

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
Earl F. Gnan	Ex-Officio Member
Edward Schneider	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)	
FOR THE ORDERLY ANNEXATION OF CERTAIN)	
LAND TO THE CITY OF COLOGNE PURSUANT)	<u>FINDINGS OF FACT,</u>
TO MINNESOTA STATUTES 414, AS AMENDED)	<u>CONCLUSIONS OF LAW,</u>
		<u>AND ORDER</u>

The above-entitled matter came on for hearing before the Minnesota Municipal Commission pursuant to Minnesota Statutes 414, as amended, on November 7, 1974, at the City Hall, Cologne, Minnesota.

The City of Cologne was represented by Thomas R. Howe, Attorney at Law. No one entered an appearance in opposition. The hearing was conducted by Thomas J. Simmons, Chairman of the Commission, before a quorum of the commission.

Testimony was heard and 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 enters the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1.) A joint resolution between the City of Cologne and the Township of Benton, Carver County, Minnesota for orderly annexation of certain property was received by the Minnesota Municipal Commission on October 2, 1974.

2.) Due, timely and adequate legal notice of the hearing was published, served and filed.

3.) The City of Cologne, Minnesota is providing or is capable of providing the municipal services required by the area described herein within a period of three (3) years, to include the following:

- fire protection
- police protection
- water and sanitary sewerage services
- electricity
- parks and recreation
- street repair and maintenance

4.) The property proposed for annexation has experienced considerable residential development. Further development will occur in the immediate future.

5.) The latest population of the City of Cologne according to the Metropolitan Council estimate is 567 people.

6.) The latest population of the Town of Benton according to the Metropolitan Council estimate is 1032.

7.) The population of the area proposed to be annexed to the City of Cologne is 90 people.

8.) The total assessed valuation of the area to be annexed is \$79,659.00.

9.) The 1974 Benton Township mill levy is 3.29 mills and the 1974 Cologne mill levy is 28.49 mills, which levies are exclusive of the County, Metropolitan Council and school district levies.

CONCLUSIONS OF LAW

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

2.) That the area proposed for annexation and described herein is now or is about to become urban or suburban in nature.

3.) That the City of Cologne 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 Benton, County of Carver, State of Minnesota be, and the same hereby is, annexed to the City of Cologne the same as if it had originally been made a part thereof:

The South One Thousand Seven Hundred Twenty (1,720) feet of the East Half of the East Half ($E\frac{1}{2}$ of $E\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Eleven (11), Township One Hundred Fifteen (115), Range Twenty-five (25).

ALSO, the South Seventeen Hundred Twenty (1,720) feet of the Southwest Quarter of Section Twelve (12), Township One Hundred Fifteen (115), Range Twenty-five (25).

IT IS FURTHER ORDERED: that the mill levy of the City of Cologne on the area herein ordered annexed shall be increased in substantially equal portions over a period of three (3) years to equality with the mill levy on property already within the City of Cologne. In the year following annexation the increase in the mill rate for city purposes on the property annexed shall not exceed $1/3$ of the difference between the current mill levy for city and township purposes. In the second year following annexation the increase in the mill rate on the property annexed shall not exceed $1/2$ of the then existing difference between the mill levy on the property annexed and the full mill levy for city purposes. In the third year following annexation the property annexed shall be taxed at the full city rate.

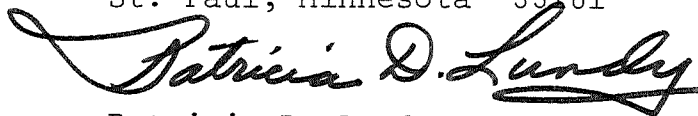
IT IS FURTHER ORDERED: that the population of the City of Cologne be and the same hereby is established to be 657 for all purposes until the next federal or state census.

IT IS FURTHER ORDERED: that the population of the Town of Benton be and the same hereby is established to be 942 for all purposes until the next federal or state census.

IT IS FURTHER ORDERED: that the effective date of this annexation shall be January 2, 1975.

Dated this 3rd day of December, 1974

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

A handwritten signature in cursive script that reads "Patricia D. Lundy". The signature is written in dark ink and is positioned above the printed name and title.

Patricia D. Lundy
Asst. Executive Secretary