

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

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| Thomas J. Simmons | Chairman |
| Robert W. Johnson | Vice Chairman |
| Gerald J. Isaacs | Member |
| Palmer Grinager | Ex-Officio Member |
| Norman Dahl | Ex-Officio Member |

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| IN THE MATTER OF THE JOINT RESOLUTION) | |
| BETWEEN THE CITY OF MADISON AND THE) | FINDINGS OF FACT, |
| TOWNSHIP OF MADISON FOR THE ORDERLY) | CONCLUSIONS OF LAW, |
| ANNEXATION OF CERTAIN LAND TO THE) | AND ORDER |
| CITY OF MADISON) | |

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on March 15, 1976 at the Madison City Hall, 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 Palmer Grinager and Norman Dahl, ex-officio members of the Board. The City of Madison appeared by and through Roger Swenson, 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 Madison and the Township of Madison and duly filed with the Minnesota Municipal Board.
2. A resolution was filed by one of the signatories to the joint resolution, City of Madison, on February 4, 1976 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 two hundred feet of Lots Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), and Fifteen (15), Kjosness Addition to the City of Madison,

and

Lots Six (6) and Nine (9), Evergreen Addition to the City of Madison,

according to the plat thereof on file and of record in the office of the Register of Deeds of Lac qui Parle County, Minnesota.

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 Madison.
- b. The boundaries of the annexing municipality and the proposed annexed property are abutting.
- c. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is as follows: no unusual conditions.

5. Population Data

- a. The area subject to annexation
 - 1) Past population growth: Unknown
 - 2) Present population: 21
 - 3) Projected population: Will grow slightly as lots are developed.

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 Madison Planning Commission unanimously supports the annexation and has plans for the area.
- b. What land use controls are presently being employed.
 - 1) In the City of Madison
 - a) Zoning - Yes
 - b) Subdivision regulations - Unknown
 - c) Housing and building codes - Unknown
 - d) Other - Planning Commission

- c. Does the City require future growth space? Yes. If so, will the area subject to annexation provide the City of Madison with necessary growth space? With several residential lots.
- d. The present pattern of physical development is:
 - 1) In the City of Madison:
 - a) Residential - Yes
 - b) Industrial - Yes
 - c) Commercial - Yes
 - d) Institutional - Yes
 - 2) In the area subject to annexation:
 - a) Residential - Yes, most of the lots in question have single family homes.
 - b) Industrial - Unknown
 - c) Commercial - Unknown
 - d) Institutional - Unknown

7. Governmental Services

- a. Presently, the Township of Madison provides the area subject to annexation with the following services:
 - 1) Water - No
 - 2) Sewer - No
 - 3) Fire Protection - No
 - 4) Police Protection - No
 - 5) Street Improvements - Unknown
 - 6) Street Maintenance - No
 - 7) Recreational - Unknown
 - 8) Other
- b. Presently, the City of Madison 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 - Unknown
 - 8) Other - Garbage, Electrical
- c. Presently, the City of Madison provides parts of the area subject to annexation with the following services:
 - 1) Water - Yes
 - 2) Sewer - Yes
 - 3) Fire Protection - Yes
 - 4) Police Protection - Yes
 - 5) Street Improvements - No
 - 6) Street Maintenance - Yes
 - 7) Recreational - Unknown
 - 8) Other - Electrical, Garbage

- d. Plans to extend municipal services to the area subject to annexation include the following: street improvements have already been planned for 1976 in much of the area. Development is expected soon on the relatively few lots that are undeveloped at this time.
- e. That the City of Madison is capable of and it is practical for it to provide to the area proposed for annexation the listed municipal services within the next 3 years:

8. Fiscal Data

- a. In the area subject to annexation, the assessed valuation is approximately \$18,000.
- b. Will the annexation have any effect upon area school districts?
Unknown.

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 Madison 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 3 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 Madison, County of Lac qui Parle, State of Minnesota, be and the same hereby is annexed to the City of Madison the same as if it had originally been made a part thereof:

The South two hundred feet of Lots Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), and Fifteen (15), Kjosness Addition to the City of Madison,

and

Lots Six (6), and Nine (9), Evergreen Addition to the City of

Madison,

according to the plat thereof on file and of record in the office of the Register of Deeds of Lac qui Parle County, Minnesota.

IT IS FURTHER ORDERED: That the mill levy of the City of Madison on the property herein ordered annexed shall be increased in substantially equal proportions over a period of 3 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 Madison be and the same hereby is increased by 21 for all purposes until the next Federal Census.

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

IT IS FURTHER ORDERED: That the effective date of this order is April 7, 1976.

Dated this 7th day of April, 1976

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
Saint Paul, Minnesota 55101



William A. Neiman
Executive Secretary