

BEFORE THE MUNICIPAL BOARD  
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Robert J. Ferderer	Member
Chester J. Christianson	Ex-Officio Member
Paul Beyer	Ex-Officio Member

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IN THE MATTER OF THE JOINT RESOLUTION )	
BETWEEN THE CITY OF BLUE EARTH AND THE )	
TOWN OF BLUE EARTH FOR THE ORDERLY )	<u>FINDINGS OF FACT,</u>
ANNEXATION OF CERTAIN LAND TO THE CITY )	<u>CONCLUSIONS OF LAW,</u>
OF BLUE EARTH )	<u>AND ORDER</u>

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The above entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on November 14, 1979, at Blue Earth, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance was County Commissioner Paul Beyer, ex-officio member of the Board. The City of Blue Earth appeared by and through Chairman Strack, and the petitioners appeared by and through Douglas Richards. 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

I. That a joint resolution for orderly annexation was adopted by the City of Blue Earth and the Township of Blue Earth and duly accepted by the Minnesota Municipal Board.

II. A resolution was filed by one of the signatories to the joint resolution, the City of Blue Earth, on October 8, 1979 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 Northeast Quarter of the Southeast Quarter of Section Eight (8), Township One Hundred Two (102) North, Range Twenty-seven (27) West in Faribault County, Minnesota, except the West 600 feet thereof;

Together with all that part of the Southeast Quarter of the Southeast Quarter of Section Eight (8), bounded as follows:

On the North by the North line of the Southeast Quarter of the Southeast Quarter;

On the East by the East line of the Southeast Quarter of the Southeast Quarter;

On the West by the East line of the West 800 feet  
of the Southeast Quarter of the Southeast Quarter;

And on the South by the existing northerly corporate  
limits of the City of Blue Earth.

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

IV. Geographic Features

- A. The area subject to annexation is unincorporated and abuts  
the City of Blue Earth.
- B. The total area of the territory to be annexed is approximately  
32 acres.
- C. The natural terrain of the area, including general topography,  
major watersheds, soil conditions, rivers, lakes and major  
bluffs is: rolling open land.

V. Population Data

- A. The City of Blue Earth:
  - 1. In 1970, there were 3,965 residents.
  - 2. The present estimated population is 4,200.
  - 3. By 1980, the projected population is 4,300.
- B. The area subject to annexation:
  - 1. In 1970, there were 0 residents.
  - 2. The present population is 0.
- C. The Township of Blue Earth
  - 1. In 1970, there were 605 residents.
  - 2. The present estimated population is 590.
  - 3. By 1980, the projected population is 585.

VI. Development Issues

- A. The pattern of physical development, including land already  
in use, in the process of being developed, and remaining for  
various uses.
  - 1. Area in Use
    - a. In the City of Blue Earth:
      - 1. Residential: 1042 acres
      - 2. Institutional: 150 acres
      - 3. Commercial: 80 acres
      - 4. Industrial: 101 acres
      - 5. Agricultural: 79 acres

b. In the area subject to annexation:

1. Residential: 0 acres
2. Institutional: 0 acres
3. Commercial: 0 acres
4. Industrial: 0 acres
5. Agricultural: 32 acres
6. Vacant land: 0 acres

c. In the Township of Blue Earth City:

1. Residential: 30 acres
2. Institutional: 0 acres
3. Commercial: 20 acres
4. Industrial: 20 acres
5. Agricultural: 21,000 acres

2. Area being developed

a. In the City of Blue Earth:

1. Residential: 28 acres
2. Institutional: 0 acres
3. Commercial: 100 acres
4. Industrial: 0 acres
5. Agricultural: 0 acres

b. In the area subject to annexation:

1. Residential: 32 acres

c. In the Township of Blue Earth City:

1. Institutional: 0 acres
2. Commercial: 0 acres
3. Industrial: 0 acres

3. Area Remaining for Various Uses

a. In the City of Blue Earth:

1. Residential: 0 acres
2. Institutional: 0 acres
3. Commercial: 120 acres
4. Industrial: 40 acres

B. Transportation:

1. The present transportation network is:

a) In the City of Blue Earth: local roads, & County, State and Federal Highways

b. In the area subject to annexation: none

2. Potential transportation issues include: repair and replacement of existing network

C. Land use controls and planning, including comprehensive plans, in the city and the area subject to annexation:

1. In the City of Blue Earth:

- a. Zoning: yes
- b. Subdivision Regulations: yes
- c. Comprehensive Plan: yes
- d. Official Map: yes
- e. Fire Code: yes
- f. Building Inspector: yes
- g. Planning Commission: yes

2. In the Township of Blue Earth City: not ascertainable
3. In the County of Faribault:
  - a. Zoning: yes
  - b. Subdivision Regulations: yes
  - c. Planning Commission: yes
4. There is no inconsistency between the proposed development and the planning and land use controls for the area.

VII. Governmental Services

- A. The Town of Blue Earth provides the area subject to annexation with the following services: not ascertainable
- B. The City of Blue Earth provides its residents with the following services:
  - a. Water: yes
  - b. Sewer: yes
  - c. Fire protection and rating: yes
  - d. Police protection: yes
  - e. Street improvements: yes
  - f. Street maintenance: yes
  - g. Recreational: yes
  - h. Administrative services: yes
- C. The City of Blue Earth provides the area subject to annexation with the following services:
  - a. Water: yes when annexed
  - b. Sewer: yes when annexed
  - c. Fire protection: yes when annexed
  - d. Police protection: yes when annexed
  - e. Street improvements: yes when annexed
  - f. Street maintenance: yes when annexed
  - g. Recreational: yes when annexed
  - h. Administrative services: yes when annexed
- D. Plans and programs by the annexing municipality to provide needed governmental services for the area proposed for annexation include: extension of sanitary sewer, water, and other utilities
- E. The following services will be available to the annexed area within five years: sewer, water, road improvement and maintenance.

VIII. Tax Base

- A. In the City of Blue Earth, the tax base includes the following:
  1. Residential property in 1978/79 was valued at \$5,995,661, generating \$201,933 in taxes or 67% of the total.
  2. Commercial property in 1978/79 was valued at \$1,960,707, generating \$66,036 in taxes or 22% of the total.
  3. Industrial property in 1978/79 was valued at \$938,023, generating \$31,592 in taxes or 10% of the total.
  4. Agricultural property in 1978/79 was valued at \$45,915, generating \$1,546.00 in taxes or .5% of the total.
  5. Vacant land in 1978/79 was valued at \$41,432, generating \$1,395.00 in taxes or .5% of the total.
  6. Non-taxable property
    - a. Institutional use in 1978/79 as developed, \$3,423,166.

- B. In the Township of Blue Earth City, the tax base includes the following:
1. Residential property in 1978/79 was valued at \$278,083, generating \$1,465 in taxes or 6% of the total.
  2. Commercial property in 1978/79 was valued at \$11,887, generating \$63 in taxes or .5% of the total.
  3. Industrial property in 1978/79 was valued at \$88,494, generating \$466.00 in taxes or 2% of the total.
  4. Agricultural property in 1978/79 was valued at \$3,972,120, generating \$20,933 in taxes or 91% of the total.
  5. Vacant land in 1978/79 was valued at \$12,733, generating \$67 in taxes or .5% of the total.
  6. Non-taxable property
    - a. Institutional use in 1978/79 is valued at \$79,480.00

- C. In the area subject to annexation, the tax base includes the following:
1. Residential property in 1978/79 was valued at \$0, generating \$0 in taxes or 0% of the total.
  2. Commercial property in 1978/79 was valued at \$0, generating \$0 in taxes or 0% of the total.
  3. Industrial property in 1978/79 was valued at \$0 generating \$0 in taxes or 0% of the total.
  4. Agricultural property in 1978/79 was valued at \$7,938.00, generating \$533.12 in taxes or 100% of the total.
  5. Vacant land in 1978/79 was valued at \$0, generating \$0 in taxes or 0% of the total.
  6. Non-taxable property
    - a. Institutional use in 1978/79 included 0 acres worth, as developed, \$0.
    - b. Other non-taxable uses (such as roadways, parks) in 1978/79 included 0 acres/miles.

#### IX. Tax Data

- A. In the City of Blue Earth:
1. Mill rate in 1979 is 33.68.
  2. Bonded indebtedness in 1979 is 12.76 miles
- B. In the Township of Blue Earth City:
1. Mill rate in 1979 is 5.27.
  2. Bonded indebtedness in 1979 was none.
- C. In the area subject to annexation:
1. Mill rate in 1979 is 5.27.
  2. Bonded indebtedness in 1979 was none.
- D. Mill rate in 1978/79:
1. County in 1979 is 18.23.
  2. School district in 1979 is 48.20.
  3. Township in 1979 is 5.27.

- X. Annexation to the City of Blue Earth is the best alternative.
- A. No effect on area school districts and on adjacent communities: if the proposed area is annexed.
  - B. The town government is inadequate to deliver the needs and services to the area proposed for annexation.
  - C. Necessary governmental services could not best be provided by incorporation or annexation to an adjacent municipality.
  - D. Present assessed valuation of the Town of Blue Earth: \$3,592,466.00  
Present assessed valuation of proposed annexation area: \$2,043.69  
New valuation of the Town of Blue Earth if entire area is annexed: \$3,590,422.31
  - E. Blue Earth Township can continue to function without the area subject to annexation.

CONCLUSIONS OF LAW

- I. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.
- II. The area subject to annexation is now is about to become urban or suburban in nature and the annexing municipality is capable of providing the services required by the area within a reasonable time.
- III. The existing township form of government is not adequate to protect the public health, safety, and welfare.
- IV. The annexation would be in the best interests of the area proposed for annexation.
- V. The annexation does not conflict with terms of the joint agreement.
- VI. Five years will be required to effectively provide full municipal services to the annexed area.
- VII. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

O R D E R

I. IT IS HEREBY ORDERED: That the property described herein situated in the County of Faribault, State of Minnesota, be and the same is hereby annexed to the City of Blue Earth, Minnesota, the same as if it had been originally made a part thereof:

The Northeast Quarter of the Southeast Quarter of Section Eight (8), Township One Hundred Two (102) North, Range Twenty-seven (27) West in Faribault County, Minnesota, except the West 600 feet thereof:

Together with all that part of the Southeast Quarter of the Southeast Quarter of Section Eight (8), bounded as follows:

On the North by the North line of the Southeast Quarter of the Southeast Quarter;

On the East by the East line of the Southeast Quarter of the Southeast Quarter;

On the West by the East line of the West 800 feet of the Southeast Quarter of the Southeast Quarter;

And on the South by the existing northerly corporate limits of the City of Blue Earth.

II. IT IS FURTHER ORDERED: That the mill levy of the City of Blue Earth on the property herein ordered annexed shall be increased in substantially equal proportions over a period of five years to equality with the mill levy of the property already within the City.

III. IT IS FURTHER ORDERED: That the effective date of this order is December 20, 1979.

Dated this 20th day of December, 1979

MINNESOTA MUNICIPAL BOARD  
165 Metro Square Building  
St. Paul, Minnesota 55101



Terrence A. Merritt  
Executive Director