

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

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

IN THE MATTER OF THE PROCEEDINGS TAKEN)	<u>AMENDED</u>
UPON THE JOINT RESOLUTION OF THE CITY)	
OF HUTCHINSON AND THE TOWNSHIPS OF LYNN,)	<u>FINDINGS OF FACT</u>
ACOMA, HASSEN VALLEY AND HUTCHINSON,)	<u>CONCLUSIONS OF LAW</u>
MCLEOD COUNTY, MINNESOTA, DESIGNATING)	<u>AND ORDER</u>
AN UNINCORPORATED AREA AS IN NEED OF)	
ORDERLY ANNEXATION AND CONFERRING)	
JURISDICTION OVER SAID AREA TO THE)	
MINNESOTA MUNICIPAL COMMISSION PURSUANT)	
TO MINNESOTA STATUTES 414, AS AMENDED)	

The above entitled matter was duly presented to the Minnesota Municipal Commission by joint resolution of the City of Hutchinson and Townships of Acoma, Lynn, Hassen Valley and Hutchinson, McLeod County, Minnesota, designating a certain area therein described as in need of orderly annexation. Pursuant to said resolution and upon proper notice, the Minnesota Municipal Commission duly convened a public hearing held on the 6th day of August, 1973 at 10:00 o'clock A.M. at the City Hall of the City of Hutchinson. The City of Hutchinson appeared by and through Curtis M. Bradford, Assistant City Attorney, City of Hutchinson and the said townships appeared by and through Harald Hendricksen, Attorney at Law, Glencoe, Minnesota. The hearing was conducted by the Executive Secretary of the Commission pursuant to Minnesota Statutes 414.01, Subd. 12. Evidence was then and there offered and received. No one appeared in opposition to the annexation.

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

FINDINGS OF FACT

The Minnesota Municipal Commission makes for its Findings of Fact:

1. That a joint resolution as to the orderly annexation of the property therein described was duly adopted by and through their respective governing bodies as follows:

City of Hutchinson	June 26, 1973
Township of Hutchinson	July 2, 1973
Township of Hassan Valley	June 28, 1973
Township of Lynn	June 27, 1973
Township of Acoma	July 6, 1973

That a copy of said joint resolution is attached hereto and made a part hereof; and that said resolution was filed with the Secretary of the Minnesota Municipal Commission on July 18, 1973.

2. That pursuant to said resolution the Secretary of the Minnesota Municipal Commission set a hearing for August 6, 1973 at 10:00 o'clock A.M. at the City Hall of Hutchinson, Minnesota; that due and timely notice was given, served and published as required by law.

3. That the area to be annexed abuts the City of Hutchinson.

4. That the area to be annexed is characterized by residential and commercial development or plans for such development.

5. That the City of Hutchinson is capable of and it is practical

for it to provide the following municipal services within a reasonable time to the area proposed for annexation:

- a. Improved fire protection by use of the city fire hydrants.
- b. Improved police protection.
- c. Services of the city library.
- d. Services of the city building inspector and plumbing inspector.
- e. Use of the city's parks and recreational facilities.
- f. Improved streets and maintenance.
- g. Utilization of the city's burglar warning system.
- h. Water, sewer and storm sewer improvements.

6. That the annexation of said area will not impair the ability of the respective townships to function.

7. That the townships in which the area to be annexed lies have no plans for the installation of water, sewage or storm sewer facilities.

8. That the area to be annexed is a logical area for residential, commercial and industrial expansion and said area requires municipal planning and zoning for the proper use and development of said area.

9. That municipal government and services are required in the area herein ordered annexed for the preservation and protection of public health, safety and welfare of said area and the inhabitants thereof.

10. That the population of the area proposed for immediate annexation is 146, of which 68 is attributable to the part situated

within the Town of Lynn, 34 within the Town of Hutchinson, 44
within the Town of Acoma.

11. That the City of Hutchinson will incur increased costs as a result of this annexation for road maintenance and fire and police services estimated at \$18,600.00 per year.

12. That the period of time reasonably required effectively to provide full municipal services to the annexed area is five (5) years.

CONCLUSIONS OF LAW

The Minnesota Municipal Commission determines as its Conclusions of Law:

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

2. 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 Hutchinson, Minnesota, or is about to become urban or suburban in character.

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

4. That the municipal form of government and the corresponding municipal services are required in the area to be annexed for the preservation and protection of public health, safety and welfare in the area to be annexed and in the City of Hutchinson, Minnesota.

5. That the township form of government is not adequate to meet the problems found to exist in the area to be annexed.

6. That the City of Hutchinson can meet the problems existing in the area to be annexed, can remedy them and provide any and all

governmental services presently required and which may become necessary in the future in the area to be annexed.

7. That the City of Hutchinson can properly provide for the orderly planning and regulation of growth and development in the area to be annexed.

8. That the City of Hutchinson should be allowed the option of establishing a special levy of \$18,600.00 for levy limitation purposes in each of the next five years.

ORDER

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

Area #4

All that part of the East Half of Section 36, township 117 North, Range 30 west described as follows: Beginning at the Southeast corner of said Section 36; thence North along the east line of said Section 36 to the Southeast corner of the Northeast Quarter of the Southeast Quarter of said Section 36; thence West along the South line of said Northeast Quarter of the Southeast Quarter of Section 36, a distance of 142 feet; thence North parallel to said East line of Section to the centerline of Minnesota Trunk Highway No. 7; thence Northeasterly along said centerline to said East line; thence North along said East line of Section 36 to a point 300 feet Northerly of said centerline of Highway No. 7 as measured at right angles to said centerline; thence Southwesterly parallel with said Highway centerline to a point 20 feet East of the West line of said East Half of Section 36; thence North parallel to said West line to the North line of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of said Section 36; thence West along said North line, 20 feet, to a point on said West line; thence South along said West line to the Southerly Right of Way line of the former Minnesota Western Railway; thence Northeasterly along said Southerly Right of Way line of the Railway to the West line of the Southeast Quarter of the Southeast Quarter of said Section 36; thence South along said West line to the South line of said Section 36; thence East along said South line to the point of beginning.

Together with that part of Section 36 described as follows:
Beginning at the Southwest corner of the North Half of
the Southwest Quarter of the Northeast Quarter of said Section
36; thence East along said South line to the Northeasterly
Right of way line of County Road No. 12; thence Northwesterly
along said Northeasterly Right of Way line to a point on the West
line of the East Half of said Section 36; thence South along said
West line to the point of beginning.

Area 4 containing 87 acres more or less.

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

Area 1 The North One-Half of the North One-Half of
the Northwest Quarter of the Northeast Quarter of
Section 12, Township 116 North, Range 30 West. Con-
taining 10 acres more or less.

Area 2 Beginning at the Southeast corner of the Southwest Quar-
ter of Section 1, Township 116 North, Range 30 West, also known
as the Southwest corner of Lot 90 of Lynn Addition; thence North
along the West line of said Lot 90, a distance of 476 feet; thence
East parallel to the South line of said Lot 90, a distance 453.75
feet; thence North parallel with the East line of Lot 90, a dis-
tance of 864 to the North line of said Lot 90; thence West along
said Northline to the Northwest corner of Lot 90, also known as
the Northeast corner of Lot 92 of Lynn Addition; thence South
along the East line of said Lot 92 of Lynn Addition, a distance of
225 feet; thence Westerly on a line parallel with the North line
of Lot 92 to a point on the West line of Lot 92, said West line
being the centerline of Dale Street also known as County Road No.
7; thence Northeasterly along said centerline to a point 12.0 feet
Southwesterly, as measured along said centerline, of the Northeast
corner of Lot 94 of Lynn Addition; thence Westerly to a point on
the West line of said Lot 94, 9.0 feet South of the Northwest corner
of said Lot 94; thence Southerly along the West line of said
lot 94 to the Southwest corner of Lot 94, said corner also known
as the Northeast corner of the Southeast Quarter of the Southwest
Quarter of said Section 1; thence West along the North line of the
said Southeast Quarter of the Southwest Quarter to a point 230 feet
Northwesterly of the centerline of said Dale Street, as measured
at right angles to said Centerline; thence Southwesterly parallel
to said centerline; a distance of 250 feet; thence deflect to the
left 90°-00', a distance of 30 feet; thence deflect to the right
90°-00' Southwesterly on a line parallel with and 200 feet North-
westerly of said centerline, as measured at right angles to said
centerline to a point 200 feet North of the South line of said
Section 1; thence Westerly parallel with said South line, a dis-
tance of 300 feet; thence South to a point on said South line of
Section 1; thence Easterly along said South line to the point of
beginning. Containing 25 acres more or less.

AREA 2-A The North East Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, Township 116 North, Range 30 West. Containing 10 Acres more or less.

AREA 2-B Beginning at the Southwest corner of Section 1, Township 116 North, Range 30 West; thence North along the West line of said Section 1, a distance of 368.22 feet; thence Easterly on a line parallel with the South line of said Section 1; a distance of 657.98 feet; thence deflect to the right 90°-09'-30", a distance of 368.22 feet to the South line of said Section 1; thence Westerly along said South line for 657.5 feet to the point of beginning. Containing 5.5 acres more or less.

AREA 6 That part of Section 2, Township 116 North, Range 30 West described as follows: Beginning at the Southwest corner of Section 36, Township 117 North, Range 30 West, said point being on the North line of said Section 2; thence South on a line parallel with the East line of the Northeast of Section 2 to the North Shore line of Otter Lake (Crow River); thence generally Northeasterly along said North Shore line to the East line of said Section 2, thence South along said East line to a point 250 feet North of the Southeast corner of said Northeast Quarter of Section 2; thence West 2700 feet; thence South to a point on the extension of the North line of "First Addition to Maryview"; thence Westerly along said extension and the North line of said "First Addition" to the Easterly and Southerly Shore line of Otter Lake (Crow River); thence generally Northeasterly along said Easterly and Southerly Shore line to the West line of the Northeast Quarter of said Section 2; thence North along said West line to the Northwest corner of said Northeast Quarter; thence East along the North line of Section 2 to the point of beginning.

Together with all of the Crow River, also known as Mill Pond, located in Section 1, T 116 N, R 30 W.

Together with all of Lots 6, 7 and 9 and the West 80 feet of lot 5 in Auditors Plat of that part of the NW¼ of Section 1, T 116 N, R 30 W, lying South of the Mill Pond.

Together with Lots 8, 10, 19 and 20 of Auditors plat of that part of the NW¼ of Section 1, T 116 N, R 30 W, lying South of the Mill Pond except the following tract:

Beginning at a point on the South line of said Northwest Quarter, a distance 60 feet Westerly of the Southerly extension of the Westerly lines of Lots 6 through 10, Block Two, Peterson's School Addition; thence Northerly parallel with said West line to the Westerly extension of the Southerly line of Block 4 of Larson's Subdivision; thence Easterly along the Westerly extension of said Southerly line to the Southwest corner of said Block 4; thence Northerly along the West line of said Larson's Subdivision to the Southwest corner of Lot 1, Block 1, Larson's Second Subdivision; thence Westerly along the Westerly extension of the Southerly line of said Lot 1, a distance of 150 feet; thence Northerly parallel with the West line of said Larson's Subdivision a distance of 160 feet to the North line of Lot 19; thence Westerly along said North line to the East line of Lot 10;

thence Northerly along the East line of Lots 10 and 8 a distance of 46.5 feet thence Westerly on a line parallel with the South line of Lot 8 a distance of 540 feet; thence Southerly deflecting to the left 90 degrees, 00 minutes, a distance of 375 feet; thence Southeasterly deflecting to the left 50 degrees, 00 minutes, a distance of 645 feet to a point on a line parallel with and 150 feet Westerly of, as measured at right angles from, the West line of Peterson's School Addition and its Northerly extension; thence Southerly a distance of 550 feet to the South line of said Northwest Quarter; thence Easterly along said South line to the point of beginning containing 186 acres more or less:

That the following described real estate lying in the Township of Hassan Valley, County of McLeod, State of Minnesota, be and the same is hereby annexed to the City of Hutchinson the same as if it had originally been made a part thereof:

AREA 3-A That part of Section 5, Township 116 North, Range 29 West described as follows:

Beginning at the Northwest Corner of said Section 5; thence South along the West line of said Section 5 a distance of 824 feet; thence East a distance of 530 feet; thence North a distance of 774 feet; thence East a distance of 1514.07 feet; thence North a distance of 50.0 feet to a point on the North line of said section 5; thence West along said North line to the point of beginning, containing 12 acres more or less.

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

AREA 3 That part of the Southwest Quarter of Section 32, T 117 N,
R 29 W described as follows:

Beginning at the Southwest corner of said Section 32; thence North along the West line of said SW $\frac{1}{4}$ of Section 32 to a point 10.0 feet South of the Northwest corner of Lot 8 of Auditor's Plat of the West Half of said Section 32; thence East parallel to the North line of Lots 8 and 7 to a point 63.9 feet East and 10.0 feet South of the Northwest corner of Lot 7, said point being 10.0 feet South of the Northwest corner of Ahrens Highland Park Subdivision; thence South along the West line of Ahrens Highland Park Subdivision to the Southwest corner of said subdivision; thence East 66.00 feet along the South line of said subdivision; thence South parallel to the West line of Lot 11 of said Auditor's Plat to the South line of said Lot 11, said line being the centerline of Trunk Highway No. 7; thence East along said centerline of Trunk Highway 7 to the Northwest corner of Lot 1 of Auditor's Plat of Lot 14 of Auditor's Plat of the West Half of Section 32, T 117 N, R 29 W, thence South to the Southwest corner of said Lot 1; thence East 183 feet to the Southeast corner of Lot 2, thence North along the East line of said Lot 2 to the Northeast corner of said Lot 2; said point being on the centerline of Trunk Highway 7, thence East along said centerline to the Northwest corner of Lot 8 of Auditor's Plat of Lot 14 of Auditor's Plat of the West Half of Section 32, T 117 N, Range 29 West; thence South along the West line of Lot 8 to the Northeast corner of Lot 7; thence West 60.0 feet along the North line of Lot 7; thence South parallel to the East line of Lot 7 to a point on the South line of Lot 7 also known as the North line of Lot 12; thence East along said North line of Lot 12 to the Northeast corner of said Lot 12, thence South along the east line of Lots 12 and 13 to the South line of said SW $\frac{1}{4}$ of Section 32; thence West along the South line of said SW $\frac{1}{4}$ of Section 32 to the point of beginning. Excepting the following described tract:

That part of the Southwest Quarter of the Southwest Quarter of Section 32, T 117 N, R 29 W, which lies northerly of a line parallel with and distant Northerly 35 feet, measured at right angles thereto from the centerline of the main track of Minnesota Western Railway Company, and Southwesterly of a line parallel with and distant Southwesterly 25 feet, measured at right angles thereto, from the centerline of the track of the Minnesota Western Railway Company, known as the Hutchinson Tile Spur, as said tracks are now located and constructed across the Southwest corner of said Section 32, containing 71 acres, more or less.

AREA 5 That part of Lot 12 of Auditor's Plat of Auditor's Plat of S½ Section 30 and N½ Section 31, T 117 N, R 29 W known as Lots 1, 2, 3, 4 and 5 of Auditor's Plat of Lot 12 of Auditor's Plat of the S½ Section 30 and N½ Section 31, T 117 N, R 29 W described as follows:

Beginning at the Southwest corner of the Southeast Quarter of Section 30, T 117 N, R 29 W; thence East along the South line of said Southeast Quarter a distance of 667.5 feet; thence deflect to the left 88°-26' a distance of 293.00 feet; thence deflect to the left 91°-34' along a line parallel to said South line a distance of 487.6 feet; thence deflect to the right 89°-47' a distance of 358.75 feet; thence deflect to the left 89°-47' along the North line of said Lot 12 to the West line of said Southeast Quarter; thence South along the West line of said Southeast Quarter to the point of beginning containing 5.5 acres more or less.

IT IS FURTHER ORDERED: That the annexation herein ordered shall be effective immediately.

IT IS FURTHER ORDERED: That the mill rate levy of the City of Hutchinson on the property herein ordered annexed shall be increased in substantially equal proportions over a period of five (5) 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 146 for all purposes until the next state or federal census.

IT IS FURTHER ORDERED: That for levy limitation purposes, the City of Hutchinson is hereby authorized to establish a special

levy in the amount of \$18,600.00 per year for a period of five years to meet the increased costs as the result of this annexation pursuant to M.S. 414.01, Subd. 15.


Dated this 12th day of November, 1973

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


Howard L. Kaibel, Jr.
Executive Secretary

Amended Order dated this 21st day of November, 1973

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


Howard L. Kaibel, Jr.
Executive Secretary