

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Robert J. Ferderer	Chairman
Kenneth F. Sette	Vice Chairman
Richard A. Sand	Commissioner
Earl Larson	Ex-Officio Member
Richard Post	Ex-Officio Member

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

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 January 14, 1985 at New London, 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 Richard Post and Earl Larson, Ex-Officio Members of the Board. The City of New London appeared by and through Timothy S. Johnson and the Town of New London appeared by and through Burt McBroom, Town Board 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 August 8, 1984, a copy of a petition for the annexation by the sole property owner was filed with the Minnesota Municipal Board. The petition contained all the information required by statute including a description of the area proposed for annexation which is as follows:

Parcel A and Parcel B of the plat of Kandiyohi County W.A. No. 47. More particularly described as: Property located in the Northeast Quarter of the Southeast Quarter of Section 9, Township 121 North, Range 34 West. Beginning at the East Quarter corner of Section 9, Township 121 North, Range 34 West, thence North $85^{\circ} 10'$ West 308.0 feet, thence South $4^{\circ} 50'$ West 220.08 feet, thence South $85^{\circ} 10'$ East 319.34 feet, thence North $1^{\circ} 53'$ East 220.37 feet to the point of beginning.

An objection to the proposed annexation was received by the Minnesota Municipal Board from New London Township on October 5, 1984. The Municipal Board upon receipt of this objection conducted further proceedings in accordance with M.S. 414.031, Subdivisions 3 and 4 as required by M.S. 414.033, Subdivision 3.

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

3. The area proposed for annexation is unincorporated, approximately 1.42 acres in size, and abuts the City of New London for approximately 50% of its total border.

4. The area proposed for annexation has two single-family residences on it. There is one residence per lot.

5. The City of New London had a population of 712 in 1970, 812 in 1980, and its present population is approximately 850.

6. The present population of the Town of New London is approximately 2,300.

7. The area proposed for annexation has a present population of five.

8. The City of New London has land in residential use, institutional use, and commercial/industrial use.

9. The Town of New London has approximately 17% of its land in agricultural use and the remaining land in residential or commercial use.

10. The area proposed for annexation is used for residential purposes

with no land available for any other form of development.

11. The city has a zoning ordinance that is approximately one year old, a comprehensive plan within the zoning ordinance, and the city council serves as the planning commission.

12. The zoning for the area proposed for annexation would remain residential if it were annexed to the city.

13. The County of Kandiyohi does the planning and zoning for the Town of New London.

14. Land within the City of New London immediately adjacent to the area proposed for annexation is used for residential purposes.

15. The City of New London presently provides its residents with water, sewer, police protection, fire protection, street improvements and maintenance, in some areas storm sewers and administrative services.

16. The City of New London presently provides the area proposed for annexation with water, sewer, fire protection through a contract which the Town of New London has with the city, maintenance and improvements of the streets immediately adjacent to the area proposed for annexation, and street lights.

17. The Town of New London presently provides the area proposed for annexation with fire protection through a contract with the City of New London.

18. The area proposed for annexation has previously been owned by the Federal Government, Department of the Interior, and leased to the State of Minnesota for housing for employees at the State Fish Nurseries.

19. The mill levy for the Town of New London is 24.661.

20. The Kandiyohi County mill levy is 22.962.

21. The school district mill levy for the area proposed for annexation as well as the City of New London is 54.499.

The mill levy for the Special Taxing District is .128.

22. The mill levy for the City of New London is 42.541.

The bonded indebtedness for the City of New London is approximately \$250,000.

23. The City of New London is the only municipality adjacent to the area proposed for annexation. The annexation of the area proposed for annexation to New London would not have any impact on any other municipalities.

24. The annexation of the area proposed for annexation to the City of New London is consistent with the City of New London's Comprehensive Plan.

25. New London Township can continue to function without the area proposed for annexation.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.

2. The area proposed for 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 proposed for annexation.

4. The best interests of the area proposed for annexation will be furthered by annexation.

5. The remainder of the Town of New London can carry on the functions of government without undue hardship.

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

7. An order should be issued by the Minnesota Municipal Board annexing

the area described herein.

O R D E R

1. IT IS HEREBY ORDERED: That the property described in Findings of Fact 1 herein, be and the same is hereby annexed to the City of New London, Minnesota the same as if it had been originally a part thereof.

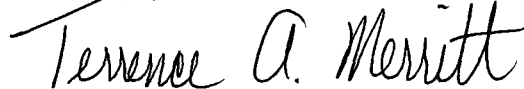
2. IT IS FURTHER ORDERED: That the population for the City of New London is increased by 5 persons.

3. IT IS FURTHER ORDERED: That the population for the Town of New London is decreased by 5 persons.

4. IT IS FURTHER ORDERED: That the effective date of this order is May 13, 1985.

Dated this 13th day of May, 1985.

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

A handwritten signature in cursive script that reads "Terrence A. Merritt". The signature is written in dark ink and is positioned above the printed name and title.

Terrence A. Merritt
Executive Director