

S.P.S.

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert J. Ford	Vice-Chairman
Arthur R. Swan	Member
Virgil M. Olson	Ex-Officio Member
Alf Pederson	Ex-Officio Member

IN THE MATTER OF THE RESOLUTION FOR)
THE ANNEXATION OF CERTAIN LAND TO THE)
CITY OF WILLMAR, MINNESOTA)

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER

The petition, by the City of Willmar, for the annexation of certain real estate situated in the County of Kandiyohi, State of Minnesota, to the City of Willmar and described in the attached order herein, came on duly for hearing before the Minnesota Municipal Commission on the 20th day of November, 1968 at the Township Room in the Court House in the County of Kandiyohi, City of Willmar, State of Minnesota. Commission members present included Robert W. Johnson, Robert J. Ford, Arthur R. Swan, and Ex-Officio Members, Alf Pederson and Virgil Olson. The City of Willmar appeared through its attorney, Ronald C. Anderson, and the Township of Willmar appeared through its attorney, Henry W. Schmidt. Testimony was taken both for and against the said annexation.

It was made to appear that a notice of intention to annex certain lands was executed on June 5, 1968, and published in the West Central Minnesota Daily Tribune on June 12, 1968. It was further made to appear that objections by the Township of Willmar were filed on August 2, 1968, and that the notice of intention to annex was duly served and filed with the County Board in and for the County of Kandiyohi, Minnesota, the Town Board in and for the Township of Willmar, Minnesota, and the Municipal Commission of the State of Minnesota.

By virtue of the objections filed with the Municipal Commission of the State of Minnesota by the Township of Willmar, Minnesota, jurisdiction of said annexation vested with said Commission.

It was further made to appear that notice of said hearing was duly made and posted, in accordance with law.

Evidence was offered and received for and against said annexation at said hearing.

After due and careful consideration of the evidence so offered and received, together with all of the records, files and proceedings had and taken herein, and being fully advised in the premises, the Municipal Commission of the State of Minnesota now makes and files the following findings of fact, conclusions of law and order.

FINDINGS OF FACT

-1-

That due, timely and adequate notice of intention to annex and notice of hearing was posted, published, served and filed.

-2-

That the property described herein abuts the legal boundaries of the City of Willmar, is partly platted and partly unplatted, the total area comprising 44.3 acres.

-3-

That annexation of the said property was initiated by notice of intention to annex pursuant to M.S.A. 414.03, subdivision 2.

-4-

That the population of the area to be annexed is estimated at 284, and that the population of the City of Willmar is estimated at 12,000.00.

-5-

That the area to be annexed is approximately 44.3 acres, as compared to approximately 3,250 acres in the City of Willmar.

-2-

-6-

That the assessed valuation of the area to be annexed is \$122,672.00, as compared to the assessed valuation of the City of Willmar of \$6,188,684.00.

-7-

That the area to be annexed is urban or suburban in character, fully developed as a residential.

-8-

That the taxes in the area to be annexed will increase, but that the increase will be commensurate with the municipal services provided by the City of Willmar to it.

-9-

That there is a present need in the area to be annexed for all municipal services, and particularly street maintenance, police and fire protection and water and sewer service. That the evidence disclosed that there is contamination in areas near or adjacent to the area to be annexed, and that the use of sewage and water facilities from the City of Willmar would aid in solving this problem.

-10-

That the City of Willmar has a Police Department and a Fire Department capable of providing full protection to the area to be annexed. That the said City is capable of providing adequate street maintenance in the area to be annexed. That the water supply of said City is capable of providing all the water necessary for the area to be annexed, and will have sufficient capacity left to meet future expansion of the City. That the City now has a sewage treatment facility for the treatment of sewage, and that said sewage facilities are sufficient to take care of the needs of the area to be annexed.

-11-

That the area to be annexed constitutes a small geographical part of the Township of Willmar and only a part of the Township which is or is about to be urban in character, and that the Township of Willmar will

-3-

be able to continue to function as a township after the annexation.

-12-

That the Township of Willmar is unable to meet the problems of the area to be annexed which are urban problems; namely the water and sewer problems, and was unable to show any possibilities of meeting these problems in the immediate future.

-13-

That the said Township does not have an adequate Fire Department, and the Police Department consists of only part-time constable.

-14-

That the City of Willmar has expanded with respect to population and construction, and will continue to do so, and that space is needed to accommodate that expansion.

CONCLUSIONS OF LAW

-1-

The Minnesota Municipal Commission duly acquired, and now has, jurisdiction of the within proceedings.

-2-

That the area to be annexed herein is so conditioned and so located as to be properly subjected to municipal government by the City of Willmar, Minnesota.

-3-

That the interests of the City of Willmar and the area to be annexed would be best served by the annexation of said area to the City of Willmar, Minnesota.

-4-

Municipal government and the corresponding municipal services are required in the area to be annexed for the preservation and protection of the public health, welfare and safety in the area to be annexed and in the City of Willmar.

-5-

The Township form of government is not adequate to meet the problems found to exist in the area to be annexed.

-4-

The City of Willmar can meet the problems existing in the area to be annexed, can remedy them and can provide any and all governmental services presently required and which may be necessary in the future in the area to be annexed.

An order should be issued by the Municipal Commission ordering the annexation of the land described herein to the City of Willmar. That an order for such annexation be entered and filed accordingly. Enacted by the vote of the Municipal Commission of the State of Minnesota, the following order being filed.

O R D E R

IN THE MATTER OF THE RESOLUTION FOR THE
ANNEXATION OF CERTAIN LAND TO THE CITY
OF WILLMAR, MINNESOTA

IT IS HEREBY ORDERED That certain real estate lying and being a part of the County of Kandiyohi, State of Minnesota, and described as follows, to-wit:

Lots 5 and 6 of Block 1; Lots 2, 3, 5 and W. 10' of Lot 1 and the South Half of Lot 4 of Block 2; Lots 2 through 6 of Block 3; and Lots 2 through 9 of Block 4, all in Hilltop Park Addition, according to the plat thereof on file and of record in the Office of the Register of Deeds of said County and State.

Lots 1 through 11 of Block 1, Lots 1 through 5 of Block 2 and Lots 1 through 16 of Block 3, all in Hillside Terrace Addition to the City of Willmar, according to the plat thereof on file and of record in the Office of the Register of Deeds in said County and State.

Lots 2, 3 and the South 40.8 feet of Lot 6, and Lots 7 through 15, and Lot 20 and that portion of Lot 19 not yet within the corporate limits of the City of Willmar, all in Block 1; Lot 1 of Block 2; Lots 4 and 5 of Block 3; Lot 17 and the following part of Lot 16 of Block 4, as described as follows: A triangular portion in the Northeast corner described as follows, to-wit: Beginning at the Northeast corner of said Lot 16, thence westerly along the North line of said Lot 16 a distance of 60 feet, thence Southeasterly to a point on the East line of said Lot 16 which point is 14 feet South of the Northeast corner of said Lot 16, thence 14 feet North to the point of beginning; all of said Lots and portions thereof being in Portland Acres Addition, according to the plat thereof on file and of record in the Office of the Register of Deeds of said County and State.

All that part of Section 22 described by metes and bounds as follows, to-wit: Commencing at the Northeast corner of the Southeast Quarter of Section 22, thence West along the North line of said Southeast Quarter 480' thence South 175' thence West to the East line of Holmgren Acres; thence South along said East line of said Holmgren Acres to the Southeast

corner of Holmgren Acres; thence West along the South line of Holmgren Acres to the Southwest corner of Holmgren Acres; thence South along the east line of Hilltop Park and to the Southeast corner of Hilltop Park and then West along the South line of Hilltop Park to the East line of Block 1 of Portland Acres; thence South to the North line of Lot 12 of Block 1 of Portland Acres; thence East along the North line of Lots 12 through 20 of Block 1 of Portland Acres, to the Northeast corner of Lot 20 of Block 1 of Portland Acres; thence South to the North line of Richland Avenue; thence East along the North line of Richland Avenue as extended to the West line of Hillside Terrace; thence North along the West line of Block 3 of Hillside Terrace to the North boundary of Hillside Terrace; thence East along the North boundary of Hillside Terrace to the Northeast corner of Lot 6 of Block 1 of Hillside Terrace; thence South to the Southeast corner of Lot 6 of Block 1 of Hillside Terrace; thence East on and along the North line of Lots 5, 4, 3 and 1 of Block 1 of Hillside Terrace to the East line of Section 22; thence North to the Northeast corner of the Southeast corner of Section 22 which is the point of beginning, all in Township 119 North, Range 35 West, Kandiyohi County, Minnesota,

being, and the same hereby is annexed to the City of Willmar, Minnesota, the same as if it had originally been made a part thereof.

Dated this 21st day of March, 1969

MINNESOTA MUNICIPAL COMMISSION
610 Capitol Square Building
St. Paul, Minnesota 55101

Bruce Rasmussen
Bruce Rasmussen, Secretary

#20574

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 24 1969

Jensen L. Johnson
Secretary of State