

BEFORE THE MUNICIPAL BOARD  
OF THE STATE OF MINNESOTA

Robert J. Ferderer	Chairman
Robert W. Johnson	Vice Chairman
Kenneth F. Sette	Member
Joseph Brandl	Ex-Officio Member
Paul V. Rasmussen	Ex-Officio Member

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IN THE MATTER OF THE PETITION FOR )	
THE ANNEXATION OF CERTAIN LAND TO )	<u>FINDINGS OF FACT,</u>
THE CITY OF SPRINGFIELD PURSUANT TO )	<u>CONCLUSIONS OF LAW,</u>
MINNESOTA STATUTES 414 )	<u>AND ORDER</u>

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The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on March 24th, 1982, at Springfield, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Joseph Brandl and Paul V. Rasmussen, ex-officio members of the board. The City of Springfield appeared through its Mayor Dennis Myers, Northstar Township appeared through Wilbert Schweim Township Supervisor and the petitioners appeared by and through Brian O'Leary. 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 November 18, 1981 a petition for annexation by all 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:

Lot "B" of the Southeast Quarter of the Southeast Quarter  
(SE $\frac{1}{4}$  SE $\frac{1}{4}$ ), Section Thirteen (13), Township One Hundred Nine  
(109), Range Thirty-five (35), Brown County, Minnesota,  
containing 1.61 acres, more or less.

II. An objection to the proposed annexation was received by the Minnesota Municipal Board from Northstar Township on January 6th, 1982. The Minnesota 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.

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

IV. The area subject to annexation is unincorporated, approximately 1.61 acres in size, and abuts the City of Springfield by approximately 27% of its border.

V. The natural terrain of the area proposed for annexation is generally level. It has not been used for farm land in the immediate past.

VI. The population of the City of Springfield in 1970 was 2,520 and its present population is 2,303.

VII. The present township population is 395.

VIII. The area proposed for annexation had no population in 1970, it has no present population, and its projected use is for low income and elderly public housing.

IX. The 1.61 acres of land located within the area proposed for annexation is presently vacant. Previously there was a greenhouse located on it, which was destroyed and not replaced.

X. The township of Northstar has predominately agricultural land with some residential and commercial land in the township.

XI. The City of Springfield has residential property, commercial property, institutional property, and industrial property.

XII. The City of Springfield has a zoning ordinance, a subdivision ordinance, and a planning commission.

XIII. The Town of Northstar has no zoning of its own, rather relying on the County's comprehensive plan for its zoning.

XIV. The area proposed for annexation is presently zoned agricultural as are the other two tracts of land located adjacent to it in the township.

XV. The area east of the area proposed for annexation is zoned residential and presently has located on it apartment houses and a drive-in restaurant.

XVI. Brown County has a comprehensive plan, a zoning ordinance, and a county planning and zoning commission.

XVII. The township provides the area proposed for annexation with fire protection through a contract with the City of Springfield. There are no township roads adjacent to the area proposed for annexation so there is no township maintenance or plowing. The township contracts for maintenance and plowing of township roads throughout the township.

XVIII. The city provides its residents with water, sewer, police protection, fire protection, street improvements and maintenance and full time city clerk.

XIX. The city is willing to provide the area proposed for annexation with all of the services it presently provides the residents of Springfield.

XX. It is not anticipated that the annexation will create any traffic problems. Presently the area proposed for annexation abuts County State Aid Highway No. 4 and U.S. Trunk Highway #14.

XXI. The city is serviced by the County State Aid Highways, U.S. Trunk Highway No. 14, and city streets.

XXII. The mill rate for the City of Springfield is a gross mill rate of 37.09 with a homestead mill rate of 28.50.

XXIII. The mill rate of Northstar Township is a gross mill rate of 3.71 and a homestead mill rate of 2.86.

XXIV. The market value of the property proposed for annexation is \$3,864 with an assessed value of \$734.

XXV. The City of Springfield has a present bonded indebtedness of \$860,000.

XXVI. The present assessed valuation of the City of Springfield is \$6,358,389.

XXVII. The Town of Northstar is unable to deliver a full range of municipal services to the area subject to annexation.

XXVIII. The land within the area subject to annexation is proposed to be developed for low income and elderly townhouses.

XXIX. The Town of Northstar can continue to function without the area subject to annexation without undue hardship.

XXX. There is no evidence that the annexation of the area subject to annexation to the City of Springfield will have any adverse impact on the area school district.

#### 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 nature and the annexing municipality is capable of providing the services required by the area within a reasonable time.

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 Town of Northstar can carry on the functions of government without undue hardship.

VI. There is a reasonable relationship between the increase in revenues for the City of Springfield 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 is impossible, since the City of Springfield is the only adjacent municipality to the area subject to annexation.

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

IX. The Minnesota Municipal Board's order is not subject to an annexation election.

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

O R D E R

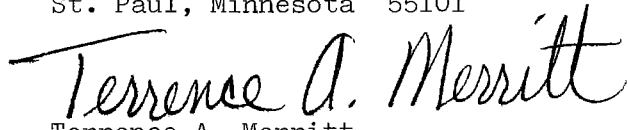
I. IT IS HEREBY ORDERED: That the property described in Findings of Fact I is hereby annexed to the City of Springfield, Minnesota the same as if it had been originally made a part thereof.

II. IT IS FURTHER ORDERED: That the mill levy of the City of Springfield on the property herein ordered annexed shall increase in substantially equal proportions over a period of two years to equality with the mill levy of the property already within the city.

III. IT IS FURTHER ORDERED: That the effective date of this order is June 1, 1982.

Dated this 1st day of June, 1982.

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

  
Terrence A. Merritt  
Executive Director