

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
Earl A. Bukowski	Ex-Officio Member
J. C. Hennes	Ex-Officio Member

IN THE MATTER OF THE RESOLUTION)	
OF THE CITY OF SAUK RAPIDS FOR)	FINDINGS OF FACT,
THE ORDERLY ANNEXATION OF CERTAIN)	<u>CONCLUSIONS OF LAW,</u>
LAND IN THE TOWN OF SAUK RAPIDS)	<u>AND ORDER</u>
TO THE CITY OF SAUK RAPIDS)	

The above-entitled matter came on for hearing before the Minnesota Municipal Commission pursuant to Minnesota Statutes Section 414, as amended, on October 3, 1974. The City of Sauk Rapids appeared by and through Roger M. Klaphake, attorney for the City. The Township of Sauk Rapids appeared by and through John Pattison, Jr., attorney for the Township. Further citizen appearances were noted of record. The hearing was conducted before a quorum of the commission, chaired by Commissioner Gerald J. Isaacs. Also in attendance were County Commissioners, Earl A. Bukowski and J. C. Hennes, Ex-Officio Members of the Commission. Testimony was heard and records and exhibits were received.

After due and careful consideration of all evidence, together with all records, files and proceedings, and being fully advised in the premises, the Minnesota Municipal Commission hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

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

2. That the area proposed for annexation is approximately 30 acres.

3. That the area proposed to be annexed is characterized partially by existing residential development and the balance will experience residential development within the very near future.

4. That the City of Sauk Rapids does now provide to the area proposed for annexation the following services: fire protection, sanitary sewer service, park and recreation, and extension of municipal zoning and subdivision regulations.

5. That the City of Sauk Rapids is capable of and it is practical for it to provide to the area proposed for annexation all municipal services noted in Paragraph 4 and all other municipal services presently available to other areas of the City of Sauk Rapids immediately with the exception of water service, which water service it is also capable of providing within the next three (3) years.

6. That the population of the area proposed for annexation is 48.

CONCLUSIONS OF LAW

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

2. The area proposed for annexation is now or is about to become urban and suburban in nature.

3. The City of Sauk Rapids is capable of providing the services required by the area described herein within a reasonable time.

O R D E R

IT IS HEREBY ORDERED: That the following described property lying in the Township of Sauk Rapids, County of Benton, State of Minnesota, be,

and the same hereby is, annexed to the City of Sauk Rapids, the same as if it had originally been made a part hereof:

That part of Oak Ridge Addition, Oak Ridge Third Addition and all of Sections 15 and 16, Township 36 North, Range 31 West, Benton County, Minnesota, lying within the following description: Beginning at the intersection of the North right-of-way line of North Highview Drive and the North-easterly right-of-way line of West Highview Drive as platted in Oak Ridge Third Addition; thence Westerly along the Westerly extension of said North right-of-way line to the centerline of said West Highview Drive; thence Northwesterly along said centerline to its intersection with the Easterly extension of the South boundary line of Blocks 5 and 6 of said Oak Ridge Third Addition; thence Westerly along said boundary line and said extended line to the Southeasterly right-of-way line of Ridge Road as platted in Oak Ridge second Addition; thence Southwesterly along the last mentioned right-of-way line and its Southwesterly extension to the intersection with the Northeasterly right-of-way line of Benton Drive (formerly known as T. H. #10); thence Southwesterly at right angles to said Northeasterly right-of-way line of Benton Drive to its intersection with the Southwesterly right-of-way line of the Burlington Northern Railroad; thence Southeasterly along the last mentioned right-of-way line to its intersection with the South line of the North Half of Government Lot 3 in said Section 15; thence Easterly along said South line to its intersection with the Northeasterly right-of-way line of said Benton Drive; thence Northwesterly along the last mentioned right-of-way line to the South line of Lot 4, Block 4, Oak Ridge Third Addition; thence Easterly along said South line of Lot 4 to the Southwesterly right-of-way line of West Highview Drive; thence Southeasterly along the last mentioned right-of-way line to the Westerly extension of the Southerly right-of-way line of East Highview Drive; thence Easterly along the last mentioned right-of-way line and said line extended to the Northwest corner of Lot 24, Block 3 of said Oak Ridge Third Addition; thence Northwesterly along the Northwesterly extension of the East right-of-way line of West Highview Drive to the North right-of-way line of said East Highview Drive; thence Westerly along last mentioned right-of-way line to its intersection with the East right-of-way line of said West Highview Drive; thence Northwesterly along the last mentioned right-of-way line to the point of beginning.

IT IS FURTHER ORDERED: That the mill levy of the City of Sauk Rapids on the property herein ordered annexed shall be increased in substantially equal proportions over a period of three (3) years to equality with the mill levy of the property already within the City.

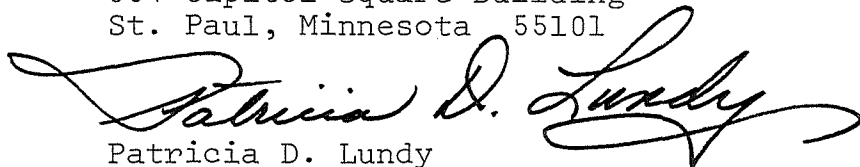
In the year following annexation the increase in the mill rate for city purposes on the property annexed shall not exceed 1/3 of the difference between the current mill levy for city and township purposes. In the second year following annexation the increase in the mill rate on the property annexed shall not exceed 1/2 of the then existing difference between the mill levy on the property annexed and the full mill levy for city purposes. In the third year following annexation the property annexed shall be taxed at the full city rate.

IT IS FURTHER ORDERED: That the population of the City of Sauk Rapids, be, and the same hereby is, increased by 48 for all purposes until the next federal or state census.

IT IS FURTHER ORDERED: That the population of the Township of Sauk Rapids, be, and the same hereby is, decreased by 48 for all purposes until the next federal or state census.

Dated this 29th day of October, 1974

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


Patricia D. Lundy
Asst. Executive Secretary