

BEFORE THE MUNICIPAL COMMISSION  
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert J. Ford	Vice-Chairman
Arthur R. Swan	Member
Torgny Anderson	Ex-Officio Member
Chester Rewerts	Ex-Officio Member

IN THE MATTER OF THE PETITION OF THE CITY OF TRACY,  
MINNESOTA FOR ANNEXATION OF CERTAIN LANDS

The petition, by the City of Tracy, Minnesota, for the annexation of certain real estate situated in the County of Lyon, State of Minnesota, to the City of Tracy and described in the attached Order herein came on duly for hearing before the Minnesota Municipal Commission on October 25, 1967. The Commission members present were Robert W. Johnson, Chairman and Arthur R. Swan, Member. The Ex-Officio members present were County Commissioners Torgny Anderson and Chester Rewerts. The City of Tracy appeared through its City Attorney Charles I. Buzzell and George Cooreman and Otto Nyquist, Sr. appeared in behalf of the Township of Monroe. Testimony was taken both for and against the said annexation.

It was made to appear that certified copies of said petition were duly filed with the County Board in and for Lyon County, Minnesota, the Town Board in and for the Township of Monroe, Minnesota, and the Municipal Commission of the State of Minnesota.

It was made to appear that Notice of said hearing was duly made and posted.

Evidence was offered and received for and against said annexation at said hearing.

After due and careful consideration of the evidence so offered and received, together with all of the records, files and proceedings had and taken herein, and being fully advised in the premises, the Municipal Commission of the State of Minnesota now makes and files the following Findings of Fact, Conclusions of Law and Order:

## FINDINGS OF FACT

### I.

That due, timely and adequate notice of the petition and the hearing thereon, was posted, published, served and filed.

### II.

That the petition of the City of Tracy, Minnesota, pursuant to Resolution of the City Council of the City of Tracy, Minnesota, was duly filed with the Commission, in accordance with the laws in such case made and provided for.

### III.

That the property described herein abuts the legal boundaries of the City of Tracy and comprises a total area of approximately 5 acres.

### IV.

That the population of the area to be annexed is 0 and that the population of the City of Tracy is 2862.

### V.

That the area to be annexed is approximately 5 acres, as compared to approximately 733 acres in the City of Tracy.

### VI.

That the assessed valuation of the area to be annexed is \$8,262.00, as compared to the assessed valuation of the City of Tracy of \$1,225,705.00.

### VII.

That the area to be annexed is urban or suburban in character, fully developed as commercial.

### VIII.

That the taxes in the area to be annexed will increase, but that the increase will be commensurate with the municipal services provided by the City of Tracy to it.

### IX.

That there is a present need in the area to be annexed for all municipal services, and particularly municipal street lighting, police and fire protection, water and storm and sanitary sewer service. That the evidence disclosed that there is contamination in areas near or

adjacent to the area to be annexed, and that the use of sewage and water facilities from the City of Tracy would prevent any similar problem.

X.

That the City of Tracy has a Police Department and a Fire Department capable of providing full protection to the area to be annexed. That the said City is capable of providing adequate water and storm and sanitary sewage services to the area to be annexed and further is capable of providing adequate street lighting to the area to be annexed. That the City of Tracy now has and has under construction a sewage treatment facility for the treatment of sewage, and that said sewage facilities are sufficient to take care of the needs of the area to be annexed.

XI.

That the area to be annexed constitutes a small geographical part of the Township of Monroe, and only a small part of the Township which is urban in character.

XII.

That the Township of Monroe is unable to meet the problems of the area to be annexed which are urban problems; namely the water and sewer problems, the street lighting and fire and police problems, and was unable to show any possibility of meeting these problems in the immediate future. That the said Township does not have an adequate Fire Department, that the fire protection to the area is furnished by the City of Tracy by contract with the Township of Monroe but on a limited basis, involving only rural fire fighting equipment and the Township of Monroe furnishes no police protection to the area to be annexed.

XIII.

That the past and future expansion of the annexing area is dependent solely upon expansion of businesses located within the annexing City and the area to be annexed is adequate to meet said needs.

XVI.

That the annexation will not effect the existing Township government and it will be fully capable of continuing after the annexation.

## CONCLUSIONS OF LAW

### I.

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

### II.

That the area to be annexed herein is so conditioned and so located as to be properly subjected to municipal government by the City of Tracy, Minnesota.

### III.

That the interests of the City of Tracy and the area to be annexed would be best served by the annexation of said area to the City of Tracy, Minnesota.

### IV.

Municipal government and the corresponding municipal services are required in the area to be annexed for the preservation and protection of the public health, welfare and the safety in the area to be annexed and in the City of Tracy.

### V.

The Township form of government is not adequate to meet the problems found to exist in the area to be annexed.

### VI.

The City of Tracy can meet the problems existing in the area to be annexed, can remedy them and provide any and all government services presently required and which may become necessary in the future in the area to be annexed.

### VII.

An Order should be issued by the Municipal Commission ordering the annexation of the land described herein to the City of Tracy. Let an Order for such annexation be entered and filed accordingly. Enacted by the vote of the Municipal Commission of the State of Minnesota, the following Order being filed:

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OF THE STATE OF MINNESOTA

IN THE MATTER OF THE PETITION OF THE CITY OF TRACY,  
MINNESOTA FOR ANNEXATION OF CERTAIN LANDS.

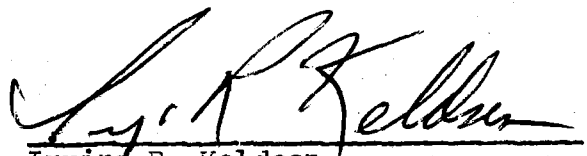
O R D E R

IT IS HEREBY ORDERED: That certain real estate lying in and  
being a part of the County of Lyon, State of Minnesota, and described  
as follows, to-wit:

All that part of the Southwest Quarter (SW<sub>1</sub>) of Section  
Fourteen (14), Township One Hundred Nine (109) North,  
Range Forty (40) West of the Fifth Principal Meridian,  
described as follows, to-wit: Beginning at a point on  
the South line of said Section Fourteen (14) and which  
point is 736.3 feet East of the Southwest corner of  
said Southwest Quarter (SW<sub>1</sub>), thence running East and  
along the South line of said Section Fourteen (14)  
a distance of 554 feet, thence North and at right angles  
a distance of 400 feet, thence West and at right angles  
a distance of 554 feet, thence South and at right angles  
a distance of 400 feet to the point of beginning.

being, and the same hereby is annexed to the City of Tracy, Minnesota,  
the same as if it had originally been made a part thereof.

MINNESOTA MUNICIPAL COMMISSION  
459 Rice Street  
St. Paul, Minnesota 55103

  
Irving R. Keldsen  
Secretary

Dated this 22<sup>nd</sup> day of November, 1967.