

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
Lowell Zachman	Ex-Officio Member
LeRoy Engstrom	Ex-Officio Member

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

The above-entitled matter came on for hearing before the Minnesota Municipal Commission pursuant to Minnesota Statutes 414, as amended, on December 11, 1974, at Buffalo, Minnesota. The City of Buffalo appeared by and through Roger A. Tesch, its City Attorney. Kim Johnson, Attorney at Law, appeared on behalf of certain property owners. The hearing was conducted by Gerald J. Isaacs, Member of the Minnesota Municipal Commission before a quorum of the Commission. Also in attendance were County Commissioners Lowell Zachman and LeRoy Engstrom, 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 characterized by commercial development and will experience further development in the near future.

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

fire protection
park and recreation
airport
hospital and library
water and sewer

4. That the City of Buffalo 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:

police
garbage
ambulance service
planning and zoning
electricity

5. The population of the area proposed for annexation is none.

6. The 1974 assessed value for taxes payable in 1975 for the property proposed for annexation is \$215.

7. The taxes levied on the area proposed for annexation by the town is 2.89 mills.

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 Buffalo 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 Buffalo, County of Wright, State of Minnesota, be and the same hereby is annexed to the City of Buffalo the same as if it had originally been made a part thereof:

Commencing at the Northeast corner of the Northeast Quarter of the Southwest Quarter of Section 29, Township 120, Range 25, Wright County, Minnesota; thence West (assumed bearing) along the North line thereof a distance of 522.84 feet for a point of beginning of herein described tract; thence continuing West a distance of 175.0 feet to the Northeast corner of a tract of land recorded in Book 219 of Deeds, pages 501-502; thence South along the East line of said described tract a distance of 282.91 feet; thence East parallel with the North line of said Southwest Quarter a distance of 175.0 feet; thence North 282.91 feet more or less to the point of beginning, containing 1.13 acres more or less.

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 proportion over a period of three years to equality with the mill levy of the property already within the City. In the year following annexation the increase in the mill rate for city purposes on the property annexed shall not exceed $1/3$ of the difference between the current mill levy for city and township purposes. In the second year following annexation the increase in the mill rate on the property annexed shall not exceed $1/2$ of the then existing difference between the mill levy on the property annexed and the full mill levy for city purposes. In the third year following annexation the property annexed shall be taxed at the full city rate.

Dated this 6th day of January, 1975

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


Patricia D. Lundy
Asst. Executive Secretary