

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
Gordon Burkland	Ex-Officio Member
Walter Barfnecht	Ex-Officio Member

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

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on August 9th at Buffalo, Minnesota. The hearing was conducted by William A. Neiman, Executive Secretary, pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance was County Commissioner Walter Barfnecht, ex-officio member of the Board. The City of Buffalo appeared by and through Roger Tesch, City Attorney, and Mr. Murley Olson spoke in behalf of Buffalo Township, and Mr. Allen Thomson, the sole property owner, was represented by Mr. Kim Johnson, Attorney at Law. 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. That a joint resolution for orderly annexation was adopted by the City of Buffalo and the Township of Buffalo and duly filed with the Minnesota Municipal Board.
2. A resolution was filed by one of the signatories to the joint resolution, the City of Buffalo, on June 15, 1976 requesting annexation of certain properties within the orderly annexation area. The resolution contained all the information required by statute including a description

of the territory subject to annexation which is as follows:

The South 100 feet of the North 300 feet of Government Lot 4 in Section 16, Township 120, Range 25 lying and being West of a public highway running Northerly and Southerly through said Government Lot 4 as now established, containing one acre more or less.

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

4. Geographic Features

- a. The area subject to annexation is unincorporated and abuts the City of Buffalo and is within the orderly annexation area.
- b. The total area of the territory subject to annexation is about one acre.
- c. The degree of contiguity of the boundaries between the annexing municipality and the proposed annexed property is as follows: about 50%

5. Population Data - The area subject to annexation has one property owner, who petitioned the city for annexation, and six persons reside on the property.

6. Development Issues - The parcel already has a single family home, and no further development is contemplated.

7. Governmental Services

- a. The City of Buffalo can make available all municipal services, including utilities.
- b. That the City of Buffalo is capable of and it is practical for it to provide to the area proposed for annexation the listed municipal services within the next three years.

8. Tax Issues - The assessed valuation of the property is \$8,450.00, and the township mill levy is 2.48.

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.

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

4. The mill levy of the annexing municipality on the area proposed

for annexation should be increased in substantially equal proportions over a three year period.

5. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

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:

The South 100 feet of the North 300 feet of Government Lot 4 in Section 16, Township 120, Range 25 lying and being West of a public highway running Northerly and Southerly through said Government Lot 4 as now established, containing one acre more or less.

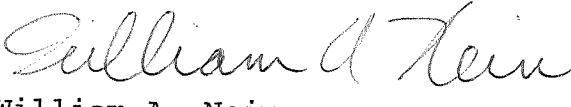
IT IS FURTHER ORDERED: That the mill levy of the City of Buffalo on the property herein ordered annexed shall be increased in substantially equal proportions over a period of three years to equality with the mill levy of the property already within the City.

IT IS FURTHER ORDERED: That the population of the City of Buffalo be and the same hereby is increased by six (6) persons for all purposes until the next Federal Census.

IT IS FURTHER ORDERED: That the population of the Township of Buffalo be and the same hereby is decreased by six (6) persons for all purposes until the next Federal Census.

Dated this 20th day of October, 1976

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
Saint Paul, Minnesota 55101


William A. Neiman
Executive Secretary