

BEFORE THE MUNICIPAL BOARD  
OF THE STATE OF MINNESOTA

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

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

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on October 31, 1977, at Buffalo, Minnesota. The hearing was conducted by William A. Neiman pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Lowell Zachman and Paul McAlpine, ex-officio members of the Board. The City of Buffalo appeared by and through Thomas P. Lilja, Esq., and Thor Meyer, Buffalo City Engineer, Gerard Melgaard, Buffalo City Mayor, Wallace I. Peterson, Buffalo City Clerk, and Brad Lund, representing the property owners. The Town of Buffalo was represented by Chairman Ralph Ordorff and James Welderly. 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, City of Buffalo, on August 15, 1977, 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 the South  $\frac{3}{4}$  of the East Half of the Southeast Quarter and that part of the South Half of the Southwest Quarter of the Southeast Quarter all in Section 18, Township 120, Range 25, Wright County, Minnesota, which lies South-easterly and Southerly of the center line of Minnesota State Highway Number 25 except that part described as follows: Beginning on the East line of said Section 18, 453.40 feet North of the Southeast corner thereof; thence continuing North on the last described course 195.00 feet; thence South  $86^{\circ}30'$  West, 227.00 feet; thence South parallel with said East line of said Section 18, 195.00 feet; thence Easterly 227.00 feet more or less, to the point of beginning, Subject to a 27.8 foot ingress and egress easement lying North of and adjoining the above described exception.

ALSO:

That part of the north 65 acres of the  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$  of Section 19, Township 120, Range 25, Wright County, Minnesota described as follows: Beginning at the northeast corner of said  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$ ; thence  $S\ 0^{\circ}\ 53'\ 09''\ W$ , assumed bearing along the east line of said  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$ , a distance of 689.00 feet; thence  $N\ 89^{\circ}06'51''\ W$ , a distance of 32.06 feet; thence  $N\ 89^{\circ}52'58''\ W$ , parallel with the north line of said  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$ , a distance of 146.50 feet; thence  $N0^{\circ}53'09''\ E$ , a distance of 32.12 feet to a line parallel with and distance 656.46 feet south of the north line of said  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$ ; thence  $N\ 89^{\circ}52'58''\ W$  along said parallel line, a distance of 1514.37 feet to center line of Minnesota State Highway Number 25; thence northeasterly along said center line, a distance of 717.87 feet to the north line of said  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$ ; thence  $S\ 89^{\circ}52'58''\ E$  along said north line, a distance of 1412.26 feet to the point of beginning. Containing 23.65 acres and subject to the right of way of the Buffalo and Monticello road (now known as Wright County Highway Number 114) over the southeasterly corner thereof.

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 City of Buffalo is 1,287 acres.  
The total area of the territory subject to annexation is 56.94 acres.
- c. The degree of contiguity of the boundaries between the annexing municipality and the proposed annexed property is as follows: The area proposed for annexation abuts the boundaries of the City of Buffalo on its Northerly side.
- d. The natural terrain of the area is as follows: The area is primarily gently rolling farm land with some low lying portions and is normal mixed clay and loam type soil.

#### 5. Population Data

a. The City of Buffalo

- 1) Past population growth: 1960 - 2,322; 1970 - 3,275
- 2) Present population: 4,500
- 3) Projected population: 1980 - 4,492; 1990 - 6,483;  
2000 - 9,040

b. The area subject to annexation has no population at the present time and there is no projected population as the use contemplated is for medical facilities only, and no residential construction.

6. Development Issues

a. What, if any, are the comprehensive plans for the development of the property proposed for annexation and/or the annexing municipality, including development projected by the state planning agency? The area proposed for annexation identifies with the existing comprehensive plan of the City of Buffalo for development of medical facilities thereon.

b. What land use controls are presently being employed?

1) In the City of Buffalo:

- a. Zoning - Yes
- b. Subdivision regulations - Yes
- c. Housing and building codes - Yes

2) In the area to be annexed:

- a. Zoning - No
- b. Subdivision regulations - No
- c. Housing and building codes - No

c. Does the City require future growth space? Yes. If so, will the area subject to annexation provide the City of Buffalo with necessary growth space? No; however, the area proposed for annexation will be used for proposed new medical facilities for the City of Buffalo and surrounding area and does not anticipate residential use.

7. Governmental Services

- a. Presently, the City of Buffalo provides its citizens with the following services:
    - 1) Water - Yes
    - 2) Sewer - Yes
    - 3) Fire Protection - Yes
    - 4) Police Protection - Yes
    - 5) Street Improvements - Yes
    - 6) Street Maintenance - Yes
    - 7) Recreational - Yes
  - b. Presently the City of Buffalo provides the area subject to annexation with the following services:
    - 1) Water - No
    - 2) Sewer - No
    - 3) Fire Protection - Yes
    - 4) Police Protection - Yes
    - 5) Street Improvements - Unknown
    - 6) Street Maintenance - Yes
    - 7) Recreational - Yes
  - c. Plans to extend municipal services to the area subject to annexation include the following: water, sewer, street improvements, street maintenance and such other services as shall be consistent with the medical facilities proposed for said area.
  - d. There are existing or potential pollution problems which are: None
  - e. 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. Fiscal Data
- a. In the City of Buffalo, the assessed valuation trend is upward, the mill rate trend is upward and the present bonded indebtedness is \$2,458,120.
  - b. In the area subject to annexation, the assessed valuation is \$18,582 and the present bonded indebtedness is 0.
  - c. The mill rates in the following units of government are:
    - 1) County - 22.530
    - 2) City - 17.817
    - 3) School District - 59.67
    - 4) Township - 3.007
  - d. 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 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 the South  $\frac{3}{4}$  of the East Half of the Southeast Quarter and that part of the South Half of the Southwest Quarter of the Southeast Quarter all in Section 18, Township 120, Range 25, Wright County, Minnesota, which lies Southeasterly and Southerly of the center line of Minnesota State Highway Number 25 except that part described as follows: Beginning on the East line of said Section 18, 433.40 feet North of the Southeast corner thereof; thence continuing North on the last described course 195.00 feet; thence South  $86^{\circ}30'$  West, 227.00 feet; thence South parallel with said East line of said Section 18, 195.00 feet; thence Easterly 227.00 feet more or less, to the point of beginning, Subject to a 27.8 foot ingress and egress easement lying North of and adjoining the above described exception.

ALSO:

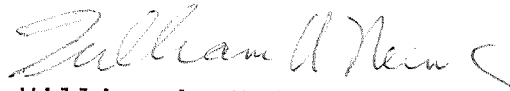
That part of the north 65 acres of the  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$  of Section 19, Township 120, Range 25, Wright County, Minnesota described as follows: Beginning at the northeast corner of said  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$ ; thence  $S 0^{\circ} 53' 09''$  W, assumed bearing along the east line of said  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$ , a distance of 689.00 feet; thence  $N 89^{\circ}06'51''$  W, a distance of 32.06 feet; thence  $N 89^{\circ}52'58''$  W, parallel with the north line of said  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$ , a distance of 146.50 feet; thence  $N 0^{\circ}53'09''$  E, a distance of 32.12 feet to a line parallel with and distance 656.46 feet south of the north line of said  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$ ; thence  $N 89^{\circ}52'58''$  W along said parallel line, a distance of 1514.37 feet to center line of Minnesota State Highway Number 25; thence northeasterly along said center line, a distance of 717.87 feet to the north line of said  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$ ; thence  $S 89^{\circ}52'58''$  E along said north line, a distance of 1412.26 feet to the point of beginning. Containing 23.65 acres and subject to the right of way of the Buffalo and Monticello road (now known as Wright County Highway Number 114) over the southeasterly corner thereof.

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 effective date of this order is December 30, 1977.

Dated this 3rd day of January, 1978.

MINNESOTA MUNICIPAL BOARD  
Suite 165 Metro Square  
St. Paul, Minnesota 55101

A handwritten signature in cursive script, appearing to read "William A. Neiman", followed by a small flourish.

William A. Neiman  
Executive Secretary