

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Kenneth F. Sette	Chairman
Richard A. Sand	Vice Chairman
Shirley J. Mihelich	Commissioner
Wallace E. Ess	Ex-Officio Member
Joe F. Neaton	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)
BETWEEN THE CITY OF NORWOOD AND THE OF)
TOWN OF YOUNG AMERICA FOR THE ORDERLY)
ANNEXATION OF CERTAIN LAND TO THE CITY)
OF NORWOOD)

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on July 24, 1985, at Norwood, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director, pursuant to Minnesota Statutes 414.01, Subdivision 12. Also in attendance were Kenneth F. Sette, Chairman, and County Commissioners Wallace E. Ess and Joe F. Neaton, Ex-Officio Members of the Board. The City of Norwood appeared by and through Michael Savre, City Attorney, and the Town of Young America made no appearance at the hearing, contacting the Director beforehand indicating no opposition to the proposed annexation. 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. A joint resolution for orderly annexation was adopted by the City of Norwood and the Town of Young America and duly accepted by the Minnesota Municipal Board.

2. A resolution was filed by one of the signatories to the joint resolution, the City of Norwood, on May 15, 1985, requesting the annexation of certain property within the orderly annexation area. The resolution contained all of the information required by statute including a description of the property subject to annexation, which is as follows:

That part of the Northeast Quarter of Section Fourteen (14), Township One Hundred Fifteen (115) North, Range Twenty-six (26) West lying North of the centerline of Trunk Highway No. 212, West of the Westerly right-of-way line of the Chicago and Northwestern Railway and South of the present corporate limits.

Subject to the right-of-way of Faxon Road over the West 33.00 feet thereof.

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

4. The area subject to annexation is unincorporated, within the orderly annexation agreement area, approximately 3 acres in size, and abuts the City of Norwood by approximately 70% of its perimeter. The City of Norwood is approximately 440 acres in size.

5. The area proposed for annexation has a flat terrain with a clay and sandy loam mixture for soil. Part of the area proposed for annexation has been filled with material.

6. In 1970 the City of Norwood had a population of 1,058, its population in 1980 was 1,219, and its current population is 1,270.

7. The Town of Young America had a population of 956 in 1970, a population of 952 in 1980, and its current population is 990.

8. The area proposed for annexation had no population in 1970 and 1980, and it currently has no population.

9. The City of Norwood has approximately 168 acres in residential use, approximately 100 acres in institutional use, approximately 17 acres in commercial use, approximately 2 acres in industrial use, approximately 100

acres in agricultural use, and approximately 53 acres in vacant land.

10. The area proposed for annexation has approximately 1.5 acres in commercial use, and approximately 1.5 acres in vacant land.

11. The Town of Young America has approximately 320 acres in residential use, approximately 765 acres in institutional use, approximately 10 acres in commercial use, approximately 10 acres in industrial use, approximately 20,973 acres in agricultural use, and approximately 37 acres in public use.

12. The City of Norwood has a comprehensive plan.

13. This annexation is consistent with the local comprehensive plans.

14. The City of Norwood provides its residents with water, sanitary sewer, storm sewer, fire protection, police protection, street improvements and maintenance, administrative services, recreational opportunities, health inspection, electricity, natural gas, and cable t.v.

15. The city is willing to provide the area proposed for annexation with all of the services it presently provides residents of the City of Norwood.

The city presently provides the area proposed for annexation with water, sanitary sewer and waste water treatment, street improvements and maintenance, and recreational opportunities.

16. Young America Township provides the area proposed for annexation with fire protection and snow removal, both by contracts with the City of Norwood.

17. Access to the area proposed for annexation is from a city street designated as a local arterial street.

18. In 1985 the assessed valuation of the City of Norwood is \$4,358,578.

19. In 1985 the assessed valuation of the Town of Young America is \$9,021,815.

20. The assessed valuation of the area proposed for annexation in 1985 is \$146,848.

21. The mill rate for Carver County in 1985 is 29.958, 19.922 for the City of Norwood and 10.014 for the Town of Young America.

22. The school district has a 1985 mill levy of 50.285.

23. The bonded indebtedness for the City of Norwood, as of 1985, is \$375,436. The Town of Young America has no bonded indebtedness.

24. The fire insurance rating for the City of Norwood is 7. The fire insurance rating for the Town of Young America is A.

25. The proposed annexation, if completed, will not impact on the school district, as all of the City of Norwood and the annexation area are within the same school district.

26. The town does not have the ability to provide public sewer and water to the area proposed for annexation.

27. The City of Norwood is adjacent also to the City of Young America. The terms of the orderly annexation agreement, signed by the City of Young America, the City of Norwood and the Town of Young America, designate the area proposed for annexation within the orderly annexation area of the City of Norwood. Further, the delivery of service to the area is adequately provided for by the City of Norwood and there was no evidence to indicate that the City of Young America could provide superior service to the area proposed for annexation.

28. The annexation is consistent with the joint resolution for orderly annexation between the Town of Young America and the City of Norwood.

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 and the annexing municipality is capable of providing the

services required by the area within a reasonable time.

3. The existing township form of government is not adequate to protect the public health, safety, and welfare of the area proposed for annexation.

4. The annexation would be in the best interests of the area proposed for annexation.

5. The annexation is consistent with the terms of the joint resolution for orderly annexation.

6. Three years will be required to effectively provide full municipal services to the annexed area or to comply with terms and conditions of the orderly annexation agreement as it relates to the mill levy step up.

7. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

ORDER


1. IT IS HEREBY ORDERED: That the property described herein in Findings of Fact 2 be, and the same is hereby annexed to the City of Norwood, Minnesota, the same as if it had been originally a part thereof.

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

3. IT IS FURTHER ORDERED: That the effective date of this order is September 17, 1985.

Dated this 17th day of September, 1985.

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


Terrence A. Merritt
Executive Director