

YOUR COPY

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member

IN THE MATTER OF THE PETITION FOR
DETACHMENT OF CERTAIN LAND FROM
THE CITY OF HOFFMAN

SUPPLEMENTARY
FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER

FINDINGS OF FACT

1. That the parties of record to this proceeding have duly executed and filed an agreement stipulating to the dismissal of the petition for detachment and the designation of the subject property as a "rural taxing district" pursuant to Minnesota Statutes 272.67, as follows:

"Both parties agree to request that the ratio between the benefits resulting from tax supported municipal services to parcels of like full and true value, situated in the rural service district and the urban service district, respectively be placed at 1:4. It is understood by this agreement that city taxes in the rural service district shall not exceed 25% of full municipal taxes. If at any time the mill levy for the payment of bonds and judgments and interest thereon amounts to 75% or more of full municipal mill levy, no further ad valorem taxes shall be spread against property within the rural taxing district. Provided, however, that the tax levied in the rural service district shall at no time be less than the full tax levied in the Township of Land, Grant County, Minnesota."

2. That pursuant to said stipulation and Municipal Commission Rule of Practice No. 13, the Commission issued an order November 20, 1974 denying the detachment, which specifically retains jurisdiction "for the purpose of establishing the herein described property as a rural taxing district pursuant to Minnesota Statutes 272.67."

3. That the property petitioned for detachment is unplatted, rural in character and not developed for commercial, industrial or urban residential purposes and for this reason it is not benefited to the same degree as other

property by municipal services financed by general taxation.

4. That the stipulated ratio adopted by the city council which would have the authority to establish the district itself under this statute is a fair and proper benefit ratio as provided for in subdivision 2 of Section 272.67. More specifically, we find that the property is receiving only 25% of the full benefit of municipal services accruing to other non rural property and should therefore pay only 25% of full municipal taxes.

CONCLUSIONS OF LAW

1. That the Minnesota Municipal Commission duly acquired and now has jurisdiction over the within proceeding.

2. That the petitioned property should be designated a rural taxing district as provided in the stipulation of the parties.

ORDER

IT IS HEREBY ORDERED that the following described property be designated as a rural taxing district pursuant to Minnesota Statutes, Section 272.67:

The West Half of the West Half ($W\frac{1}{2}W\frac{1}{2}$) of Section One (1), and the Northeast Quarter ($NE\frac{1}{4}$) of Section Two (2) all in Township 127 North, Range 41 West, Grant County, Minnesota.

IT IS FURTHER ORDERED: That the benefit ratio required by Subdivision 2 of Section 272.67 be established at 1:4; that is that the taxes for municipal purposes, exclusive of bonded indebtedness, shall not exceed 25% of full municipal taxes levied in the remainder of the city.


IT IS FURTHER ORDERED: That if at any point the mill levy for the payment of bonded obligations and judgments and interests thereon should amount to 75% or more of the full municipal mill levy, no further ad valorem taxes shall be spread against the property within the rural taxing district.

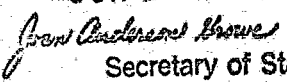
IT IS FURTHER ORDERED: That the city council may freely raise the benefit ratio established herein so that the municipal taxes levied in the rural service district shall not be less than the full tax levied for township

purposes in the adjacent Township of Land.

Dated this 3rd day of June, 1975

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
Saint Paul, Minnesota 55101


Howard L. Kaibel, Jr.
Executive Secretary

28115
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
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Secretary of State