

A-1770 Willmar

BEFORE THE MUNICIPAL COMMISSION  
OF THE STATE OF MINNESOTA

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

-----  
IN THE MATTER OF THE PETITION)  
FOR THE ANNEXATION OF CERTAIN)  
LAND TO THE CITY OF WILLMAR )  
-----

FINDINGS OF FACT,  
CONCLUSIONS OF LAW  
AND ORDER  
-----

The above-entitled matter came on for hearing on the 22nd day of May, 1970, and on the 16th day of October, 1970, in the City of Willmar, Minnesota, upon petition of certain property owners for the annexation of certain land to the City of Willmar, which petition was objected to by the Town of Willmar. The hearing on the 22nd day of May was conducted by Mr. Bruce Rasmussen, Executive Secretary of the Commission, as designated by the Commission. Messrs. Robert W. Johnson, Robert J. Ford, Virgil Olson and Alf Peterson attended the hearing on the 16th day of October, 1970. The City of Willmar was represented by Ronald C. Anderson, its City Attorney, and the Town of Willmar was represented by its attorney, Henry W. Schmidt.

The Commission, having duly considered the testimony of the witnesses, the exhibits received in evidence, the stipulation of counsel, and upon all of the files, records and proceedings herein, makes the following:

FINDINGS OF FACT

1. That due, timely and adequate notice of the hearing herein was properly posted, published, served and mailed.
2. That the area to be annexed is unplatted, abuts the City of Willmar, and is not included in any other municipality.
3. That the population of the City of Willmar as of the year 1960

22024

was 10.480, and that the present population of the City of Willmar is approximately 12,000 and the population of the area to be annexed is 0, the property consisting of lots and parcels for building purposes and a church.

4. The area to be annexed is about to become urban or suburban in character, and contains no industry or commercial property, except as indicated above.

5. That the City of Willmar has water and sanitary sewer pipe lines in the area to be annexed suitable to provide such services as they may become necessary.

6. That real estate taxes in the area to be annexed can be reasonably expected to increase, but the increase will be proportional to the expected benefit inuring to the annexed territory as a result of the annexation.

7. That the City of Willmar has a modern, well-equipped Police Department of adequate size that will be able to serve the area to be annexed, while the Town of Willmar does not have a Police Department, and the area to be annexed now receives its Police protection from the Kandiyohi County Sheriff's office.

8. That the City of Willmar has a modern, well-equipped Fire Department which will be able to serve the area to be annexed. That said area is presently protected by the Fire Department of the City of Willmar on the basis of a contract between the City of Willmar and the Town of Willmar.

9. That the City of Willmar has adopted a zoning ordinance, and has adopted comprehensive plans for the development of the area surrounding the City of Willmar, which includes the area to be annexed

herein.

10. That the Town of Willmar provides no governmental service for sanitary sewer or water in the area to be annexed and said Town offers no evidence to indicate that it is planning said services in the future for said area.

11. That the area of the City of Willmar is much larger than the area of the territory to be annexed.

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

13. That the Township form of government is inadequate to cope with the problems of urban and suburban growth in the area to be annexed.

14. That the annexation herein ordered will not materially effect the ability of the Town of Willmar to function as a governmental unit.

15. That the Town of Willmar stipulated and agreed to withdraw its objections to the proposed annexation provided that the area to be annexed be decreased by removal of the Pioneer Hybrid Seed Company's property. That the City of Willmar stipulated and agreed to such removal.

#### CONCLUSIONS OF LAW

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

2. The area to be annexed is now or is about to become urban or suburban in character.

3. The area to be annexed is so conditioned and so located as to be properly subjected to Municipal Government by the City of Willmar.

4. Annexation by the City of Willmar would be in the best interests of the area affected and the City of Willmar.

5. Municipal Government of the area to be annexed herein is necessary and is required to protect the public health, safety and welfare and to provide necessary governmental services.

6. That by virtue of a stipulation of council, the Town of Willmar has withdrawn its objections, and the City of Willmar has agreed to the removal of the Pioneer Hybrid Seed Company's property from the area proposed for annexation.

An order should be issued by the Minnesota Municipal Commission annexing to the City of Willmar, the real estate located in the Town of Willmar, Kandiyohi County, Minnesota, described herein.

#### O R D E R

IT IS HEREBY ORDERED: That the following described real estate in the Town of Willmar, Kandiyohi County, Minnesota be, and the same hereby is, annexed to the City of Willmar, Minnesota, the same as if it had originally been made a part thereof:

Part of the Southwest Quarter of Section 22, Township 119 North, Range 35 West described as follows: Beginning at the Northwest corner of the said Southwest Quarter of Sec. 22 thence east along the north line of the Southwest Quarter of Sec. 22, 924.8 feet more or less to a point 1,699.76 feet west of the center of said Section 22; thence southerly, deflecting right  $89^{\circ} 31'$  from the north line of the southwest quarter of section 22, 1043.5 feet thence westerly and parallel to the north line of the southwest quarter of said Section 22, 217.4 feet more or less to the west line of the east 604.24 feet of the west half of the southwest Quarter of section 22; thence southerly along the west line of the east 604.24 feet of the west half of the southwest quarter of section 22, 322.0 feet thence west and parallel to the north line of the southwest quarter of section 22, 707.0 feet more or less to the west line of the southwest quarter of section 22, thence north along the west line of the Southwest Quarter of section 22, 1,365.5 feet to the point of beginning excepting therefrom the west 33 feet thereof.

Dated this 30th day of December, 1970

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

*Bruce Rasmussen*  
Bruce Rasmussen  
Executive Secretary

# 22024  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
JAN - 4 1971  
*Arlen J. Edsall*  
Secretary of State