

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

John W. Carey Chair
Kenneth F. Sette Vice Chair
Shirley J. Mihelich Commissioner

IN THE MATTER OF THE PETITION FOR THE) FINDINGS OF FACT
DISSOLUTION OF THE CITY OF ISLAND VIEW) CONCLUSIONS OF LAW
PURSUANT TO MINNESOTA STATUTES 412.091) AND ORDER
AND MINNESOTA STATUTES 414)

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 412.091 and Minnesota Statutes 414, as amended on April 3, 1991 at Island View, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director, pursuant to Minnesota Statutes 414.01, Subdivision 12. Also in attendance were Kenneth F. Sette, Vice Chair, and Shirley J. Mihelich, Commissioner. The petitioners appeared by and through Tom Riley, spokesperson. The City of Island View appeared by and through Chad LeDuc, Attorney at Law. 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 December 7, 1990, a petition by the requisite number of property owners for dissolution was received by the Municipal Board requesting the Board to order dissolution of the City of

Island View. The petition contained all the information required by statute, including a description of the territory subject to dissolution, which is as follows:

The area proposed to be dissolved is the City of Island View, Minnesota, which consists of the following sections, all located in Township 71 North, Range 22 West of the Fourth Principal Meridian: Sections 19, 20, 21, 30, 29, 28, 31, 32, and 33.

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

3. The City of Island View is located in Township 71 North, Range 22 West, in the County of Koochiching, Minnesota.

4. Township 71 North, Range 22 West is unorganized, and the functions of local government in the township are performed by the County of Koochiching. If the voters approve the dissolution of the City of Island View, the entire land in the existing city will become part of the unorganized Township 71 North, Range 22 West.

5. The City of Island View does not own any city buildings or fire department, is approximately 2,224.9 acres in size, and had a 1990 population of approximately 150.

6. July 2, 1991 is considered by the parties as a favorable day for the referendum on the issue of the dissolution of the City of Island View.

The ballots for the election shall bear the printed words, "For Dissolution" and "Against Dissolution," with a square before each phrase in which the voter may express a preference by a cross.

CONCLUSIONS OF LAW

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

2. The City of Island View is located in Township 71 North, Range 22 West.

3. The City of Island View should conduct a referendum on the issue of the dissolution of the City of Island View on July 2, 1991.

4. An order should be issued by the Minnesota Municipal Board requiring the City of Island View to schedule and conduct a special election on the question of the dissolution of the City of Island View.

O R D E R

1. IT IS HEREBY ORDERED: That the City of Island View conduct an election on the question of the dissolution of the City of Island View on July 2, 1991.

2. IT IS FURTHER ORDERED: That the election be conducted as far as practical like other special elections of the City of Island View.

3. IT IS FURTHER ORDERED: That the City of Island View cause to be printed the ballot for the election which shall bear the printed words, "For Dissolution" and "Against Dissolution," with a square before each phrase in which the voter may express a preference by a cross.

4. IT IS FURTHER ORDERED: That if a majority of those

voting on the question favor dissolution, the clerk shall file a certificate of the results with the Minnesota Municipal Board, the Secretary of State, and the Koochiching County Auditor.

5. IT IS FURTHER ORDERED: That if a majority of those voting on the question favor dissolution, the City of Island View, Minnesota shall cease to exist six months after the date of the election.

6. IT IS FURTHER ORDERED: That the effective date of this order is May 9, 1991.

Dated this 9th day of May, 1991.

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


Terrence A. Merritt
Executive Director