

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

IN THE MATTER OF THE PETITION OF CERTAIN FREEHOLDERS
FOR ANNEXATION TO THE VILLAGE OF BUFFALO, MINNESOTA

The petition for annexation of the following described real estate in Wright County, Minnesota, more particularly described as follows:

That part of the SW $\frac{1}{4}$ of Section 17, Township 120, Range 25, lying Southeasterly of Minnesota State Highway No. 25, except the North 300 feet thereof;

That part of the NE $\frac{1}{4}$ of Section 19, Township 120, Range 25, lying Easterly of the centerline of Wright County Highway No. 114;

The E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 19, Township 120, Range 25, except the South 333 feet;

All of Pulaski Beach as platted; The North 70 feet of Lot Y; and the North 70 feet of a public street lying between Lots X and Y. All in Government Lot 1, Section 20, Township 120, Range 25;

That part of Government Lot 2, Section 20, Township 120, Range 25, lying North of the following described line: Commencing at the point of intersection of the West line of said Government Lot 2 and the South line of Lot 23, Pulaski Beach of record, extended easterly; Thence Southerly along said West line, 70 feet for point of beginning of line to be described; Thence S-81°-45'-E, 229 feet; Thence South parallel with the West line of said Government Lot 2, 24.9 feet; Thence S-81°-45'-E, 291.4 feet; Thence Southeasterly to a point on the East line of the West 12.15 chains, said point being 165 feet South of the intersection of said East line of the West 12.15 chains and the centerline of Wright County Highway No. 114; Thence North along said East line of the West 12.15 chains to the centerline of said Wright County Highway No. 114; Thence Southeasterly along said centerline to the intersection of the East line of Government Lot 2 and the centerline of Wright County Highway No. 114 and there terminating;

That part of Government Lot 3, Section 20, Township 120, Range 25 lying West of the East line of Lot 4, Auditor's Plat of that part of Lot D of said Government Lot 3 and its Southerly extension; and lying North of the centerline of Wright County Highway No. 114,

by a majority of the owners of the above-described real estate, to annex and include the same within the Village of Buffalo, came on for hearing before the Municipal Commission at the Village Hall in the Village of Buffalo on the 12th day of December, 1966. Robert W. Johnson, Chairman, Edward L. Henry, Commission Member and Irving R. Keldsen, Secretary, attended the hearing with Wright County Commissioners,

William O. Berg and Ben Griep.

The petitioning property owners were represented by Harold J. Dahl and Philip R. Perkins, Attorneys at Law. The Town of Buffalo was represented by W. R. Glaser and Paul A. Melchert, Attorneys at Law. The Village of Buffalo was represented by Carroll E. Larson, Esq.

The hearing was continued until January 12, 1967, and again until February 23, 1967, and again until May 25, 1967, each time at the Village Hall in the Village of Buffalo. The May 25, 1967 hearing was attended by Robert W. Johnson, Chairman, Robert Ford and Fred Voss, Commission Members, Irving R. Keldsen, Commission Secretary, with Wright County Commissioners Leonard Christofferson and Norman Planer, with the attorneys above indicated still of record.

The hearing was continued until June 23, 1967 at the same location, which hearing was attended by Robert W. Johnson, Chairman, Robert Ford, Commission Member, Irving R. Keldsen, Commission Secretary, and Wright County Commissioners, Leonard Christofferson and Norman Planer, and Philip R. Perkins, Esq. for petitioners.

Hearing was continued until August 11, 1967 at Buffalo Village Hall, which hearing was continued until September 19, 1967, which hearing was attended by Robert W. Johnson, Chairman, Robert Ford, Commission Member, Irving R. Keldsen, Commission Secretary, Leonard Christofferson and Norman Planer, Wright County Commissioners, and attorneys, W. R. Glaser and Paul A. Melchert for the Town of Buffalo, Philip R. Perkins of Dahl & Perkins, Delano, Minn. appearing on behalf of petitioners, Roger Tesch appearing for the Village of Buffalo, replacing Carroll E. Larson.

Hearing was continued until November 21, 1967 at Village Hall of Buffalo, Minnesota, with the next above parties in attendance.

The Commission, having duly considered the testimony of the witnesses, the exhibits received in evidence and all other evidence, upon all the files and records, being fully advised in the premises, makes and enters the following:

FINDINGS OF FACT

I.

Due, timely and adequate legal notice of the petition and the hearing herein, including adjourned sessions thereof, was posted, published, served and filed.

II.

The petitioners for annexation are a majority of the owners in number of the property proposed for annexation consisting of less than two hundred acres.

III.

The Village of Buffalo approves the annexation and can provide the necessary facilities required by the annexation.

IV.

The population of the area to be annexed is 413 of which 319 are permanent residents and 94 are seasonal residents, compared to 2,700 population for the Village of Buffalo, Minnesota.

V.

The area to be annexed is approximately 190 acres as compared to approximately 850 acres in the Village of Buffalo, Minnesota.

VI.

The assessed valuation of the area to be annexed is \$114,152.00 as to real estate only, representing 13.3 percent of the total valuation of the Town of Buffalo with assessed valuation of \$851,272.00, compared to the assessed valuation of the Village of Buffalo of \$1,423,075.00.

VII.

The Village of Buffalo has expanded mainly as Wright County's dominant trade center, serving a trade area of nearly 12,000 persons, up 900 persons since 1960, with the population of the Village of Buffalo increasing from 2,322 in 1960 to 2,700 in 1966. It is estimated that the population of Buffalo Village will be 3,700 by 1980. Based not only upon population growth, but also upon a housing replacement factor, nearly 250 additional housing units will be needed in Buffalo Village by 1980.

A comprehensive plan for the future development of the Village of Buffalo, Minnesota indicates a need for expansion into this area to

best facilitate the residents' of the annexed areas requirements, and to more feasibly project sewage disposal requirements for the Village of Buffalo.

VIII.

Vacant space for expansion of the Village of Buffalo, as indicated by the comprehensive plan, is primarily available in the north and northeasterly sides of the Village and indicates the proposed direction of expansion.

IX.

The taxes will increase in the area to be annexed, but should be proportional to the benefits received, because city utility services, improved police and fire protection, improved street maintenance, reduction of insurance rates and other benefits of city service will be provided, whereas such services provided in the past were by county or individual contract.

X.

The health and welfare of the area to be annexed shows a need for such governmental services as village water, sewage disposal system, zoning and building codes, police and fire protection.

XI.

The Village of Buffalo will have available to the area to be annexed adequate water and sewer facilities as soon as necessary surveys can be instituted. Village zoning and building codes, police and fire protection will be available immediately.

XII.

The Town of Buffalo will not have its ability to function impaired by this annexation either from loss of tax revenue or loss of assessed valuation.

XIII.

The Town of Buffalo has not provided or offered to provide any governmental services to the area to be annexed. The town does not have zoning or building codes, or provide sewage or water service. The Wright County Highway Department maintains roads in the area,

Wright County Sheriff's office provides police protection, and the Village of Buffalo Fire Department provides fire protection through private contracts.

CONCLUSIONS OF LAW

I.

The Minnesota Municipal Commission duly acquired, and now has, jurisdiction of the within proceedings.

II.

The area to be annexed herein is so conditioned and so located as to be properly subjected to municipal government by the Village of Buffalo.

III.

The area to be annexed by the Village of Buffalo would be in the best interests of the area affected and the Village.

IV.

Municipal government of the area to be annexed herein is necessary and is required to protect public health, safety and welfare and to provide needed governmental services.

V.

The town form of government has not adequately coped with the existing and anticipated problems of the urbanization in the area to be annexed.

VI.

The Village of Buffalo can feasibly and practicably provide for and best serve the need for governmental services presently existing and as they become necessary in the future in the area to be annexed.

VII.

An order should be issued by the Minnesota Municipal Commission annexing to the Village of Buffalo, Minnesota, the real estate located in Wright County, Minnesota, described as follows:

That part of the SW $\frac{1}{4}$ of Section 17, Township 120, Range 25, lying Southeasterly of Minnesota State Highway No. 25, except the North 300 feet thereof;

That part of the NE $\frac{1}{4}$ of Section 19, Township 120, Range 25, lying Easterly of the centerline of Wright County Highway No. 114;

The E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 19, Township 120, Range 25, except the South 333 feet;

All of Pulaski Beach as platted; The North 70 feet of Lot Y; and the North 70 feet of a public street lying between Lots X and Y. All in Government Lot 1, Section 20, Township 120, Range 25;

That part of Government Lot 2, Section 20, Township 120, Range 25, lying North of the following described line: Commencing at the point of intersection of the West line of said Government Lot 2 and the South line of Lot 23, Pulaski Beach of record, extended easterly; Thence Southerly along said West line, 70 feet for point of beginning of line to be described; Thence S-81°-45'-E, 229 feet; Thence South parallel with the West line of said Government Lot 2, 24.9 feet; Thence S-81°-45'-E, 291.4 feet; Thence Southeasterly to a point on the East line of the West 12.15 chains, said point being 165 feet South of the intersection of said East line of the West 12.15 chains and the centerline of Wright County Highway No. 114; Thence North along said East line of the West 12.15 chains to the centerline of said Wright County Highway No. 114; Thence Southeasterly along said centerline to the intersection of the East line of Government Lot 2 and the centerline of Wright County Highway No. 114 and there terminating;

That part of Government Lot 3, Section 20, Township 120, Range 25 lying West of the East line of Lot 4, Auditor's Plat of that part of Lot D of said Government Lot 3 and its Southerly extension; and lying North of the centerline of Wright County Highway No. 114.

ORDER

IT IS ORDERED: That the following described real estate in Wright County, Minnesota, be and the same hereby is annexed to the Village of Buffalo, Minnesota, the same as if it had originally been made a part thereof:

That part of the SW $\frac{1}{4}$ of Section 17, Township 120, Range 25, lying Southeasterly of Minnesota State Highway No. 25, except the North 300 feet thereof:

That part of the NE $\frac{1}{4}$ of Section 19, Township 120, Range 25, lying Easterly of the centerline of Wright County Highway No. 114;

The E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 19, Township 120, Range 25, except the South 333 feet;

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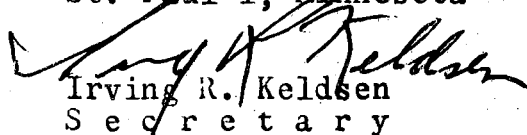
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Dated this 16th day of February, 1968.

MINNESOTA MUNICIPAL COMMISSION
51 State Office Building
St. Paul 1, Minnesota


Irving R. Keldsen
Secretary

MEMORANDUM OPINION

The Minnesota Municipal Commission notes that the continued urban development of the Lake Pulaski area creates the need for controls, planning, and services which are the concern of Buffalo Township and Buffalo Village.

The Minnesota Municipal Commission recommends that the governing bodies of Buffalo Township and Buffalo Village establish a joint-study committee to consider and plan for these future needs so that growth and development of the region can be orderly and to the benefit of the residents of the Village of Buffalo, the Town of Buffalo, and more particularly, the Lake Pulaski area.

Such a committee may want to request the county planning staff and committee to cooperate in such studies.