 29 West;

Thence due South along the West line of said Lot 6, 294 feet; thence due East on a line parallel with the North line of said Lot 6, 30 feet to the point of beginning of the tract herein described, thence due North on a line parallel with the West line of said Lot 6 a distance of 125 feet; thence due East on a line parallel with the North line of said Lot 6, 130 feet thence due South on a line parallel with the West line of Lot 6, 125 feet; thence due West on a line parallel with the North line of said Lot 6, 130 feet to the point of beginning, subject to easements of record.

II. IT IS FURTHER ORDERED: That the mill levy of the City of Hutchinson on the property herein ordered annexed shall be increased in substantially equal portions over a period of 5 years to equality with the mill levy of the property already within the City.

III. IT IS FURTHER ORDERED: That the effective date of this order is DEC 11 1978

Dated this 13th day of December, 1978

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
St. Paul, Minnesota 55101



William A. Neiman
Executive Director