

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

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

IN THE MATTER OF THE JOINT RESOLUTION)
BETWEEN THE CITY OF BUFFALO AND THE)
TOWNSHIP OF BUFFALO FOR THE ORDERLY)
ANNEXATION OF CERTAIN LAND TO THE)
CITY OF BUFFALO)

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, Executive Secretary, pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Paul McAlpine and Lowell Zachman, ex-officio members of the Board. The City of Buffalo appeared by and through Roger Tesch, City Attorney, and the Town of Buffalo was represented by Ralph Ordorff, Town Board Chairman. 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 October 25, 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:

NW¼ of SE¼ of Section 29, thence 120N, Range 25, Wright County, Minnesota, containing 10 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 10 acres.

5. Population Data

- a. The City of Buffalo: steady growth.
- b. The area subject to annexation:
 - 1) Past population growth: 0
 - 2) Present population: 0
 - 3) Projected population: 0

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? There are no plans.
- b. 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? Unknown.
- c. The present pattern of physical development in the area subject to annexation is: a grazing area for horses.
 - a) Residential - No
 - b) Industrial - No
 - c) Commercial - No
 - d) Institutional - No

7. Governmental Services

- a. Presently, the Township of Buffalo provides the area subject to annexation with the following services:
 - 1) Water - No
 - 2) Sewer - No
 - 3) Fire Protection - Unknown
 - 4) Police Protection - Unknown
 - 5) Street Improvements - Unknown
 - 6) Street Maintenance - Unknown
 - 7) Recreational - Unknown
- b. Presently, the City of Buffalo provides its citizens with the following services:

- | | |
|----------------------------|------------------------------|
| 1) Water - Yes | 5) Street Improvements - Yes |
| 2) Sewer - Yes | 6) Street Maintenance - Yes |
| 3) Fire Protection - Yes | 7) Recreational - Yes |
| 4) Police Protection - Yes | |

- c. Plans to extend municipal services to the area subject to annexation include the following: none are required.

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 not now nor is it about to become urban or suburban in nature.
3. An order should be issued by the Minnesota Municipal Board denying the annexation described herein.

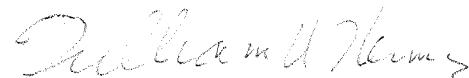
O R D E R

IT IS HEREBY ORDERED: That the resolution requesting the annexation of the heretofore described property lying in the Township of Buffalo, County of Wright, State of Minnesota, be and the same hereby is denied.

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



William A. Neiman
Executive Secretary