

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Gerald J. Isaacs	Chairman
Robert W. Johnson	Vice Chairman
Thomas J. Simmons	Member
LeRoy Pinske	Ex-Officio Member
Milton Frank	Ex-Officio Member

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

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on December 14, 1977, at Gaylord, Minnesota. The hearing was conducted by Thomas J. Simmons, Board Member, pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners LeRoy Pinske and Milton Frank, ex-officio members of the Board. The City of Gaylord appeared by and through Douglas Nesvig. 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 Gaylord and the Township of Dryden and duly filed with the Minnesota Municipal Board.

2. A resolution was filed by one of the signatories to the joint resolution, Gaylord, on September 14, 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:

East Ridge Terrace, being a subdivision of part of Government Lot One (1) in Section Thirty-three (33), Township One Hundred Thirteen (113), Range Twenty-eight (28), Sibley County, Minnesota.

Also, that part of the Chicago and Northwestern Transportation Company's right-of-way lying between the northerly extension of the west line of said East Ridge Terrace, according to the recorded plat thereof, and the northerly extension of the east line of said East Ridge Terrace, according to the recorded plat thereof.

Excepting from the land described above two tracts previously

annexed by the City of Gaylord, described as follows:

1. Lots Number Twenty-one, Twenty-two and Twenty-three (21, 22, and 23) in East Ridge Terrace, being a subdivision of part of Government Lot One (1) in Section Thirty-three (33), Township One Hundred Thirteen (113), Range Twenty-eight (28).

Also, that part of the Chicago and Northwestern Transportation Company's right-of-way lying between the northerly extension of the westerly line of Second Street East, East Ridge Terrace, according to the recorded plat thereof, and the northerly extension of the westerly line of Lot 9, East Ridge Terrace, according to the recorded plat thereof.

2. Lot Nine(9) in East Ridge Terrace, being a subdivision of part of Govt. Lot One (1) in Section Thirty-three (33), Township One Hundred Thirteen (113) Range Twenty-eight (28) including that portion of the road which abuts said lot on the north.

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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 Gaylord.
- b. The total area of the City of Gaylord is approximately 570 acres. The total area of the territory subject to annexation is 11 1/3 acres.
- c. The degree of contiguity of the boundaries between the annexing municipality and the proposed annexed property is as follows: approximately 50%.
- d. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is as follows: flat, abuts Mud Lake on the south, soil is sandy loam.

5. Population Data

- a. The City of Gaylord
 - 1) Past population growth: steady growth
 - 2) Present population: 1,720 persons
 - 3) Projected population: 2,000 people by 1990
- b. The area subject to annexation
 - 1) Past population growth: slow growth
 - 2) Present population: 19
 - 3) Projected population: 99

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 area is expected to have continued residential development.
- b. What land use controls are presently being employed.
 - 1) In the City of Gaylord:
 - a) Zoning - Yes
 - b) Subdivision regulations - Unknown
 - c) Housing and building codes - Unknown
 - 2) In the area to be annexed:
 - a) Zoning - Yes
 - b) Subdivision regulations - Unknown
 - c) Housing and building codes - Unknown
- c. Does the City require future growth space? Yes. If so, will the area subject to annexation provide the City of Gaylord with necessary growth space? Yes

7. Governmental Services

- a. Presently, the Township of Dryden provides the area subject to annexation with the following services:
 - 1) Water - No
 - 2) Sewer - No
 - 3) Fire Protection - Yes
 - 4) Police Protection - No
 - 5) Street Improvements - No
 - 6) Street Maintenance - Yes
 - 7) Recreational - Unknown
- b. Presently, the City of Gaylord 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 Gaylord provides the area subject to annexation with sewer service.
- d. Plans to extend municipal services to the area subject to annexation include the following: all services can be extended with a reasonable time.

e. There are existing or potential pollution problems which are: none.

f. The City of Gaylord is capable of and it is practical for it to provide to the area proposed for annexation the listed municipal services within the next three years.

8. Fiscal Data

a. In the City of Gaylord the assessed valuation is \$3,996,900, and the mill rate is 40.24.

b. In the area subject to annexation the assessed valuation is \$20,859, and the mill rate is 4.20.

c. The mill rates in the following units of government are:

1) County - 21.27

3) Township - 4.20

2) School Districts - 48.88

d. Will the annexation have any effect upon area school districts?
No.

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 Gaylord 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 Dryden, County of Sibley, State of Minnesota, be and the same hereby is annexed to the City of Gaylord the same as if it had originally been made a part thereof:

East Ridge Terrace, being a subdivision of part of Government Lot One (1) in Section Thirty-three (33), Township One Hundred Thirteen (113), Range Twenty-eight (28), Sibley County, Minnesota.

Also, that part of the Chicago and Northwestern Transportation Company's right-of-way lying between the northerly extension of the west line of said East Ridge Terrace, according to the recorded plat thereof, and the northerly extension of the east line of said East Ridge Terrace, according to the recorded plat thereof.

Excepting from the land described above two tracts previously annexed by the City of Gaylord, described as follows:

1. Lots Number Twenty-one, Twenty-two and Twenty-three (21, 22, and 23) in East Ridge Terrace, being a subdivision of part of Government Lot One (1) in Section Thirty-three (33), Township One Hundred Thirteen (113), Range Twenty-eight (28).

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2. Lot Nine (9) in East Ridge Terrace, being a subdivision of part of Govt. Lot One (1) in Section Thirty-three (33), Township One Hundred Thirteen (113) Range Twenty-eight (28) including that portion of the road which abuts said lot on the north.

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IT IS FURTHER ORDERED: That the mill levy of the City of Gaylord on the property herein ordered annexed shall be increased substantially equal proportions over a period of three years to equality with the mill levy of the property already within the City as set forth under the joint agreement.

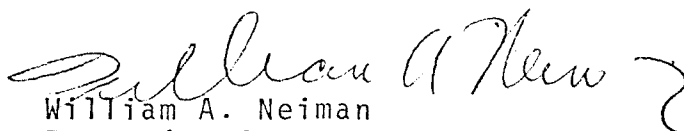
IT IS FURTHER ORDERED: That the population of the City of Gaylord be and the same hereby is increased by 19 to 1,739 persons for all purposes until the next Federal Census.

IT IS FURTHER ORDERED: That the population of the Township of Dryden be and the same hereby is decreased by 19 to 548 persons for all purposes until the next Federal Census.

IT IS FURTHER ORDERED: That the effective date of this order is March 24, 1978.

Dated this 24th day of March, 1978.

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


William A. Neiman
Executive Secretary