

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Thomas J. Simmons	Vice Chairman
Gerald J. Isaacs	Member
Norman Olson	Ex-Officio Member
Allen Frederiksen	Ex-Officio Member

IN THE MATTER OF THE RESOLUTION FOR)
THE ANNEXATION OF CERTAIN LAND TO)
THE CITY OF LITCHFIELD, MEEKER COUNTY,)
MINNESOTA, PURSUANT TO MINNESOTA STATUTES)
CHAPTER 414.)

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER

The above-entitled matter came on for hearing before a quorum of the Minnesota Municipal Commission on the 30th day of April, 1974, in the City of Litchfield, Meeker County, State of Minnesota, upon the resolution of the City of Litchfield, requesting and approving the annexation.

Mr. George H. Neperud, attorney at law, Litchfield, Minnesota, appeared for the City of Litchfield. Mr. Wendell Nelson, attorney at law, Litchfield, Minnesota, appeared for a property owner, Leo Miller. The Board of County Commissioners of Meeker County, Minnesota, was represented at the hearing. The Town Board of Litchfield Township, Meeker County, Minnesota, did not appear for the reason they were not in opposition to the resolution for the annexation of the property described and the Commission was informed accordingly. No persons or property owners appeared in opposition to the said resolution for annexation.

The Commission, having duly considered the testimony of the witnesses, the exhibits received in evidence, and upon all the files, records and proceedings herein, and being fully advised in the premises, makes and enters the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1.

A resolution requesting and approving annexation was filed by the City of Litchfield, with the Minnesota Municipal Commission on the 22nd day of March, 1974.

2.

That due, timely and adequate notice of the hearing of April 30, 1974 was properly published, served and mailed.

3.

That the area proposed for annexation is described as follows:

Commencing on the East boundary line of the City of Litchfield, Meeker County, Minnesota 550.0 feet East of the Northwest corner of the Southeast Quarter (SE $\frac{1}{4}$), Section Twelve (12), Township One Hundred Nineteen (119) North, Range Thirty-one (31) West, thence East to the Northeast corner of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Twelve (12), thence South to the Southeast corner of the Southwest Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), thence East on the South line of said Section Twelve (12) to a point 100.0 feet West of the Southeast corner of said Section Twelve (12), thence South into the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirteen (13) parallel with the East line thereof to the North right-of-way line of U.S. Highway No. 12, thence Westerly along the North right-of-way line of U.S. Highway No. 12 to a point on the said right-of-way line lying South from a point on the North line of the said Northeast Quarter (NE $\frac{1}{4}$), Section Thirteen (13) being 625.0 feet West of a point lying 1262.0 feet East of the Northwest corner of said Northeast Quarter (NE $\frac{1}{4}$) of Section Thirteen (13), thence North to the said described point on the North line of said Northeast Quarter (NE $\frac{1}{4}$) of Section Thirteen (13), Township One Hundred Nineteen (119) North, Range Thirty-one (31) West, thence West along the North line of the said Northeast Quarter (NE $\frac{1}{4}$) of Section Thirteen (13), Township One Hundred Nineteen (119) North, Range Thirty-one (31) West to its intersection with the East boundary line of the City of Litchfield, thence North following the East boundary line of the City of Litchfield to the point of beginning containing 85.05 acres more or less.

All public roads, streets and highways within the area above described should be included in such annexed lands.

4.

That the City Council of the City of Litchfield unanimously passed and approved the resolution for annexation.

5.

That the area proposed for annexation is unoccupied, unplatted and is urban or suburban in character or about to become so; that said area abuts the City of Litchfield and is not included in any other municipality.

6.

That the City of Litchfield proposes to develop plans for water and sanitary sewer and pipelines in the area proposed for annexation suitable to provide such services as may become necessary.

7.

The real estate taxes in the area may be expected to increase, but the increase will be proportional to the expected benefit inuring to said area as a result of the annexation.

8.

That the City of Litchfield has a modern, well-equipped police department of adequate size which will be able to serve the area ordered annexed. That the Township of Litchfield does not have a police department and now received its respective police protection from the Meeker County Sheriff's Office.

9.

That the City of Litchfield has a modern, well-equipped fire department. That these facilities will be able to serve the area herein proposed to be annexed and has served such area, on a contract basis with the townships, for many years.

10.

That the County of Meeker has adopted a comprehensive zoning ordinance. That the City of Litchfield has adopted a comprehensive zoning ordinance together with a plan indicating future growth patterns which include growth in the areas herein proposed to be annexed.

11.

The Township of Litchfield does not provide sanitary sewer or water in the area of proposed to be annexed and the evidence shows that the township has no plans for providing such service in the future, and that the area to be annexed has immediate need for such services.

12.

That the area of territory described in the resolution totals approximately 85.05 acres and the City of Litchfield at the present time embraces an area of over 1,000 acres.

13.

That the City of Litchfield has expanded with respect to population and construction, and will continue to do so, and the space is needed to accommodate that expansion.

14.

That the township form of government is inadequate to cope with the problems of urban and suburban growth in the area thereafter ordered annexed.

15.

That the area herein ordered annexed is suitable for both commercial enterprises and residential development.

CONCLUSIONS OF LAW

1.

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

2.

The Municipal Commission, by virtue of receipt of a resolution from the City Council of the City of Litchfield has authority to grant the annexation described herein without an election.

3.

That the property proposed for annexation is now or is about to become urban or suburban in character.

4.

That the remainder of the Township of Litchfield, Meeker County, Minnesota can continue to carry on the function of government without undue hardship.

5.

That said area is so conditioned and so located as to be properly subjected to municipal government by the City of Litchfield.

6.

Annexation of said area by the City of Litchfield will be in the best interest of the area to be annexed and of the City of Litchfield.

7.

Municipal Government of said area is necessary and is required to protect public health, safety and welfare, and to provide necessary governmental services.

8.

That an order should issue from the Minnesota Municipal Commission annexing to the City of Litchfield the real estate located in the City of Litchfield, Minnesota, described herein.

ORDER

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

Commencing on the East boundary line of the City of Litchfield, Meeker County, Minnesota 550.0 feet East of the Northwest corner of the Southeast Quarter (SE $\frac{1}{4}$), Section Twelve (12), Township One Hundred Nineteen (119) North, Range Thirty-one (31) West, thence East to the Northeast corner of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Twelve (12), thence South to the Southeast corner of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$), thence East on the South line of said Section Twelve (12) to a point 100.0 feet West of the Southeast corner of said Section Twelve (12), thence South into the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirteen (13) parallel with the East line thereof to the North right-of-way line of U.S. Highway No. 12, thence Westerly along the North right-of-way line of U.S. Highway No. 12 to a point on the said right-of-way line lying South from a point on the North line of the said Northeast Quarter (NE $\frac{1}{4}$), Section Thirteen (13) being 625.0 feet West of a point lying 1262.0 feet East of the Northwest corner of said Northeast Quarter (NE $\frac{1}{4}$) of Section Thirteen (13), thence North to the said described

point on the North line of said Northeast Quarter (NE $\frac{1}{4}$) of Section Thirteen (13), Township One Hundred Nineteen (119) North, Range Thirty-one (31) West, thence West along the North line of the said Northeast Quarter (NE $\frac{1}{4}$) of Section Thirteen (13), Township One Hundred Nineteen (119) North, Range Thirty-one (31) West to its intersection with the East boundary line of the City of Litchfield, thence North following the East boundary line of the City of Litchfield to the point of beginning containing 85.05 acres more or less.

All public roads, streets and highways within the area above described should be included in such annexed lands.

Dated this 17th day of June, 1974

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


Howard L. Kaibel, Jr.
Executive Secretary