

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
Harold Lerschen	Ex-Officio Member
Paul Knoblauch	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)	
BETWEEN THE CITY OF MARSHALL AND THE)	<u>FINDINGS OF FACT,</u>
TOWNSHIP OF LAKE MARSHALL FOR THE)	<u>CONCLUSIONS OF LAW,</u>
ORDERLY ANNEXATION OF CERTAIN LAND TO)	<u>AND ORDER</u>
THE CITY OF MARSHALL)	

The above-entitled matter came on for hearing before the Minnesota Municipal Commission pursuant to Minnesota Statutes 414, as amended, on June 19, 1974 at the Marshall City Hall, Marshall, Minnesota. The City of Marshall appeared by and through Glenn Catlin, City Attorney. No one appeared in opposition to the annexation. The hearing was conducted by Thomas J. Simmons, Chairman of the Minnesota Municipal Commission pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Harold Lerschen and Paul Knoblauch, Ex-Officio Members of the Commission. Testimony was heard and records and exhibits were received.

After due and careful consideration of all evidence, together with all records, files and proceedings, and being fully advised in the premises, the Minnesota Municipal Commission hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

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

2. That the area proposed to be annexed is unoccupied and will experience Highway Department development in the near future.

3. That the City of Marshall does now provide to the area proposed for annexation the following services:

- a. Fire Protection
- b. Planning and Zoning

4. That the City of Marshall is capable of and it is practical for it to provide to the area proposed for annexation the following municipal services within the next three (3) years:

- a. Water
- b. Sewer
- c. Police Protection
- d. Municipal Hospital
- e. Municipal Nursing Home

CONCLUSIONS OF LAW

1. The Minnesota Municipal Commission 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.

3. The City of Marshall is capable of providing the services required by the area described herein within a reasonable time.

O R D E R

IT IS HEREBY ORDERED: That the following described property lying in the Township of Lake Marshall, County of Lyon, State of Minnesota, be and the same hereby is annexed to the City of Marshall the same as if it had originally been made a part thereof:


That part of the Southerly 1,604.61 feet of the Westerly 1,273.35 feet of the NW¼ of Section 2, Township 111 North, Range 41 West, Lyon County, Minnesota; lying Northerly of the center line of State Highway No. 19 and lying Easterly of the Easterly right-of-way line of State Highway No. 23; except the following parcel of land located therein and described as follows: Beginning at a point

1,180 feet North of the center of Trunk Highway No. 19 and on the East right-of-way line of Trunk Highway No. 23; thence East 370 feet; thence Southeast $42^{\circ}30'$ 230 feet; thence Southwest $87^{\circ}30'$ 395 feet; thence West $50^{\circ}00'$ 310 feet; thence North 440 feet to the point of beginning.

IT IS FURTHER ORDERED: That the mill levy of the City of Marshall on the property herein ordered annexed shall be increased in substantially equal proportion over a period of three (3) years to equality with the mill levy of the property already within the City.

Dated this 23rd day of July, 1974

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
St. Paul, Minnesota 55101


Howard L. Kaibel, Jr.
Executive Secretary