

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
A. Hubert Nordgren	Ex-Officio Member
George Walter	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)
OF THE CITY OF FERGUS FALLS AND THE)
TOWN OF FERGUS FALLS FOR THE ORDERLY)
ANNEXATION OF CERTAIN LAND TO THE CITY)
OF FERGUS FALLS)

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER

The above-entitled matter came on for hearing before the Minnesota Municipal Commission pursuant to Minnesota Statutes 414, as amended, on August 28, 1974, at Fergus Falls, Minnesota. The City of Fergus Falls appeared by and through David Nycklemoe, its City Attorney. The hearing was conducted by Howard L. Kaibel, Executive Secretary of the Minnesota Municipal Commission pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance was County Commissioner A. Hubert Nordgren, Ex-Officio Member of the Commission. Testimony was heard and records and exhibits were received.

After due and careful consideration of all evidence, together with all records, files and proceedings, and being fully advised in the premises, the Minnesota Municipal Commission hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Due, timely and adequate legal notice of the hearing was published, served and filed.
2. That the area proposed for annexation is approximately 195 acres.

3. That the area proposed to be annexed is characterized by commercial development and will experience further urban development in the near future.

4. That the City of Fergus Falls does now provide to the area proposed for annexation the following services:

- (a) Sanitary treatment plant services
- (b) Fire protection

5. That the City of Fergus Falls is capable of and it is practical for it to provide to the area proposed for annexation the following municipal services within the following time periods.

- (a) Planning and zoning - immediately
- (b) Police protection - immediately
- (c) Water service - three to five years
- (d) Garbage collection - immediately
- (e) Street maintenance - immediately
- (f) Library service - immediately
- (g) Park and recreation - immediately
- (h) Building inspection - immediately
- (i) Sewer rates to revert to standard city rates - immediately

6. The population of the area proposed for annexation is none .

CONCLUSIONS OF LAW

1. The Minnesota Municipal Commission duly acquired and now has jurisdiction of the within proceeding.

2. The area proposed for annexation is now or is about to become urban or suburban in nature.

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

O R D E R

IT IS HEREBY ORDERED: That the following described property lying in the Township of Fergus Falls, County of Otter Tail and State of Minnesota, be and the same hereby is annexed to the City of Fergus Falls

the same as if it had originally been made a part thereof:

Part of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-two (32), Township One Hundred Thirty-three (133), Range Forty-three (43), described as follows: Beginning at the Northeast corner of said Section 32; thence South 89 degrees 49 minutes West 2330.0 feet along the section line to the East right-of-way line of Interstate Highway No. 94; thence southerly along said right-of-way line approximately 2730 feet to a point located 1648.3 feet West and 154.0 feet north from the southeast corner of said Northeast Quarter (NE $\frac{1}{4}$) of Section 32; thence East 543.3 feet; thence North 83.0 feet; thence East 305.2 feet; thence North 627.2 feet; thence East 811.1 feet to the east line of said Section 32; thence North 00 degrees 45 minutes East 1800.0 feet along the section line to the point of beginning. (Containing 114.1 acres, more or less).

And that part of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-three (33), Township One Hundred Thirty-three (133), Range Forty-three (43), described as follows: Beginning at the northwest corner of said Section 33; thence South 00 degrees 45 minutes West 1800.0 feet along the section line; thence South 89 degrees 52 minutes East 1321.8 feet; thence North 00 degrees 20 minutes East 462.2 feet; thence North 00 degrees 45 minutes East 466.5 feet; thence South 89 degrees 22 minutes East 1318.5 feet to the east line of said Northwest Quarter (NW $\frac{1}{4}$); thence North 00 degrees 45 minutes East 860.0 feet to the Northeast corner thereof; thence North 89 degrees 22 minutes West 2637.0 feet to the place of beginning. (Containing 80.5 acres more or less).

IT IS FURTHER ORDERED: That the mill levy of the City of Fergus Falls on the property herein ordered annexed shall be increased in substantially equal proportion over a period of four (4) years to equality with the mill levy of the property already within the City. In the year following annexation the increase in mill rate for city purposes on the property annexed shall not exceed 25% of the difference between the current mill levy for city and township purposes. In the second and third years following annexation the increase in the mill rate on the property annexed shall not exceed 1/3 of the then existing

difference between the mill levy on the property annexed and the full mill levy for city purposes. In the fourth year following annexation the property annexed shall be taxed at the full city rate.

Dated this 3rd day of September, 1974

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
St. Paul, Minnesota 55101

A handwritten signature in cursive script, reading "Patricia D. Lundy", with a long horizontal flourish extending to the right.

Patricia D. Lundy
Asst. Executive Secretary