

BEFORE THE MUNICIPAL BOARD  
OF THE STATE OF MINNESOTA

Gerald J. Isaacs	Chairman
Robert W. Johnson	Vice Chairman
Thomas J. Simmons	Member
Walter Holt	Ex-Officio Member
Innis Nesbitt	Ex-Officio Member

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IN THE MATTER OF THE  
RESOLUTION FOR ANNEXATION OF  
CERTAIN LAND TO THE CITY OF INTERNATIONAL FALLS

FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
AND ORDER

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The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on January 19, 1978 at International Falls, Minnesota. The hearing was conducted by Thomas J. Simmons, Board Member, pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Walter Holt and Innis Nesbitt, ex-officio members of the Board. The City of International Falls appeared by and through Joe Boyle, the City of South International Falls, appeared by and through Cyril Walker, and the petitioners appeared pro se. 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

1. On August 8, 1977, a resolution of the annexing municipality was received by the Minnesota Municipal Board requesting the Board to order annexation of the area hereinafter described. This resolution contained all the information required by statute including a description of the territory subject to annexation which is as follows:

The East line being the East line of the Northeast Quarter North of the Burlington Northern right-of-way of Section 4-70-24, and the West line being the North One-half of the East One-eighth (N½-E 1/8) line of Section 4-70-24, and the South line being the North right-of-way of the Burlington Northern railroad located in Section Four (4) and also that part of the East one-half of the East One-quarter line of Section Four West of the intersection of said line with the North right-of-way line of the Burlington Northern railroad, and the North line being the East One-quarter of the North line of Section Four.

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

3. Geographic Features

a. The area subject to annexation is unincorporated and abuts the City of International Falls.

b. The total area of the City of International Falls is 1340 acres. The total area of the territory subject to annexation is 78.53 acres.

c. The perimeter of the area to be annexed is 34.8% bordered by the municipality.

d. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is as follows: land is undeveloped, hay-field.

#### 4. Population Data

a. The City of International Falls

1) Past population growth: Slow growth

2) Present population: 6,439

3) Projected population: 8,000 by 1980

b. The area subject to annexation

1) Past population growth: 0

2) Present population: 0

3) Projected population: 500 - 600 persons when fully developed.

#### 5. Development Issues

a. What, if any, are the plans for the development of the property proposed for annexation and/or the annexing municipality, including development projected by the state planning agency. Property owners' plans include residential development and very limited commercial.

b. What land use controls are presently being employed in the City of International Falls.

a. Zoning: Yes

b. Subdivision regulations: Yes

c. Housing and building: Yes

d. Other: A study is now underway of all land use in International Falls.

c. Does the city require future growth space? Yes, only 5 or 6 lots are left. If so, will the area subject to annexation provide the City of International Falls with necessary growth space? Yes.

d. Development of the following types is occurring:

1) In the city of International Falls; substantial development of all types is occurring.

2) In the area subject to annexation: no development at this time.

e. What will be the effect, if any, of the annexation on adjacent communities? A very limited effect on South International Falls.

#### 6. Governmental Services

a. Presently, the City of International Falls provides its citizens with the following services:

- |                           |                             |
|---------------------------|-----------------------------|
| 1) Water: Yes             | 5) Street Improvements: Yes |
| 2) Sewer: Yes             | 6) Street Maintenance: Yes  |
| 3) Fire Protection: Yes   | 7) Recreational: Yes        |
| 4) Police Protection: Yes |                             |

b. Presently, the City of International Falls provides the area subject to annexation with the following services:

- |                           |                            |
|---------------------------|----------------------------|
| 1) Water: No              | 5) Street Improvements: No |
| 2) Sewer: No              | 6) Street Maintenance: No  |
| 3) Fire Protection: No    | 7) Recreational: No        |
| 4) Police Protection: Yes |                            |

c. Plans to extend municipal services to the area subject to annexation include the following: all services could be extended within a reasonable time.

d. There are existing or potential pollution problems which are: None.

#### 7. Fiscal Data

a. In the City of International Falls, the assessed valuation as of 1977 is almost 20 million, the mill rate as of 1977 is about 37 and the bonded indebtedness as of 1977 is about 1 million.

b. In the area subject to annexation, the assessed valuation as of 1977 is \$2,526.

c. The mill rate in the following units of government are:

- |                            |                                   |
|----------------------------|-----------------------------------|
| 1) County: \$40.29         | 3) Township: There is no township |
| 2) School Districts: 60.04 |                                   |

d. Will the annexation have any effect upon area school districts? No.

#### 8. Is annexation to the City of International Falls the best alternative.

a. Could government services be better provided for by incorporation of the area subject to annexation? No.

b. Could governmental services be better provided for by consolidation or annexation of the area with an adjacent municipality other than International Falls? No, South International Falls did not make such a showing.

9. A majority of property owners in the area to be annexed have not petitioned the Municipal Board requesting annexation, however, there are no persons who qualify as voters residing in the property proposed for annexation.

#### CONCLUSIONS OF LAW

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

2. The area subject to annexation is now or is about to become urban or suburban in character.

3. Municipal government is required to protect the public health, safety, and welfare in the area subject to annexation.
4. The best interest of the City of International Falls and the area subject to annexation will be furthered by annexation.
5. There is a reasonable relationship between the increase in revenue for the City of International Falls and the value of benefits conferred upon the area subject to annexation.
6. Annexation of all or a part of the property to an adjacent municipality would not better serve the interests of the residents who reside in the area subject to annexation.
7. The area primarily and substantially interested in or effected by the Board order only includes that area subject to annexation.
8. The area primarily and substantially interested in or affected by the Board order has no resident voters; therefore, the referendum requirement of M.S. is 414.031 subdivision 5, is not applicable to this proceeding.
9. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

ORDER

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

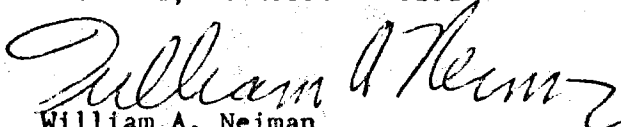
The East line being the East line of the Northeast Quarter North of the Burlington Northern right-of-way of Section 4-70-24, and the West line being the North One-half of the East One-eighth (N $\frac{1}{2}$ -E 1/8) line of Section 4-70-24, and the South line being the North right-of-way of the Burlington Northern railroad located in Section Four (4) and also that part of the East one-half of the East One-quarter line of Section Four West of the intersection of said line with the North right-of-way line of the Burlington Northern railroad, and the North line being the East One-quarter of the North line of Section Four.

IT IS FURTHER ORDERED: That pursuant to M.S. 414.01, Subd. 12, this order is hereby stayed for a period of 30 days during which time any party of record may demand an oral review by the full Municipal Board.

IT IS FURTHER ORDERED: That the effective date of this order is April 27, 1978.

Dated this 28<sup>th</sup> day of March, 1978

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

  
William A. Neiman  
Executive Secretary