



**STATE OF MINNESOTA
MUNICIPAL BOARD**

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

MEMORANDUM

TO: Parties of Record and Interested Parties
FROM: Patricia D. Lundy, Assistant Director *pdl*
DATE: July 10, 1984
SUBJECT: A-4016 Grove City Annexation
(Commonly known as Starktown.)

This is to inform you that pursuant to Municipal Board Order dated May 3, 1984 and Supplemental Order For Election dated May 22, 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 | 0 | 90 |
| City of Grove City | <u>73</u> | <u>52</u> |
| TOTAL | <u>73</u> | <u>142</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 3, 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:

⑥ 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:

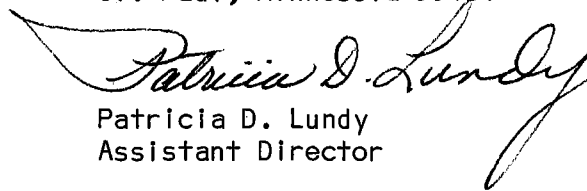
The Chief Election Judge shall cause a copy of this order, a copy of the Municipal Board Order dated May 3, 1984, and a Notice of Election to be posted not less than 20 days before the election in three public places in the City of Grove City and in three public places in Acton Township and submit proof 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 22nd 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

| | |
|--------------------|-------------------|
| 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) | <u>FINDINGS OF FACT,</u> |
| THE ANNEXATION OF CERTAIN LAND TO) | <u>CONCLUSIONS OF LAW,</u> |
| THE CITY OF GROVE CITY PURSUANT) | <u>AND ORDER</u> |
| TO MINNESOTA STATUTES 414) | |

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on July 27, 1983, at Grove City, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director, pursuant to Minnesota Statutes 414.01, Subdivision 12. Also in attendance were Kenneth F. Sette, Vice Chairman, and County Commissioners Jerome Waters and C. Alvin Johnson, Ex-Officio Members of the Board. The City of Grove City appeared by and through Larry K. Houk, and the Town of Acton appeared by and through Kenneth Pearson, Township Clerk. 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 the information required by statute including a description of the property subject to annexation which is as follows:

Lots E, F, G, H, I, K, L, M, N, and O, Lawson's Subdivision;
Lot D Lawson's Subdivision, (also known as the Northeast ten

(10) acres of the Northwest Quarter (NW $\frac{1}{4}$), Section Three (3), Township One hundred nineteen (119) North, Range Thirty-two (32) west of the Fifth Principal Meridian); Lots 1 and 2 of Lot C, Lawson's Subdivision, (also know as Lots 1 and 2 of the Village of Grove City, Subdivision of a part of Section Three (3), Township One hundred nineteen (119), Range Thirty-two (32)); and that portion of the East one-half of the Northwest Quarter (E $\frac{1}{2}$ of the NW $\frac{1}{4}$), Section Three (3), Township One hundred nineteen (119), Range Thirty-two (32) lying northerly of Trunk Highway No. 12, except that portion thereof platted as Lawson's Subdivision, and except that portion thereof platted as Village of Grove City.

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

3. The area subject to annexation is unincorporated, approximately 51.3 acres in size, and abuts the City of Grove City by approximately 69% of its border.

4. The area proposed for annexation is sandy soil with some hilly terrain.

5. 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.

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

7. In 1970, the area subject to annexation had a population of 10, in 1980 its population was 12, and its current estimated population is 15.

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

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

10. In the annexation area, there is 11.7 acres of residential use, 14 acres of institutional use, 4.3 acres of commercial use, and 21.7 acres of agricultural use.

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

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

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

14. 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.

15. 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, as well as water and sanitary sewer to a portion of the annexation area.

16. 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 the fire protection costs.

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

18. 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 school district mill levy is 37.27. The Special Taxing District mill levy in 1982 is .135.

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

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

21. In 1982, the assessed valuation of the area proposed for annexation was \$59,347.

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

23. As of January 1, 1983, the Town of Acton had no bonded indebtedness.

24. Acton Township can continue to function without the area subject to annexation.

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

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

27. All necessary governmental services can best be provided to the area subject to annexation by annexation to the City of Grove City.

28. 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 1, herein.

O R D E R

1. IT IS HEREBY ORDERED: That the property described in Findings of Fact 1, herein, 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.

2. IT IS FURTHER ORDERED: On June 26, 1984, which is 54 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 of 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 population of the City of Grove City has been increased by 15 persons.

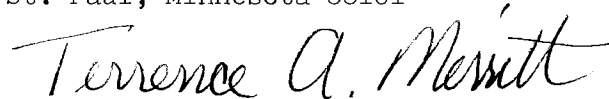
6. IT IS FURTHER ORDERED: That the population of the Town of Acton has been decreased by 15 persons.

7. 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.

8. IT IS FURTHER ORDERED: That the effective date of this order is May 3, 1984.

Dated this 3rd day of May, 1984.

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