



**STATE OF MINNESOTA
MUNICIPAL BOARD**

Suite 165 Metro Square
7th & Robert Streets
St. Paul, Minnesota 55101

M E M O R A N D U M

TO: Parties of Record and Interested Parties
FROM: Patricia D. Lundy, Assistant Director *PDL*
DATE: July 10, 1984
SUBJECT: A-4015 Grove City Annexation
(Commonly known as territory from Grove City
Furniture to Highway 4.)

This is to inform you that pursuant to Municipal Board Order dated May 25, 1984 and Supplemental Order For Election dated May 25, 1984, in the above-described matter, an election was duly held on the 26th day of June, 1984, in accordance with Minnesota Statutes 414.031, Subdivision 5.

The election results have been certified as follows and the above-described Grove City annexation is therefore not effective.

	<u>For Annexation</u>	<u>Against Annexation</u>
Acton Township	7	82
City of Grove City	<u>90</u>	<u>34</u>
TOTAL	<u>97</u>	<u>116</u>

PDL:sg

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Robert J. Ferderer	Chairman
Kenneth F. Sette	Vice Chairman
Richard A. Sand	Commissioner
Jerome Waters	Ex-Officio Member
C. Alvin Johnson	Ex-Officio Member

IN THE MATTER OF THE PETITION FOR)
THE ANNEXATION OF CERTAIN LAND TO)
THE CITY OF GROVE CITY PURSUANT)
TO MINNESOTA STATUTES 414)

SUPPLEMENTAL ORDER
FOR ELECTION

Pursuant to Municipal Board Order dated May 25, 1984 annexing certain land to the City of Grove City and ordering an election on June 26, 1984, the Minnesota Municipal Board hereby issues its Supplemental Order for Election.

IT IS HEREBY ORDERED THAT:

1. The polling place and election judges shall be as follows:

a. The polling place for the Township of Acton shall be the Grove City Fire Hall.

b. The election judges in the Township of Acton shall be:

Ken Pearson	Jerome Tittleton
Vernon Brown	Donald Slinden, Jr.

c. The polling place for the City of Grove City shall be the Grove City Community Center.

d. The election judges in the City of Grove City shall be:

Kristi Dragt	Diane Schultz
Lois Turgeon	Nancy Crowe

IT IS FURTHER ORDERED THAT:

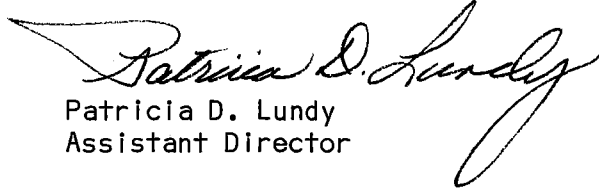
1. The Chief Election Judge shall cause a copy of this order, a copy of the Municipal Board Order dated May 25, 1984, and a Notice of Election to be posted not less than 20 days before the election in three public places in the City of Grove City and in three public places in Acton Township and submit proof thereof to the Municipal Board.

IT IS FURTHER ORDERED THAT:

The Chief Election Judge shall cause a Notice of Election to be published for two successive weeks before the election in the newspaper qualified as a medium of official and legal publication of general circulation in the area described herein and submit proof to the Municipal Board.

Dated this 25th day of May, 1984.

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


Patricia D. Lundy
Assistant Director

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

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IN THE MATTER OF THE PETITION FOR)	
THE ANNEXATION OF CERTAIN LAND TO)	
THE CITY OF GROVE CITY PURSUANT)	<u>FINDINGS OF FACT,</u>
TO MINNESOTA STATUTES 414)	<u>CONCLUSIONS OF LAW,</u>
	<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 July 27, 1983 and March 7, 1984, at Grove City, Minnesota. The July 27, 1983 hearing was conducted by Terrence A. Merritt, Executive Director, and the March 7, 1984 hearing was conducted by Robert J. Ferderer, Chairman, pursuant to Minnesota Statutes 414.01, Subdivision 12. Also in attendance at the July 27, 1983 hearing were Kenneth F. Sette, Vice Chairman and County Commissioners Jerome Waters and C. Alvin Johnson, Ex-Officio Members of the Board. Also in attendance at the March 7, 1984 hearing were Kenneth F. Sette, Vice Chairman and Richard A. Sand, Commissioner. The City of Grove City appeared by and through Larry K. Houk, the Town of Acton appeared by and through Kenneth Pearson, Township Clerk, and the Town of Swede Grove appeared by and through Cletus Hoechler, Township Chairman. 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. On May 27, 1983, a resolution of the annexing municipality was received by the Minnesota Municipal Board requesting the Board to order annexation of the area hereinafter described. The resolution contained all of the information required by statute including a description of the property subject to annexation which is as follows:

Lots P, Q, R, S, T, U, V, Lawson's Subdivision; all that certain unplatted territory located in the Northeast Quarter of the Northeast Quarter, Section 3, Township 119, Range 32, which lies Southerly of that portion thereof platted as Lawson's Subdivision, and Northerly of that portion thereof platted as Bengston's Addition; and, the South 565.1 feet of the East 923.0 feet, and the South 33.0 feet of the East 1,053.4 feet of the Southeast Quarter of the Southeast Quarter (SE 1/4 of the SE 1/4), Section Thirty-four (34), Township One Hundred Twenty (120), Range Thirty-two (32).

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

3. On May 7, 1984, the Minnesota Municipal Board, at a meeting to review the evidence on the matter, reduced the area under consideration to the following described property, which is the subject of the remaining Findings of Fact, Conclusions of Law and Order herein:

That portion of the following described property north of the center line of Highway 12:

Lots P, Q, R, S, T, U, V, Lawson's Subdivision; all that certain unplatted territory located in the Northeast Quarter of the Northeast Quarter, Section 3, Township 119, Range 32, which lies Southerly of that portion thereof platted as Lawson's Subdivision, and Northerly of that portion thereof platted as Bengston's Addition; and, the South 565.1 feet of the East 923.0 feet, and the South 33.0 feet of the East 1,053.4 feet of the Southeast Quarter of the Southeast Quarter (SE 1/4 of the SE 1/4), Section Thirty-four (34), Township One Hundred Twenty (120), Range Thirty-two (32).

4. The area subject to annexation is unincorporated, approximately 17.25 acres in size and abuts the City of Grove City by approximately 20% of its border.

5. The area proposed for annexation is fairly level land with the southern portion being sandy soil, the northern portion being somewhat wet and unsuitable for septic tanks.

6. In 1970, the City of Grove City had a population of 531, in 1980 its population was 593, and its current estimated population is 592.

7. In 1970, the Town of Acton had a population of 394, in 1980 its population was 475, and its current estimated population is 479.

8. In 1970, the Town of Swede Grove had a population of 435, in 1980 its population was 409, and its current estimated population is 431.

9. The area subject to annexation had a population in 1970 and 1980 of 2, and its current population is 0.

10. The City of Grove City is approximately 100% developed, with approximately 80% of the development residential in nature, and the remaining 20% of the development commercial/industrial in nature.

11. Acton Township has land in use for residential purposes, institutional purposes, commercial purposes, industrial purposes, and agricultural purposes.

12. Swede Grove Township has land in agricultural use and institutional use.

13. In the annexation area, there is 12.11 acres of institutional use located in Swede Grove Township and approximately 5.14 acres of commercial development in Acton Township.

14. The City of Grove City has subdivision and zoning regulations.

15. Meeker County has a zoning ordinance which presently controls the annexation area.

16. The present use of the area proposed for annexation is consistent with the zoning for the adjacent land in the City of Grove City.

17. The City of Grove City provides its residents with water, sanitary sewer, solid waste collection, fire protection, police protection, street improvements and maintenance, administrative services, recreational opportunities, electricity, and storm sewer service for a very small portion of the city.

18. The City of Grove City presently provides the area subject to annexation with solid waste collection and disposal, fire protection, police protection, street improvements and maintenance, administrative services, recreational opportunities, electricity, water and sanitary sewer.

19. The Town of Acton presently provides the annexation area with street improvements and maintenance and administrative services. The township does pay for a portion of fire protection costs.

20. The Town of Swede Grove provides the annexation area with street improvements and maintenance and administrative services.

21. The City of Grove City is willing to provide the annexation area with all the services it presently provides all the residents of the city, which the annexation area is not currently receiving, if the property is annexed. The city is willing to continue

providing those services to the annexation area which it presently provides, if the property is annexed.

22. The mill levy for the County of Meeker is 17.6. The 1982 mill levy for the City of Grove City is 57.93. The 1982 mill levy for the Town of Acton is 3.38. The 1982 mill levy for the Town of Swede Grove is 3.95. The 1982 school district mill levy is 37.27. The Special Taxing District mill levy in 1982 is .135.

23. The assessed valuation of the City of Grove City in 1982 was \$1,252,102.

24. In 1982, the assessed valuation of the Town of Acton was \$5,518,171.

25. In 1982, the assessed valuation of the Town of Swede Grove was \$5,808,592.

26. In 1982, the assessed valuation for the area under consideration for annexation from Swede Grove Township was approximately \$11,866.

27. As of January 1, 1983, the City of Grove City had a total bonded indebtedness of \$240,000.

28. As of January 1, 1983, the Town of Acton and the Town of Swede Grove had no bonded indebtedness.

29. Swede Grove and Acton Township can continue to function without the area subject to annexation.

30. The City of Grove City is the only municipality adjacent to the area proposed for annexation.

31. The proposed annexation will have no impact on the school district, which serves the area proposed for annexation and the City of Grove City.

32. All necessary governmental services can best be provided to

the area subject to annexation by annexation to the City of Grove City.

33. The majority of the property owners in the area subject to annexation have not petitioned the Minnesota Municipal Board requesting annexation.

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

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

4. The best interests of the area subject to annexation will be furthered by annexation.

5. The remainder of the Town of Acton can carry out the functions of government without undue hardship.

6. There is a reasonable relationship between the increase in values for the City of Grove City and the value of benefits conferred upon the area subject to annexation.

7. The City of Grove City is the only city adjacent to the area proposed for annexation, therefore the 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.

8. Pursuant to Minnesota Statutes 414.035, the mill levy step-up for the area proposed for annexation is 3 years.

9. This Minnesota Municipal Board Order is subject to an annexation election.

10. An order should be issued by the Minnesota Municipal Board annexing the area described in Findings of Fact 3, herein.

O R D E R

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

That portion of the following described property north of the center line of Highway 12:

Lots P, Q, R, S, T, U, V, Lawson's Subdivision; all that certain unplatted territory located in the Northeast Quarter of the Northeast Quarter, Section 3, Township 119, Range 32, which lies Southerly of that portion thereof platted as Lawson's Subdivision, and Northerly of that portion thereof platted as Bengston's Addition; and, the South 565.1 feet of the East 923.0 feet, and the South 33.0 feet of the East 1,053.4 feet of the Southeast Quarter of the Southeast Quarter (SE 1/4 of the SE 1/4), Section Thirty-four (34), Township One Hundred Twenty (120), Range Thirty-two (32).

2. IT IS FURTHER ORDERED: On June 26, 1984, which is 32 days after the entry date of this order, a public election, to be conducted as provided by law, shall be held in the entire City of Grove City and the entire Town of Acton, which is the area that has been determined by the Minnesota Municipal Board to be primarily and substantially interested in or affected by the Minnesota Municipal Board order. Further, any person eligible to vote at a township or municipal election is eligible to vote at such an election. The ballot for said election shall conform substantially to the following:

☐ For Annexation

☐ Against Annexation

3. IT IS FURTHER ORDERED: That Kristi Dragt is hereby appointed as Chief Election Judge and Kenneth Pearson is hereby appointed as Deputy Chief Election Judge. Further, a Supplemental Order of the Board shall be issued appointing election judges and naming polling places. The local judges shall conduct the election so far as practicable in accordance with the laws regulating special elections. Further, the referendum shall be conducted as provided for in Minnesota Statutes 414.031, Subdivision 5. The polls shall be open from 7:00 a.m. to 8:00 p.m.

4. IT IS FURTHER ORDERED: That the mill levy for the City of Grove City 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.

5. IT IS FURTHER ORDERED: That the annexation herein be effective June 27, 1984 provided that a majority of the votes are cast "for annexation." The Municipal Board shall upon receipt of the certificate of election results, notify all parties of record of the election results.

6. IT IS FURTHER ORDERED: That the effective date of this order is May 25, 1984.

Dated this 25th day of May, 1984.

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


Terrence A. Merritt
Executive Director

M E M O R A N D U M

The Minnesota Municipal Board takes this opportunity to note that the City of Grove City presently does not possess an up-to-date plan for its future development and land use. The Board hopes that the city will take the necessary steps to insure that it does develop a plan which will assist the city in shaping its own destiny while efficiently delivering services to areas within the city and also planning for delivery of services to areas adjacent to the city, should those areas develop and need such services.

5-25-84 TAM