

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
Ernie Bullert	Ex-Officio Member
Lawrence Fiecke	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)	
BETWEEN THE CITY OF HUTCHINSON AND)	
THE TOWNSHIP OF HUTCHINSON FOR THE)	<u>FINDINGS OF FACT,</u>
ORDERLY ANNEXATION OF CERTAIN LAND TO)	<u>CONCLUSIONS OF LAW,</u>
THE CITY OF HUTCHINSON)	<u>AND ORDER</u>

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on April 4, 1977 at Hutchinson, Minnesota. The hearing was conducted by Chairman Thomas Simmons pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were county Commissioners Ernie Bullert and Lawrence Fiecke, ex-officio members of the Board. The City of Hutchinson appeared by and through Milton Schantzen and the Township of Hutchinson was represented by Levi Tupa. 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. That a joint resolution for orderly annexation was adopted by the City of Hutchinson and the Township of Hutchinson and duly filed with the Minnesota Municipal Board.
2. A resolution was filed by one of the signatories to the joint resolution, the City of Hutchinson, on January 18, 1977 requesting annexation of certain properties within the orderly annexation area. The resolution contained all the information required by statute including a description of the territory subject to annexation which is as follows:

The South 150 feet of the North 400 Feet of the West 250 Feet of Lot 10 of Auditors Plat of Lot 14 of Auditors Plat of the West Half of Section 32, T 117 N, R 29 W;

Together with:

The North 400 Feet of said Lot 10 except the West 250 Feet thereof;

Together with:

The North 400 Feet of Lot 11 of said Auditors Plat of Lot 14;

Together with:

That part of the SW 1/4 of the SE 1/4 of said Section 32 described as follows:

Commencing at the Northwest Corner of the South Half of the Southeast Quarter of said Section 32; thence South 209 Feet along the West line of said S.E. Quarter to the Centerline T.H. 7; thence Easterly along said centerline and extension thereof, a distance of 620 Feet; thence South parallel to the said West line, a distance of 400 Feet; thence Westerly parallel to said centerline of T.H. 7, a distance of 620 Feet to a point on said West line; thence North along said West line to the point of beginning.

Together with:

Lots 2, 3, 4, 5, 6, North 15 Feet of Lot 11 and Lot 12 of Block 1; Lot 1 and West 25 Feet of Lot 2 of Block 2, Paul's Road; Lindy Lane and West 100 Feet of Hilltop Drive all in Clifton Heights Subdivision.

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

4. Geographic Features

- a. The area subject to annexation is unincorporated and abuts the City of Hutchinson.
- b. The total area of the City of Hutchinson is 3,020 acres. The total area of the territory subject to annexation is 11.8 acres.
- c. The degree of contiguity of the boundaries between the annexing municipality and the proposed annexed property is as follows: Approximately 30%.
- d. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is as follows: Rolling terrain.

5. Population Data

- a. The City of Hutchinson
 - 1) Past population growth: 30% per decade
 - 2) Present population: 9,360 estimated - 1975
 - 3) Projected population: estimated 10,500 by 1980

b. The area subject to annexation:

- 1) Past population growth: slow growth
- 2) Present population: 10
- 3) Projected population: 20

6. Development Issues

a. What, if any, are the comprehensive plans for the development of the property proposed for annexation and/or the annexing municipality, including development projected by the Metropolitan Council. Area is developed.

b. What land use controls are presently being employed.

1) In the City of Hutchinson

- a) Zoning - Yes
- b) Subdivision regulations - Yes
- c) Housing and building codes - Yes

2) In the area to be annexed:

- a) Zoning - Yes
- b) Subdivision regulations - No
- c) Housing and building codes - No

c. Does the City require future growth space? Yes. If so, will the area subject to annexation provide the City of Hutchinson with necessary growth space? No.

d. The present pattern of physical development is:

1) In the City of Hutchinson

- | | |
|----------------------|------------------------|
| a) Residential - Yes | c) Commercial - Yes |
| b) Industrial - Yes | d) Institutional - Yes |

2) In the area subject to annexation:

- | | |
|----------------------|-----------------------|
| a) Residential - Yes | c) Commercial - Yes |
| b) Industrial - No | d) Institutional - No |

7. Governmental Services

a. Presently, the Township of Hutchinson provides the area subject to annexation with the following services:

- | | |
|--|---|
| 1) Water - No | 5) Street Improvements - By McLeod County |
| 2) Sewer - No | 6) Street Maintenance - By McLeod County |
| 3) Fire Protection - No, contracts with the City of Hutchinson | 7) Recreational - Unknown |
| 4) Police Protection - By McLeod County | |

b. Presently, the City of Hutchinson provides its citizens with the following services:

- | | |
|----------------------------|------------------------------|
| 1) Water - Yes | 5) Street Improvements - Yes |
| 2) Sewer - Yes | 6) Street Maintenance - Yes |
| 3) Fire Protection - Yes | 7) Recreational - Yes |
| 4) Police Protection - Yes | |

c. Presently, the City of Hutchinson provides the area subject to annexation with the following services:

- | | |
|--|-----------------------------|
| 1) Water - No | 5) Street Improvements - No |
| 2) Sewer - No | 6) Street Maintenance - No |
| 3) Fire Protection - Yes,
by contract | 7) Recreational - Unknown |
| 4) Police Protection - No | |

d. Plans to extend municipal services to the area subject to annexation include the following: All services, including water, sewer, and storm sewer, will be extended immediately or within a reasonable time.

e. There are existing or potential pollution problems which are: Contamination of wells by septic systems.

The following additional services will help resolve this situation: city water and sewer.

f. That the City of Hutchinson is capable of and it is practical for it to provide to the area proposed for annexation the listed municipal services within the next three (3) years.

8. Fiscal Data

a. In the City of Hutchinson, the assessed valuation is about \$24 million, the mill rate is 27.15 and the present bonded indebtedness is about \$9.5 million.

b. In the area subject to annexation, the assessed valuation is about \$112,000, the mill rate is 4.70

c. The mill rates in the following units of government are:

- | | |
|------------------------------------|-----------------------------|
| 1) Regional Development Comm - .16 | 3) Township - 4.70 |
| 2) County - 22.62 | 4) School Districts - 52.05 |

d. Will the annexation have any effect upon area school districts? No.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.
2. The area subject to annexation is now or is about to become urban or suburban in nature.
3. The City of Hutchinson is capable of providing the services required by the area described herein within a reasonable time.
4. The mill levy of the annexing municipality on the area proposed for annexation should be increased in substantially equal proportions over a three (3) year period.
5. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

O R D E R

IT IS HEREBY ORDERED: That the following described property lying in the Township of Hutchinson, County of McLeod, State of Minnesota, be and the same hereby is annexed to the City of Hutchinson the same as if it had originally been made a part thereof:

The South 150 feet of the North 400 Feet of the West 250 Feet of Lot 10 of Auditors Plat of Lot 14 of Auditors Plat of the West Half of Section 32, T 117 N, R 29 W;

Together with:

The North 400 Feet of said Lot 10 except the West 250 Feet thereof;

Together with:

The North 400 Feet of Lot 11 of said Auditors Plat of Lot 14;

Together with:

That part of the SW 1/4 of the SE 1/4 of said Section 32 described as follows:

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Together with:

Lots 2, 3, 4, 5, 6, North 15 Feet of Lot 11 and Lot 12 of Block 1; Lot 1 and West 25 Feet of Lot 2 of Block 2, Paul's Road; Lindy Lane and West 100 Feet of Hilltop Drive all in Clifton Heights Subdivision.

IT IS FURTHER ORDERED: That the mill levy of the City of Hutchinson 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.

IT IS FURTHER ORDERED: That the population of the City of Hutchinson be and the same hereby is increased by 10 for all purposes until the next Federal Census.

IT IS FURTHER ORDERED: That the population of the Township of Hutchinson be and the same hereby is decreased by 10 for all purposes until the next Federal Census.

IT IS FURTHER ORDERED: That pursuant to M.S. 414.01, Subd. 12, this order is hereby stayed for a period of 30 days.

IT IS FURTHER ORDERED: That the effective date of this order is May 31, 1977.

Dated this 17th day of May, 1977

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
Saint Paul, Minnesota 55101


William A. Neiman
Executive Secretary