

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; the Town of Buffalo appeared by and through Ralph Ordorff, Town Board Chairman; and the petitioners were represented by Steven Szarke, 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 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:

The South 1/2 of Lot 3 of Lot "F" and all of Lot 3 of Lot "E", all being in the West 1/2 of Southwest 1/4 of Section 20, Township 120, Range 25, according to plat of record.

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 1½ acres.

5. Population Data

- a. The City of Buffalo: steady growth
- b. The area subject to annexation: 21 persons

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? Area is fully developed with single-family residential.
- 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? No.
- c. The present pattern of physical development in the area subject to annexation is single-family homes.

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

- c. Presently the City of Buffalo provides the area subject to annexation with the following services:
- | | |
|--------------------------------|----------------------------------|
| 1) Water - Yes | 5) Street Improvements - Unknown |
| 2) Sewer - Yes | 6) Street Maintenance - Unknown |
| 3) Fire Protection - Unknown | 7) Recreational - Unknown |
| 4) Police Protection - Unknown | |
- d. Plans to extend municipal services to the area subject to annexation include the following: all services will be extended within the next three years.

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 1/2 of Lot 3 of Lot "F" and all of Lot 3 of Lot "E", all being in the West 1/2 of Southwest 1/4 of Section 20, Township 120, Range 25, according to plat of record.

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.

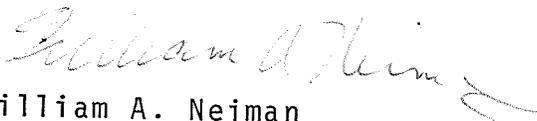
IT IS FURTHER ORDERED: That the population of the City of Buffalo be and the same hereby is increased by 21 to 4,157 for all purposes until the next Federal Census.

IT IS FURTHER ORDERED: That the population of the Town of Buffalo be and the same hereby is decreased by 21 to 1,471 for all purposes until the next Federal Census.

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