

A-1971 Winona

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson
Arthur R. Swan
Robert J. Ford
Charles Williams
Leo Borkowski

Chairman
Vice Chairman
Member
Ex-Officio Member
Ex-Officio Member

IN THE MATTER OF THE PETITION AND)
RESOLUTION FOR THE ANNEXATION OF)
CERTAIN LAND TO THE CITY OF WINONA,)
MINNESOTA)
FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER

This proceeding under Minnesota Statutes 1969, Section 414.031 as amended, for the annexation to the City of Winona, Minnesota, of certain property located in the Town of Winona, Winona County, Minnesota, more particularly described herein, came on for hearing before the Minnesota Municipal Commission at the Winona County Courthouse in the City of Winona, Minnesota, on the 10th day of May, 1971.

Robert W. Johnson, Chairman of the Minnesota Municipal Commission presided at the hearing. Also in attendance and sitting were Commissioners Arthur R. Swan and Robert J. Ford and Ex-Officio Members Charles Williams and Leo Borkowski, Winona County Commissioners.

The petitioners were represented by Leo F. Murphy, Jr. of the firm of Streater, Murphy, Brosnahan & Langford, Winona, Minnesota.

The Commission, having considered the testimony of the witnesses, the exhibits received in evidence, and all other evidence, the

arguments of counsel, and the files and records herein, and being fully advised in the premises, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Due, timely and adequate legal notice of the hearing ordered by the Minnesota Municipal Commission was published, served and filed.
2. The area proposed for annexation, more particularly described herein, contains approximately 11.25 acres. The area is located along the west limits of the present City of Winona and constitutes an island surrounded by the City of Winona and the Village of Goodview and is approximately one-half ($\frac{1}{2}$) mile from the nearest other real estate in the town of Winona.
3. The area proposed for annexation contains no residences and no commercial buildings. It is adjacent to an industrial park in the City of Winona and a large industrial plant owned by Warner & Swasey Company within the City of Winona, Minnesota.
4. The population of the area proposed for annexation is none as compared to approximately 28,000 persons in the City of Winona.
5. The area proposed for annexation is adjacent to and abutting an industrial park with numerous industries located therein.
6. The Town of Winona, in which the area proposed for annexation is situated, operates no sanitary sewer or water facilities and its governing body has indicated by resolution that it has no objection to the annexation of this real estate to the City of Winona.
7. The Village of Goodview, which borders on the area proposed

for annexation has no sanitary sewer or water facilities in the vicinity of said area.

8. The expected increase in property taxes if the annexation is granted will be proportionate to the benefits which will inure to the area by reason of such annexation.

9. The area proposed for annexation is industrial in character and because of its proximity to industrial development in the City of Winona is about to become urban in character.

10. Annexation to the Village of Goodview would not better serve the interests of the area proposed for annexation, or any part thereof.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Commission duly acquired and now has jurisdiction on this annexation proceeding.

2. The area proposed for annexation is so conditioned and so located as to be properly subject to the municipal government of the City of Winona.

3. The Township form of government is not adequate to cope with the problems of the area proposed for annexation.

4. There is no need for the continuance of any township government within the area proposed for annexation.

5. Municipal government by the City of Winona in the area proposed for annexation is necessary and required to protect the public health, safety and welfare and to provide proper needed governmental services.

6. The City of Winona is capable and is best situated to provide the governmental services presently needed and those services which will become necessary in the future in the area proposed for annexation.

7. The proposed annexation to the City of Winona will not materially affect the capability of the Town of Winona to continue its normal operation.

8. The annexation of the area to the City of Winona would be in the best interests of the area affected in the City of Winona.

9. An Order should be issued by the Minnesota Municipal Commission annexing to the City of Winona, the real estate located in Winona County, Minnesota and described herein.

O R D E R

IT IS HEREBY ORDERED: That the real estate situated in the County of Winona, State of Minnesota, described as follows be and the same is hereby annexed to the City of Winona, Minnesota, the same as if it had been originally made a part thereof:

A part of the Southerly 906 feet of that part of the West One-half of the Northwest Quarter ($W\frac{1}{2}$ of $NW\frac{1}{4}$) of Section Eighteen (18), Township One Hundred Seven (107), North of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota lying Northerly of the old Minnesota City Road, containing 11.25 acres, more or less, more particularly bounded and described by lines as follows, to-wit:

Commencing on the North line of the old Minnesota City Road at the Southeast corner of Block One (1) Shaffer's Addition to the Village of Goodview; thence Northeasterly at right angles to the North line of the old Minnesota City Road and along the East line of Block One (1) Shaffer's Addition to the Village of Goodview a distance of 391.2 feet; thence East at right angles to the East line of the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of said Section Eighteen (18), a distance of 620 feet, more or less, to the East line of the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{2}$ of $NW\frac{1}{4}$) of said Section Eighteen (18); thence South along the East line of said West One-half ($W\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of said Section Eighteen (18) a distance of 906 feet, more or

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less, to the Northerly right of way line of the old Minnesota City Road; thence Northwesterly along the Northerly right of way line of the old Minnesota City Road 1032.9 feet, more or less, to the place of beginning, containing 11.25 acres, more or less.

Dated this 29th day of June, 1971

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
St. Paul, Minnesota 55101

Bruce Rasmussen

Bruce Rasmussen
Executive Secretary

MEMORANDUM

The area herein ordered annexed to the City of Winona is adjacent to a small residential development in the Village of Goodview. The Commission recommends to the City that in the event that the annexed area is developed for industrial purposes, a suitable buffer zone be established between the area and the residential development.