

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Gerald J. Isaacs	Chairman
Robert W. Johnson	Vice Chairman
Thomas J. Simmons	Member
Lowell Bjella	Ex-Officio Member
John Cronemiller	Ex-Officio Member

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

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on January 25, 1978, at Bemidji, Minnesota. The hearing was conducted by Robert W. Johnson, Vice Chairman, pursuant to Minnesota Statutes 414.01, Subdivision 12. Also in attendance were County Commissioners Lowell Bjella and John Cronemiller, ex-officio members of the board.

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 Bemidji and the Township of Northern and duly filed with the Minnesota Municipal Board.

2. A resolution was filed by one of the signatories to the joint resolution, Bemidji, on December 27, 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:

All of the SW $\frac{1}{4}$ of Section 23, Township 147, Range 33,
less the following tracts:

(a) All of said SW $\frac{1}{4}$ lying west of State Trunk Highway #71;

- (b) The North 806 feet of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, Township 147, Range 33, less the West 135 feet thereof;
- (c) The East 500 feet of the South 490 feet of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, Township 147, Range 33.

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 Bemidji.
- b. The total area of the City of Bemidji is 10,800 acres. The total area of the territory subject to annexation is 130 acres.
- c. The degree of contiguity of the boundaries between the annexing municipality and the proposed annexed property is as follows: approximately 25%.
- d. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is as follows: flat terrain dipped in southwest direction, hay field, soil is sandy loam, located in Mississippi River drainage basin.

5. Population Data

- a. The City of Bemidji
 - 1) Past population growth: steady growth. In 1970 - 11,500.
 - 2) Present population: 13,500
 - 3) projected population: By 1985 - 15,500.
- b. The area subject to annexation
 - 1) Past population growth: None
 - 2) Present population: None
 - 3) Projected population: By 1990 - 300.

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 city and property owner are developing plans for the area.
- b. What land use controls are presently being employed.

- 1) In the City of Bemidji:
 - a. Zoning - Yes
 - b. Subdivision regulations - Yes
 - c. Housing and building codes - Yes
- 2) In the area to be annexed:
 - a. Zoning - No
 - b. Subdivision regulations - Yes, by Beltrami County
 - c. Housing and building codes - No
- c. Does the City require future growth space? Yes. If so, will the area subject to annexation provide the City of Bemidji with necessary growth space? Yes.
- d. The present pattern of physical development is:
 - 1) In the City of Bemidji: all types of development.
 - 2) In the area subject to annexation: agricultural with plans for residential, commercial, and health-related business.

7. Governmental Services

- a. Presently, the Township of Northern provides the area subject to annexation with the following services:
 - 1) Water - No
 - 2) Sewer - No
 - 3) Fire Protection - Yes, Rural Fire Association.
 - 4) Police Protection - County Sheriff
 - 5) Street Improvements - Yes
 - 6) Street Maintenance - Yes
 - 7) Recreational - Unknown
- b. Presently, the City of Bemidji 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 Bemidji provides the area subject to annexation with the following: recreational services.
- d. Plans to extend municipal services to the area subject to annexation include the following: all service will be extended within a reasonable time.

- e. There are existing or potential pollution problems which are: None.
 - f. That the City of Bemidji 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 City of Bemidji, the assessed valuation is approximately \$17 million, the mill rate is 26.31 and the present bonded indebtedness is \$3,057,200.
 - b. In the area subject to annexation, the assessed valuation is \$2,556, the mill rate is 7.08 and the present bonded indebtedness is 0.
 - c. 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 Bemidji is capable of providing all of 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 Northern, County of Beltrami, State of Minnesota, be and the same hereby is annexed to the City of Bemidji the same as if it had originally been made a part thereof:

All of the SW $\frac{1}{4}$ of Section 23, Township 147, Range 33,
less the following tracts:

- (a) All of said SW $\frac{1}{4}$ lying west of State Trunk Highway #71;
- (b) The North 806 feet of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, Township 147, Range 33, less the West 135 feet thereof;
- (c) The East 500 feet of the South 490 feet of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, Township 147, Range 33.

IT IS FURTHER ORDERED: That the mill levy of the City of Bemidji 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 effective date of this order is January 25, 1978.

Dated this 25th day of January, 1978.

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

A handwritten signature in cursive script, appearing to read "William A. Neiman", followed by a small flourish.

William A. Neiman
Executive Secretary