

City of Sartell was filed by all of the property owners with the Minnesota Municipal Board. The petition contained all of the information required by statute, including a description of the property proposed for detachment, hereinafter referred to as the subject area, which is as follows:

THE PROPERTY IS ALL OF GOV'T LOT #4 - SECTION 4 - TOWNSHIP (36) RANGE (31) LYING BETWEEN THE BURLINGTON RAILROAD AND THE MISSISSIPPI RIVER, BEGINNING AT THE SOUTHWEST CORNER SURVEY STAKE AND RUNNING EAST TO THE RAILROAD RIGHT OF WAY A DISTANCE OF APPROX. 130 FEET, THIS IS THE SOUTH LINE OF GOV'T LOT 4 AND THE ONLY CONNECTION TO SARTELL.FROM SURVEY STAKE NORTH ALONG THE RAILROAD APPROX. 1020 FEET TO SURVEY MARKER AT COUNTY ROAD #55 THEN WEST ALONG ROAD TO THE MISSISSIPPI RIVERS EAST SHORE, THEN SOUTH ALONG THE BANK TO THE POINT OF BEGINNING.

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

3. The subject area is situated in the City of Sartell, hereinafter referred to as Sartell, and abuts the municipal boundary by approximately .09%.

4. The subject area is approximately 10 acres in size.

5. Sartell is approximately 2,135 acres in size.

6. The Town of Sauk Rapids, hereinafter referred to as Sauk Rapids, is approximately five full sections in size.

7. The subject area has relatively flat terrain. It abuts the Mississippi River on its western border, and has a creek traversing the subject area flowing to the river. The subject area has some trees located on it.

8. The subject area has approximately 200 feet of gravel road.

The subject area is located west of Burlington Northern Railroad line as well as west of First Avenue Northeast also known as County Highway 33, which is also known as Benton Drive.

9. Sartell has county, state and city roads.

10. Sartell had a population of approximately 520 in the 50's and is projected to have a population over 5,000 in the 90's. The City experienced approximately a 23% population growth during the 1980's.

11. The subject area has two homes with a population of approximately five people.

Sauk Rapids has a present population of approximately 875.

12. Immediately east of the subject area approximately 100 homes have been built in the last ten years. There is also residential development north of the subject area.

13. The subject area has two homes and a warehouse containing a mosquito spraying business and a car repair business. The subject area was subdivided in 1985 to allow for an additional residential lot.

14. The subject area is presently zoned B-2 and R-1. The B-2 zone was put in place so a plumbing warehouse building could be built.

15. Sartell has an assessed valuation of approximately \$28,000,000.

16. Sartell presently provides its residents with water, sanitary sewer, fire protection, police protection, street

improvements and maintenance, recreational opportunities, and administrative services.

17. Sauk Rapids does not presently provide its residents with either central sewer or water.

Police protection for Sauk Rapids is provided by the Benton County Sheriff's Department located in Foley, Minnesota, approximately 13 miles away. Police response to the subject area from Sartell is approximately 3 minutes. Fire service to Sauk Rapids is provided by the City of Sauk Rapids which is approximately 3 miles southwest of the subject area.

18. The subject area has on-site septic systems and wells which provide sewer and water to the existing residences.

19. Sartell presently provides the subject area with all services it provides other residents of the City except central sewer and water.

Sartell is presently exploring options to develop the area south of the subject area into a boat landing and park.

20. The newest city wells are approximately half a mile from the subject area as is existing city sanitary sewer.

Presently Sartell's existing sewer treatment capacity and wells can accommodate a 20-30% growth.

21. Sauk Rapids has no separate land-use controls. It relies on Benton County for the necessary land-use controls.

22. Sartell has zoning ordinances.

Present zoning for the subject area requires 15,000 square foot lot for homes without central sewer and water or lots

of 9,500 square feet for homes with central sewer and water.

CONCLUSIONS OF LAW

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

2. The subject area presently is used for residential and commercial purposes and could accommodate additional development. The subject area is in a developing area and not rural in character.

3. An order should be issued by the Minnesota Municipal Board denying the petition for detachment of the area described herein.

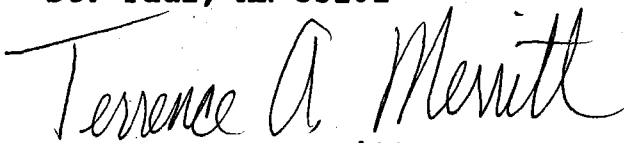
O R D E R

1. IT IS HEREBY ORDERED: That the petition for the detachment of the property described herein in Findings of Fact 1 be, and the same hereby is denied.

2. IT IS FURTHER ORDERED: That the effective date of this order is December 20, 1990.

Dated this 20th day of December, 1990.

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



Terrence A. Merritt
Executive Director

M E M O R A N D U M

The Municipal Board in denying the petition for detachment, notes that while the taxes in the subject area are not oppressive, the City would do well to examine options available to it to make them more equitable, given the subject area's present lack of sanitary sewer or water service.

The subject area is presently located in a city that is experiencing significant growth. The area around the city is also experiencing growth. There is no anticipated slow down in this growth, and the present uses to which the subject area is put, make it an inappropriate area for detachment.

JAM 12-20-90