

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Robert J. Ferderer	Member
Lawrence Fiecke	Ex-Officio Member
Earl Mathews	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)
 BETWEEN THE CITY OF HUTCHINSON AND)
 THE TOWN OF HASSAN VALLEY 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 July 27, 1979, at Hutchinson, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were Lawrence Fiecke and Earl Mathews, ex-officio members of the Board. The City of Hassan Valley appeared by and through Mr. M. D. Schantzen, City Attorney, the Township of Hassan Valley made no appearance, and no one appeared in opposition to the proposed annexation. 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 Hassan Valley 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 May 1, 1979 and an amended resolution was received on May 30, 1979 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:

Lots O, P, Q, R, and S of Registered Land Survey No. 1
 Located in Section 7 - T 116N - R 29 W together with
 the West Half of County Road 25 abutting Lot S, Hassan
 Valley Township, McLeod County, Minnesota.

East 40' of Lot M and Lot N of Registered Land Survey No. 1
 Located in Section 7-T116N-R29W, Hassan Valley Township,
 McLeod County, Minnesota.

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 approximately 3.9 acres.
- C. The perimeter of the area to be annexed is approximately 55% bordered by the municipality.
- D. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is: gently rolling farm land, with some trees.

V. Population Data

- A. The City of Hutchinson:
 1. In 1975, there were 9,360 residents.
 2. The present estimated population is 9556.
 3. By 1980, the projected population is 10,500.
- B. The area subject to annexation:
 1. The present estimated population is 13.
- C. The Township of Hassan Valley:
 1. In 1970, there were 854 residents.
 2. There was no evidence introduced to adjust the 1970 population.

VI. Development Issues

- A. The pattern of physical development, including land already in use, in the process of being developed, and remaining for various uses.
 1. Area in Use
 - a. The City of Hutchinson has residential, institutional commercial, industrial, agricultural and vacant land, the exact proportion of each is not ascertainable.
 - b. The area subject to annexation has residential, agricultural and vacant land uses.
 - c. The Township of Hassan Valley has residential, institutional commercial, agricultural and vacant land, the exact proportion of each is not ascertainable.
- B. Transportation:
 1. The present transportation network is:
 - a. In the City of Hutchinson: State, County and City roads.
 - b. In the area subject to annexation: State, County, and Township roads.
 2. There are no potential transportation issues.

C. Land use controls and planning, including comprehensive plans, in the city and the area subject to annexation:

1. In the City of Hutchinson:
 - a. Zoning: yes
 - b. Subdivision regulations: yes

VII. Governmental Services

- A. There was no testimony as to the services provided by the Town of Hassan Valley to the area subject to annexation.
- B. The City of Hutchinson provides its residents with the following services:
 1. Water: yes
 2. Sewer: yes
 3. Fire protection and rating: yes
 4. Police protection: yes
 5. Street improvements: yes
 6. Street maintenance: yes
 7. Recreational: yes
 8. Administrative services: yes
 9. Other: gas, yes
- C. The City of Hutchinson provides the area subject to annexation with no services.
- D. There are no existing or potential environmental problems.
- E. Plans and programs by the annexing municipality to provide needed governmental services for the area proposed for annexation include: extension of sewer and water.
- F. The following services will be available to the annexed area within five years: sewer, water, police, fire, and street maintenance and improvements.

VIII. Tax Base

- A. In the City of Hutchinson, the tax base includes the following: residential property, commercial property, industrial property, agricultural property, vacant land and non-taxable property.
- B. In the Township of Hassan Valley, the tax base includes the following: residential property, commercial property, agricultural land, vacant land and non-taxable property.
- C. In the area subject to annexation, the tax base includes the following:
 1. There is residential and agricultural property which in 1979 had an assessed valuation of \$11,198.00.

IX. Tax Data

- A. In the City of Hutchinson:
 1. Mill rate in 1979 is 29.48.
- B. In the Township of Hassan Valley:
 1. Mill rate in 1979 is 5.65.
- C. In the area subject to annexation:
 1. Mill rate in 1979 is 5.65.

D. Mill rate in the following jurisdictions:

1. County in 1978 was 26.38.
2. School district in 1978 was 53.13.
3. Township in 1979 is 5.65.

X. Annexation to the City of Hutchinson is the best alternative.

- A. There is no relationship or effect on area school districts and on adjacent communities if the area is annexed.
- B. The town government is inadequate to deliver services to the area proposed for annexation.
- C. Necessary governmental services could not best be provided by incorporation or annexation to an adjacent municipality.
- D. Present assessed valuation of proposed annexation area: \$11,198.00.
- E. Hassan Valley Township can continue to function without the area subject to annexation.

XI. 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 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:

Lots O, P, Q, R, and S of Registered Land Survey No. 1
Located in Section 7 - T 116N - R 29 W together with
the West Half of County Road 25 abutting Lot S, Hassan
Valley Township, McLeod County, Minnesota.

East 40' of Lot M and Lot N of Registered Land Survey No. 1
Located in Section 7-T116N-R29W, Hassan Valley Township,
McLeod County, Minnesota.

II. IT IS FURTHER ORDERED: That the population of the City of Hutchinson has increased by 13 persons to 9569 persons for all purposes until the next Federal Census.

III. IT IS FURTHER ORDERED: That the population of the Township of Hassan Valley has decreased by 13 persons to 841 persons for all purposes until the next Federal Census.

IV. 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 proportions over a period of five years to equality with the mill levy of the property already within the City.

V. IT IS FURTHER ORDERED: That the effective date of this order is October 25, 1979.

Dated this 25th day of October, 1979

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



Terrence A. Merritt
Executive Director