

BEFORE THE MUNICIPAL BOARD  
OF THE STATE OF MINNESOTA

Robert J. Ferderer	Chairman
Robert W. Johnson	Vice Chairman
Kenneth F. Sette	Member
Michelle Bogenrief	Ex-Officio Member
Paul McAlpine	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION	)	
BETWEEN THE CITY OF BUFFALO AND THE	)	
TOWN OF BUFFALO FOR THE ORDERLY ANNEXA-	)	FINDINGS OF FACT,
TION OF CERTAIN LAND TO THE CITY OF	)	CONCLUSIONS OF LAW,
BUFFALO	)	AND ORDER

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on September 15, 1982, at Buffalo, Minnesota. The hearing was conducted by Robert J. Ferderer, Chairman, pursuant to Minnesota Statutes 414.01, Subdivision 12. Also in attendance were Robert W. Johnson, Vice Chairman of the Board, and County Commissioners Paul McAlpine and Michelle Bogenrief, Ex-Officio Members of the Board. The City of Buffalo appeared by and through Roger Tesch, the property owners appeared by and through Kim Johnson, and Town Board Chairman, Ralph Ordorff represented the Town of Buffalo. 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. That a joint resolution for orderly annexation was adopted by the City of Buffalo and the Town of Buffalo and duly accepted by the Minnesota Municipal Board.

II. A resolution was filed by one of the signatories to the joint resolution, the City of Buffalo, on June 24, 1982, requesting the annexation of certain property within the orderly annexation area. The resolution contained all of the information required by Statute including a description of the property subject to annexation which is as follows:

The South Three Tenths of West Five Eighths of  
Northwest Quarter of Northwest Quarter of Section  
33, Township 120, Range 25.

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

IV. The area subject to annexation is unincorporated, within the orderly annexation agreement area, approximately 7.5 acres in size and abuts the City of Buffalo by approximately 66%.

V. The land is somewhat low, level terrain that is well drained. The soils are the Lester-LeSuerr-Cordova Association.

Presently the land is vacant.

In 1970, the City's population was 3,275, its population in 1980 was 4,560, and its current population is 4,568.

VI. The Town of Buffalo had a population of 1,236 in 1970 and a population of 1,870 in 1980.

VII. There has been no population in the area subject to annexation in 1970, 1980 or presently.

VIII. Presently the annexation area is used for agricultural purposes, with an anticipated institutional use.

The area is designated as public/semi-public on the Buffalo Comprehensive Plan. On the Wright County/Buffalo Township Plan it is zoned agricultural. Its proposed use as a church school is compatible with the Buffalo Comprehensive Plan.

IX. The City of Buffalo presently provides its residents with water, sanitary sewer, storm sewer, solid waste collection and disposal, fire protection, police protection, street improvement and maintenance, administrative services and recreational opportunities.

X. The City of Buffalo presently provides the area subject to annexation with street maintenance, recreational opportunities, and fire protection on a contract basis.

XI. The City of Buffalo is willing to provide the area subject to annexation if annexed with water, sanitary sewer, solid waste collection and disposal, fire protection, police protection, administrative services and recreational opportunities. Street improvements and street maintenance are serviced by the County of Wright.

XII. The Town of Buffalo provides the area proposed for annexation with fire protection through a contract with the City of Buffalo and administrative services.

XIII. Presently the Buffalo Rodeo Grounds and Softball Fields are located adjacent to or within close proximity to the area proposed for annexation, and the present transportation network is adequate to handle peak loads from these recreational facilities. It is anticipated no further highway network will be necessary.

XIV. The present City of Buffalo assessed valuation is \$21,008,713, and its mill levy is 13.481.

XV. The assessed valuation for the Town of Buffalo in 1982 is \$10,031,001 with a mill levy of 9.969.

XVI. The assessed valuation for the area proposed for annexation in 1982 is \$8,800.

XVII. The mill levy of the County of Wright in 1982 is 26.271. The mill levy for the school district in 1982 is 50.884.

XVIII. The City of Buffalo has a bond indebtedness of \$3,080,630 with the Town of Buffalo having no present bond indebtedness.

XIX. The fire insurance rating for the City of Buffalo is 6 and the Town of Buffalo is 8.

XX. The Township does not have the ability to provide public sewer and water to the area proposed for annexation.

XXI. The City of Buffalo is the only municipality adjacent to the area proposed for annexation.

XXII. The annexation is consistent with the joint resolution for orderly annexation between the Town of Buffalo and the City of Buffalo.

XXIII. The Town of Buffalo can continue to function without undue hardship if the area proposed for annexation is annexed.

#### 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. The existing township form of government is not adequate to protect the public health, safety, and welfare of the area proposed for annexation.

IV. The annexation would be in the best interests of the area proposed for annexation.

V. The annexation is consistent with the terms of the joint resolution for orderly annexation.

VI. Three years will be required to effectively provide full municipal services to the annexed area or to comply with the terms and conditions of the orderly annexation agreement as it relates to the mill levy step up.

VII. 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 herein in Findings of Fact II be and the same hereby is annexed to the City of Buffalo, Minnesota, the same as if it had been originally a part thereof.

II. IT IS FURTHER ORDERED: That the mill levy of the City of Buffalo 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.

III. IT IS FURTHER ORDERED: That the effective date of this order is November 12, 1982.

Dated this 12th day of November, 1982.

MINNESOTA MUNICIPAL BOARD  
165 Metro Square Building  
St. Paul, MN 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