

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

| | |
|--------------------|-------------------|
| Thomas J. Simmons | Chairman |
| Robert W. Johnson | Vice Chairman |
| Robert J. Ferderer | Member |
| James Papenfuss | Ex-Officio Member |
| Lorraine Cieminski | Ex-Officio Member |

IN THE MATTER OF THE PETITION)
 FOR ANNEXATION OF CERTAIN LAND)
 TO THE CITY OF GOODVIEW)

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on October 10, 1979, at Goodview, Minnesota and continued from time to time. The hearing was conducted by Terrence A. Merritt, Executive Director pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners James Papenfuss and Lorraine Cieminski, ex-officio members of the Board. The City of Goodview appeared by and through Kent Gernander, the Township of Rollingstone appeared by and through Lloyd Ferdinanson, and the petitioners appeared by and through Frank Woletz. 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

I. On June 4, 1979, a copy of a petition for annexation by a majority of the property owners was filed with the Minnesota Municipal Board. The petition contained all the information required by statute including a description of the territory subject to annexation which is as follows:

The plat of the Hub-Mill Subdivision, Winona County, Minnesota, is included in the following described property: that part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Twelve (12), and That part of Government Lots One (1), Two (2), Three (3), and Four (4) and of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Thirteen (13), Township One hundred seven (107) North, Range Eight (8) West, Winona County, Minnesota, described as follows:

Commencing at a point on the South line of old Highway 61 (County State Aid Highway No. 32), Seven hundred sixty-eight and no hundredths (768.00) feet Westerly from the center of Section Eighteen (18), Township One hundred seven (107) North, Range Seven (7) West; thence Westerly along the Southerly Right-of-Way line of County State Aid Highway No. 32, a distance of Three thousand seven hundred ninety-three and no hundredths (3,793.00) feet to the point of beginning of the land to be described; thence continuing Westerly along the Southerly Right-of-Way line of said County State Aid Highway No. 32 to the intersection of said Southerly Right-of-Way line and the North South center line of Section Twelve (12), Township One Hundred seven (107) North, Range Eight (8) West, Winona County, Minnesota; thence

Southerly and along the North/South centerline of said Section Twelve (12) to the Northeast corner of said Northeast Quarter of the Northwest Quarter ($NE\frac{1}{2}$ of $NW\frac{1}{2}$) of said Section Thirteen (13); thence continuing Southerly on the East line of said Northeast Quarter of the Northwest Quarter ($NE\frac{1}{2}$ of $NW\frac{1}{2}$) of said section Thirteen, a distance of One hundred fifty (150.00) feet; thence Westerly and parallel with the North line of said Northeast Quarter of the Northwest Quarter ($NE\frac{1}{2}$ of $NW\frac{1}{2}$) of said Section Thirteen (13), a distance of One hundred sixty-seven (167.00) feet; thence Northerly and parallel with the East line of said Northeast Quarter of the Northwest Quarter ($NE\frac{1}{2}$ of $NW\frac{1}{2}$) of said Section Thirteen (13) a distance of One hundred fifty (150.00) feet to the North line of said Northeast Quarter of the Northwest Quarter ($NE\frac{1}{2}$ of $NW\frac{1}{2}$) of said Section Thirteen (13); thence Westerly and along the North line of said Northeast Quarter of the Northwest Quarter ($NE\frac{1}{2}$ of $NW\frac{1}{2}$) of said Section Thirteen (13) to the intersection of said North line and the Northerly right-of-way of Trunk Highway No. 61; thence Southeasterly and along the Northerly Right-of-Way line of said Trunk Highway No. 61 to the intersection of said Northerly Right-of-Way line and the East line of said Northeast Quarter of the Northwest Quarter ($NE\frac{1}{2}$ of $NW\frac{1}{2}$) of said Section Thirteen (13); thence Southerly and along the East line of said Northeast Quarter of the Northwest Quarter ($NE\frac{1}{2}$ of $NW\frac{1}{2}$) of said Section Thirteen (13) to the intersection of said East line and the center line of Trunk Highway No. 61 North bound lane; thence Southeasterly and along said center line of Trunk Highway No. 61 North bound lane to the intersection of said center line of Trunk Highway No. 61 North bound lane and the South line of Government Lot Three (3); thence Easterly along the South line of said Government Lot Three (3) to the intersection of said South line with the Northerly Right-of-Way line of Trunk Highway No. 61; thence continuing Easterly along the South line of said Government Lot Three (3) and said Government Lot One (1), a distance of three hundred twenty-one and sixty hundredths (321.60) feet; thence at a deflection angle to the right of $55^{\circ}15'$, a distance of Five hundred twenty-one (521.00) feet; thence at a deflection angle to the left of $19^{\circ}45'$, a distance of Three hundred seventy (370.00) feet; thence at a deflection angle to the left of $111^{\circ}33'$, a distance of One hundred seventy-eight (178.00) feet; thence at a deflection angle to the right of $76^{\circ}01'$, a distance of Four hundred ten (410.00) feet to the East line of said Section Thirteen (13); thence Northerly at a deflection angle to the left of $89^{\circ}57'$ and along said East line of said Section Thirteen (13) to a point located One thousand four hundred (1,400.00) feet Southerly from the intersection of said East line with the Southerly Right-of-Way line of said County State Aid Highway No. 32; thence Westerly at a deflection angle to the left of $90^{\circ}00'$, a distance of Five hundred (500.00) feet; thence at a deflection angle to the right of $90^{\circ}00'$ and Northerly and along a line parallel with the East line of said Section Thirteen (13), a distance of One thousand six hundred seventy (1,670.00) feet more or less to the Southerly Right-of-Way line of County State Aid Highway No. 32; thence Northwesterly along said Southerly Right-of-Way line to the point of beginning. Subject to the Right-of-Way of said Trunk Highway No. 61.

An objection to the proposed annexation was received by the Minnesota Municipal Board from Rollingstone Township on August 15, 1979. The Municipal Board upon receipt of this objection conducted further proceedings in accordance with M.S. 414.031, as required by M.S. 414.033, Subd. 5.

A resolution supporting the annexation was received from the annexing municipality.

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

III. That the Municipal Board expanded the area under consideration before it to include all of the following described property:

Beginning at the southwest right-of-way line T.H. 61 and the Westerly corporate limits of Goodview thence in a northwesterly direction on the southwest right-of-way line of T.H. 61 to its intersection with the east and west $\frac{1}{2}$ line of Section 13, T107N, R8W, thence westerly to the southwest corner of the SE $\frac{1}{2}$ of the NW $\frac{1}{2}$, Section 13, thence north to the northwest corner of the said SE $\frac{1}{2}$, NW $\frac{1}{2}$, thence W to the west line of Section 13, thence north to the north line of Section 13, thence east to its intersection with the southwest right-of-way line of T.H. 61, thence northwesterly on said right-of-way to its intersection with the southerly right-of-way line of C.S.A.H. 32 (formerly T.H. 61). Thence southeasterly on said right-of-way of C.S.A.H. 32 to its intersection with the westerly corporate limits of Goodview, thence south on corporate limits to the point of beginning.

IV. That the Municipal Board held a hearing on the expanded area on June 11, 1980 in the City of Goodview.

V. On October 8, 1980 the Minnesota Municipal Board on its own motion reduced the area under consideration before the Board to the following described property:

That part of the Southwest Quarter of the Southeast Quarter of Section Twelve (12), and that part of Government Lots One (1), Two (2), Three (3), and Four (4) and of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Thirteen (13), all in Township One hundred seven (107) North, Range Eight (8) West, Winona County, Minnesota, described as follows:

Commencing at a point on the South line of old Highway 61 (County State Aid Highway No. 32), Seven hundred sixty-eight and no hundredths (768.00) feet Westerly from the center of Section Eighteen (18), Township One hundred seven (107) North, Range Seven (7) West; thence Westerly along the Southerly Right-of-Way line of County State Aid Highway No. 32, a distance of Three thousand seven hundred ninety-three and no hundredths (3,793.00) feet to the point of beginning of the land to be described; thence continuing Westerly along the Southerly Right-of-Way line of said County State Aid Highway No. 32 to the intersection of said Southerly Right-of-Way line and the North/South center line of Section Twelve (12), Township One hundred seven (107) North, Range Eight (8) West, Winona County, Minnesota; thence Southerly and along the North/South centerline of said Section Twelve (12) to the

Northeast corner of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13): thence continuing Southerly on the East line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13), a distance of One hundred fifty (150.00) feet; thence Westerly and parallel with the North line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13), a distance of One hundred sixty-seven (167.00) feet; thence Northerly and parallel with the East line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13) a distance of One hundred fifty (150.00) feet to the North line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13); thence Westerly and along the North line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13) to the intersection of said North line and the southerly Right-of-Way of Trunk Highway No. 61; thence Southeasterly and along the southerly Right-of-Way line of said Trunk Highway No. 61 to the intersection of said southerly Right-of-Way line and the south line of said Government Lot 3; thence Easterly along said South line of said Government Lot Three (3) to the intersection of said South line of Government Lot Three (3) with the northerly Right-of-Way line of said Trunk Highway No. 61; thence continuing easterly along said South line of Government Lot Three (3) and along the South line of said Government Lot One (1) a distance of Three hundred twenty-one and sixty hundredths (321.60) feet; thence at a deflection angle to the right of 55°15', a distance of Five hundred twenty-one (521.00) feet; thence at a deflection angle to the left of 19°45', a distance of Three hundred seventy (370.00) feet; thence at a deflection angle to the left of 111°33', a distance of One hundred seventy-eight (178.00) feet; thence at a deflection angle to the right of 76°01', a distance of Four hundred ten (410.00) feet to the East line of said Section Thirteen (13); thence Northerly at a deflection angle to the left of 89°57' and along said East line of said Section Thirteen (13) to a point located One thousand four hundred (1,400.00) feet Southerly from the intersection of said East line with the Southerly Right-of-Way line of said County State Aid Highway No. 32; thence Westerly at a deflection angle to the left of 90°00', a distance of Five hundred (500.00) feet; thence at a deflection angle to the right of 90°00' and Northerly and along a line parallel with the East line of said Section Thirteen (13), a distance of One thousand six hundred seventy (1,670.00) feet more or less to the Southerly Right-of-Way line of County State Aid Highway No. 32; thence Northwesterly along said Southerly Right-of-Way line to the point of beginning. Subject to the Right-of-Way of said Trunk Highway No. 61.

AND

All that part of the North Half of the Northwest Quarter (N $\frac{1}{2}$ of NW $\frac{1}{4}$), Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$), and Government Lot Three (3), in Section Thirteen (13), Township One Hundred Seven (107) North, of Range Eight (8), West of the Fifth Principal Meridian, Winona County, Minnesota, lying Westerly of the right-of-way of Trunk Highway No. 61.

- VI. On November 26, 1980 the Minnesota Municipal Board on its own motion moved to expand the area under consideration before it to the following described property:

That part of the Southwest Quarter of the Southeast Quarter of Section Twelve (12), and that part of Government Lots One (1), Two (2), Three (3), and Four (4) and of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Thirteen (13), all in Township One hundred seven (107) North, Range Eight (8) West, Winona County, Minnesota, described as follows:

Commencing at a point on the South line of old Highway 61 (County State Aid Highway No. 32), Seven hundred sixty-eight and no hundredths (768.00) feet Westerly from the center of Section Eighteen (18), Township One hundred seven (107) North, Range Seven (7) West; thence Westerly along the Southerly Right-of-Way line of County State Aid Highway No. 32, a distance of Three thousand seven hundred ninety-three and no hundredths (3,793.00) feet to the point of beginning of the land to be described; thence continuing Westerly along the Southerly Right-of-Way line of said County State Aid Highway No. 32 to the intersection of said Southerly Right-of-Way line and the North/South center line of Section Twelve (12), Township One hundred seven (107) North, Range Eight (8) West, Winona County, Minnesota; thence Southerly and along the North/South centerline of said Section Twelve (12) to the Northeast corner of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13); thence continuing Southerly on the East line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13), a distance of One hundred fifty (150.00) feet; thence Westerly and parallel with the North line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13), a distance of One hundred sixty-seven (167.00) feet; thence Northerly and parallel with the East line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13) a distance of One hundred fifty (150.00) feet to the North line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13); thence Westerly and along the North line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13) to the intersection of said North line and the southerly Right-of-Way of Trunk Highway No. 61; thence Southeasterly and along the southerly Right-of-Way line of said Trunk Highway No. 61 to the intersection of said southerly Right-of-Way line and the south line of said Government Lot 3; thence Easterly along said South line of said Government Lot Three (3) to the intersection of said South line of Government Lot Three (3) with the northerly Right-of-Way line of said Trunk Highway No. 61; thence continuing easterly along said South line of Government Lot Three (3) and along the South line of said Government Lot One (1) a distance of Three hundred twenty-one and sixty hundredths (321.60) feet; thence at a deflection angle to the right of 55°15', a distance of Five hundred twenty-one (521.00) feet; thence at a deflection angle to the left of 19°45', a distance of Three hundred seventy (370.00) feet; thence at a deflection angle to the left of 111°33', a distance of One hundred seventy-eight (178.00) feet; thence at a deflection angle to the right of 76°01', a distance of Four hundred ten (410.00) feet to the East line of said Section Thirteen (13);

thence Northerly at a deflection angle to the left of $89^{\circ}57'$ and along said East line of said Section Thirteen (13) to a point located One thousand four hundred (1,400.00) feet Southerly from the intersection of said East line with the Southerly Right-of-Way line of said County State Aid Highway No. 32; thence Westerly at a deflection angle to the left of $90^{\circ}00'$, a distance of Five hundred (500.00) feet; thence at a deflection angle to the right of $90^{\circ}00'$ and Northerly and along a line parallel with the East line of said Section Thirteen (13), a distance of One thousand six hundred seventy (1,670.00) feet more or less to the Southerly Right-of-Way line of County State Aid Highway No. 32; thence Northwesterly along said Southerly Right-of-Way line to the point of beginning. Subject to the Right-of-Way of said Trunk Highway No. 61.

AND

All that part of the North Half of the Northwest Quarter ($N\frac{1}{2}$ of $NW\frac{1}{4}$), Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4}$ of $NW\frac{1}{4}$), and Government Lot Three (3), in Section Thirteen (13), Township One Hundred Seven (107) North, of Range Eight (8), West of the Fifth Principal Meridian, Winona County, Minnesota, lying Westerly of the right-of-way of Trunk Highway No. 61.

AND

All that part of Trunk Highway Number 61 lying in the north 450.00 feet of Government Lot 4, Section 13, Township 107, Range 8, Winona County, Minnesota.

This interim order only addresses itself to that property described in Findings of Fact V herein, and does not dispose of the remaining area under consideration before the Board.

VII. Geographic Features

- A. The area subject to annexation is unincorporated and abuts the City of Goodview.
- B. The total area of the City of Goodview is approximately 696 acres. The total area of the territory subject to annexation is approximately 221 acres.
- C. The perimeter of the area to be annexed is approximately 23% bordered by the municipality.
- D. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is: The western portion is hilly, and the area adjacent to Lake Goodview is flat with the soil black dirt and sand over over sand.

VIII. Population Data

- A. The City of Goodview:
 - 1. In 1975, there were 2581 residents.
 - 2. The present estimated population is 2800.
 - 3. By 1985, the projected population is 3200.
- B. The area subject to annexation:
 - 1. In 1979, there were 46 residents.
 - 2. The present estimated population is 46.
 - 3. By 1986, the projected population is 180.
- C. The Township of Rollingstone:
 - 1. In 1970, there were 1,160 residents.
 - 2. The present estimated population is 1,459 (1979 State Planning Estimate)

IX, Development Issues

- A. The pattern of physical development, including land already in use, in the process of being developed, and remaining for various uses.

1. Area in Use

a. In the City of Goodview:

1. Residential: 152.98 acres
2. Institutional: 51.6 acres
3. Commercial: 33.25 acres
4. Industrial: 153.44 acres
5. Agricultural: .64 acres

b. In the area subject to annexation:

1. Residential: 33 acres
2. Industrial: 16.6 acres
3. Vacant land: .96 acres

- c. In the Township of Rollingstone are the following uses: residential, institutional, commercial, industrial, agricultural, and vacant land

2. Area Being Developed

a. In the City of Goodview:

1. Residential: 2.45 acres
2. Industrial: 24.06 acres

b. In the area subject to annexation:

1. Residential: one acre

3. Area Remaining for Various Uses

a. In the City of Goodview:

1. Residential: 51.99 acres
2. Institutional: 95.69 acres
3. Commercial: 9.92 acres
4. Industrial: 104.78 acres

b. In the area subject to annexation

1. Residential: 90.58 acres
2. Commercial: 51.72 acres
3. Industrial: 16.4 acres

B. Transportation:

1. The present transportation network is:

- a. In the City of Goodview: Typical grid system with virtually all streets being hard surfaced.
- b. In the area subject to annexation: Roads, either hard surface or crushed rock.

- C. Land use controls and planning, including comprehensive plans, in the city and the area subject to annexation:

1. In the City of Goodview:

- a. Zoning: yes, since 1946
- b. Subdivision Regulations: yes
- c. Comprehensive Plan: presently being prepared
- d. Official Map: Being prepared
- e. Capital Improvements Program: yes, Annual appropriation
- f. Fire Code: yes
- g. Building Inspector: yes, by contract
- h. Planning Commission: City Council acts as commission
- i. Other: Flood Control Program

2. In the Township of Rollingstone:

- a. Zoning: no
- b. Subdivision Regulations: no

3. In the County of Winona:

- a. Zoning: yes
- b. Subdivision Regulations: yes
- c. Planning Commission: yes

4. There is no inconsistency between the proposed development and the planning and land use controls for the area.

X. Governmental Services

A. The Town of Rollingstone provides the area subject to annexation with the following services:

- 1. Water: no
- 2. Sewer: no
- 3. Fire protection and rating: by Contract with Minnesota City and the City of Rollingstone
- 4. Police protection: by the County Sheriff
- 5. Street improvements: yes
- 6. Street maintenance: Contracts for grading of the streets
- 7. Ambulance--by contract

B. The City of Goodview provides its residents with the following services:

- 1. Water: yes
- 2. Sewer: yes
- 3. Fire protection and rating: yes; 7
- 4. Police protection: yes
- 5. Street improvements: yes
- 6. Street maintenance: yes
- 7. Recreational: yes
- 8. Administrative services: yes

C. The City of Goodview provides the area subject to annexation with the following services: Mutual Aid Fire Fighting; Developer has had some maintenance work performed by City Street Department. The City has provided police protection at the request of some property owners and in cooperation with the County Sheriff's Department. Industrial Revenue Bond financing has also been provided.

D. Existing or potential environmental problems and the need for additional services to resolve these problems: Improper disposal of sanitary sewage in adjacent areas to the annexation area. Increased population density will increase danger of surface and ground pollution if on-site septic systems are used.

E. Plans and programs by the annexing municipality to provide needed governmental services for the area proposed for annexation include: Water and sewer service would be extended at such time as requested and feasible. All other services already rendered in the city would be extended to the area.

F. The following services will be available to the annexed area within three years: sewer and water.

XI. Tax Base (All values supplied by Winona County Assessors Office and represent limited market values.)

a. In the City of Goodview, the tax base includes the following:

- 1. Residential property in 1978 was valued at \$17,409,520, generating \$66,202 in taxes or 66% of the total.
- 2. Commercial property in 1978 was valued at \$2,983,385, generating \$18,055 in taxes or 18% of the total.
- 3. Industrial property in 1978 was valued at \$2,623,712, generating \$16,049 in taxes or 16% of the total.
- 4. Vacant land is included in residential.

- b. In the Township of Rollingstone, the tax base includes the following:
 - 1. Residential property in 1978 was valued at \$8,681,312, generating \$11,228 in taxes or 65% of the total.
 - 2. Commercial property in 1978 was valued at \$442,960, generating \$864 in taxes or 5% of the total.
 - 3. Industrial property in 1978 was valued at \$177,425, generating \$345 in taxes or 2% of the total.
 - 4. Agricultural property in 1978 was valued at \$3,647,800, generating \$4,836 in taxes or 28% of the total.
- c. In the area subject to annexation, the tax base includes the following:
 - 1. Residential property in 1978 was market valued at \$147,685, generating \$245 in taxes.
 - 2. All of the remaining property in 1978 was valued at \$197,370, generating \$596 in taxes.

XII. Tax Data

- A. In the City of Goodview:
 - 1. Mill rate in 1978 was 18.04.
 - 2. Bonded indebtedness in 1978 was \$1,220,000 (No G.O. Bonds)
- B. In the Township of Rollingstone:
 - 1. Mill rate in 1978-79 was 7.04.
- C. In the area subject to annexation:
 - 1. Mill rate in 1978-79 was 7.04.
- D. Mill rate in the respective governmental units:
 - 1. County in 1978-79 was 20.22.
 - 2. School district in 1978-79 was 46.48.
 - 3. Township in 1978-79 was 7.04.

XIII. Annexation to the City of Goodview is the best alternative.

- A. There is no effect on area school districts or on adjacent communities if the proposed annexation is approved.
- B. The town government is not adequate to deliver municipal services to the area proposed for annexation.
- C. Necessary governmental services could not best be provided by incorporation or annexation to an adjacent municipality other than Goodview.
- D. Present assessed valuation of the Town of Rollingstone: \$3,547,951.
Present assessed valuation of proposed annexation area: \$117,897.
New valuation of the Town of Rollingstone if entire area is annexed: \$3,430,054.
- E. Rollingstone Township can continue to function without the area subject to annexation.

XIV. A majority of property owners in the area to be annexed have petitioned the Minnesota Municipal Board requesting annexation.

CONCLUSIONS OF LAW

- I. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.
- II. The area subject to annexation is now or is about to become urban or suburban in character.

III. Municipal government is required to protect the public health, safety, and welfare in the area subject to annexation.

IV. The best interest of the area subject to annexation will be furthered by annexation.

V. The remainder of the Township of Rollingstone can carry on the functions of government without undue hardship.

VI. There is a reasonable relationship between the increase in revenue for the City of Goodview and the value of benefits conferred upon the area subject to annexation.

VII. Annexation of all or a part of the property to an adjacent municipality would not better serve the interests of the residents who reside in the area subject to annexation.

VIII. Three years will be required to effectively provide full municipal services to the annexed area.

IX. This annexation proceeding has been initiated by a petition of a majority of property owners and, therefore, this Minnesota Municipal Board order is not subject to an annexation election to be described herein.

X. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

O R D E R

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

That part of the Southwest Quarter of the Southeast Quarter of Section Twelve (12), and that part of Government Lots One (1), Two (2), Three (3), and Four (4) and of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Thirteen (13), all in Township One hundred seven (107) North, Range Eight (8) West, Winona County, Minnesota, described as follows:

Commencing at a point on the South line of old Highway 61 (County State Aid Highway No. 32), Seven hundred sixty-eight and no hundredths (768.00) feet Westerly from the center of Section Eighteen (18), Township One hundred seven (107) North, Range Seven (7) West; thence Westerly along the Southerly Right-of-Way line of County State Aid Highway No. 32, a distance of Three thousand seven hundred ninety-three and no hundredths (3,793.00) feet to the point of beginning of the land to be described; thence continuing Westerly along the Southerly Right-of-Way line of said County State Aid Highway No. 32 to the intersection of said Southerly Right-of-Way line and the North/South center line of Section Twelve (12), Township One hundred seven (107) North, Range Eight (8) West, Winona County, Minnesota; thence Southerly and along the North/South centerline of said Section Twelve (12) to the Northeast corner of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13); thence continuing Southerly on the East line of said

Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13), a distance of One hundred fifty (150.00) feet; thence Westerly and parallel with the North line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13), a distance of One hundred sixty-seven (167.00) feet; thence Northerly and parallel with the East line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13) a distance of One hundred fifty (150.00) feet to the North line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13); thence Westerly and along the North line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section Thirteen (13) to the intersection of said North line and the southerly Right-of-Way of Trunk Highway No. 61; thence Southeasterly and along the southerly Right-of-Way line of said Trunk Highway No. 61 to the intersection of said southerly Right-of-Way line and the south line of said Government Lot 3; thence Easterly along said South line of said Government Lot Three (3) to the intersection of said South line of Government Lot Three (3) with the northerly Right-of-Way line of said Trunk Highway No. 61; thence continuing easterly along said South line of Government Lot Three (3) and along the South line of said Government Lot One (1) a distance of Three hundred twenty-one and sixty hundredths (321.60) feet; thence at a deflection angle to the right of 55°15', a distance of Five hundred twenty-one (521.00) feet; thence at a deflection angle to the left of 19°45', a distance of Three hundred seventy (370.00) feet; thence at a deflection angle to the left of 111°33', a distance of One hundred seventy-eight (178.00) feet; thence at a deflection angle to the right of 76°01', a distance of Four hundred ten (410.00) feet to the East line of said Section Thirteen (13); thence Northerly at a deflection angle to the left of 89°57' and along said East line of said Section Thirteen (13) to a point located One thousand four hundred (1,400.00) feet Southerly from the intersection of said East line with the Southerly Right-of-Way line of said County State Aid Highway No. 32; thence Westerly at a deflection angle to the left of 90°00', a distance of Five hundred (500.00) feet; thence at a deflection angle to the right of 90°00' and Northerly and along a line parallel with the East line of said Section Thirteen (13), a distance of One thousand six hundred seventy (1,670.00) feet more or less to the Southerly Right-of-Way line of County State Aid Highway No. 32; thence Northwesterly along said Southerly Right-of-Way line to the point of beginning. Subject to the Right-of-Way of said Trunk Highway No. 61.

AND

All that part of the North Half of the Northwest Quarter (N $\frac{1}{2}$ of NW $\frac{1}{4}$), Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$), and Government Lot Three (3), in Section Thirteen (13), Township One Hundred Seven (107) North, of Range Eight (8), West of the Fifth Principal Meridian, Winona County, Minnesota, lying Westerly of the right-of-way of Trunk Highway No. 61.

II. IT IS FURTHER ORDERED: That the population of the City of Goodview has increased by 46 persons.

III. IT IS FURTHER ORDERED: That the population of the Town of Rollingstone has decreased by 46 persons.

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

V. IT IS FURTHER ORDERED: That the effective date of this order is January 1, 1981.

Dated this 26th day of November, 1980

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
St. Paul, Minnesota 55101

A handwritten signature in cursive script that reads "Terrence A. Merritt".

Terrence A. Merritt
Executive Director