

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 )     | <u>CONCLUSIONS OF LAW,</u> |
| CITY 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 October 27, 1976 at Buffalo, Minnesota. The hearing was conducted by William A. Neiman pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance was County Commissioner Gordon Burkland, ex-officio member of the Board. The City of Buffalo appeared by and through Roger Tesch and several property owners appeared by and through Kim Johnson. 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 September 20, 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:

That part of Government Lots 3 and 4, Section 16, Township 120, Range 25, lying and being West of a public highway running Northerly and Southerly through said Government Lots 3 and 4 as now established; and bounded on the South

by the South line of the North 200 feet of said Government Lot 4 and bounded on the North by a straight line drawn from said road West to the East shore of Lake Pulaski parallel with and 388 feet North of the Southerly line of said Government Lot 3 and bounded on the West by the shoreline of Lake Pulaski, containing 8.2 acres 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.
- b. The total area of the territory subject to annexation is approximately seven (7) residential lots.
- c. The degree of contiguity of the boundaries between the annexing municipality and the proposed annexed property is as follows: a small percentage.
- d. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is as follows: the lots abut Lake Pulaski.

5. Population Data - The area subject to annexation has eleven (11) permanent residents. Five of the seven property owners support the annexation.

6. Development Issues - The area subject to annexation is fully developed with five (5) permanent residents and two (2) seasonal cabins.

7. Governmental Services

- a. Plans to extend municipal services to the area subject to annexation include the following: All services will be made available in the immediate future.
- b. There are existing or potential pollution problems which are: Pollution of Lake Pulaski by private sewers. The following additional services will help resolve this situation: City sewer.
- c. That the City of Buffalo is capable of and it is practical for it to provide to the area proposed for annexation municipal services within the next three (3) years.

8. Fiscal Data

- a. In the area subject to annexation, the assessed valuation is \$63,072 and the mill rate is 2.48.
- b. Will the annexation have any effect upon area school districts? No.

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 (3) 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:

That part of Government Lots 3 and 4, Section 16, Township 120, Range 25, lying and being West of a public highway running Northerly and Southerly through said Government Lots 3 and 4 as now established; and bounded on the South by the South line of the North 200 feet of said Government Lot 4 and bounded on the North by a straight line drawn from said road West to the East shore of Lake Pulaski parallel with and 388 feet North of the Southerly line of said Government Lot 3 and bounded on the West by the shoreline of Lake Pulaski, containing 8.2 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 proportions over a period of three (3) 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 11 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 11 for all purposes until the next Federal Census.

IT IS FURTHER ORDERED: That the effective date of this order is December 21, 1976.

Dated this 21<sup>st</sup> day of December, 1976

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

A handwritten signature in black ink, reading "William A. Neiman". The signature is written in a cursive style with a long, sweeping tail on the final letter.

William A. Neiman  
Executive Secretary