

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
Lawrence Fiecke	Ex-Officio Member
Ernie Bullert	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)
BETWEEN THE CITY OF HUTCHINSON AND)
THE TOWNSHIP OF HUTCHINSON FOR THE)
ORDERLY ANNEXATION OF CERTAIN LAND TO)
THE CITY OF HUTCHINSON)

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 September 13, 1976, at Hutchinson, Minnesota. The hearing was conducted by Chairman Thomas Simmons pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Lawrence Fiecke and Ernie Bullert, ex-officio members of the Board. The City of Hutchinson was represented by Marlow Priebe, City Engineer. 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. That a joint resolution for orderly annexation was adopted by the City of Hutchinson and the Township of Hutchinson and duly filed with the Minnesota Municipal Board.

2. A resolution was filed by one of the signatories to the joint resolution, the City of Hutchinson, on July 26, 1976, 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:

30063

Beginning at the Northwest corner of Lot 6 of Auditor's Plat of the South Half of Section 30 and the North Half of Section 31 in Township 117 North of Range 29 West;

Thence due South along the West line of said Lot 6, 294 feet; thence due East on a line parallel with the North line of said Lot 6, 30 feet to the point of beginning of the tract herein described, thence due South on a line parallel with the West line of said Lot 6 a distance of 90 feet; thence due East on a line parallel with the North line of said Lot 6, 130 feet; thence due North on a line parallel with the West line of Lot 6, 90 feet; thence due West on a line parallel with the North line of said lot 6, 130 feet to the point of beginning, subject to easements of record.

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 Hutchinson.
- b. The area subject to annexation is one, residential lot.
- c. The degree of contiguity of the boundaries between the annexing municipality and the proposed annexed property is as follows: approximately 15 - 20%

5. Population Data: The area subject to annexation has zero population and will only increase slightly when the area is developed for a single-family home.

6. Development Issues

- a. What land use controls are presently being employed.
 - 1) In the City of Hutchinson
 - a) Zoning - Yes
 - b) Subdivision Regulations - Yes
 - 2) In the area to be annexed:
 - a) Zoning - Yes, by the County.
 - b) Subdivision Regulations - Yes, by the County.
- b. The present pattern of physical development is:
 - 1) In the City of Hutchinson:
 - a) Residential - Yes
 - b) Industrial - Yes
 - c) Commercial - Yes
 - d) Institutional - Yes
- c. In the area to be annexed: None.

7. Governmental Services

- a. There are plans to extend all municipal services to the area subject to annexation within a reasonable time.
- b. That the City of Hutchinson is capable of and it is practical for it to provide to the area proposed for annexation the listed municipal services within the next five (5) years.

8. Fiscal Data

- a. In the area subject to annexation, the assessed valuation is \$194, the township mill rate is 5.23.
- b. 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 Hutchinson is capable of providing 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 five (5) 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 Hutchinson, County of McLeod, State of Minnesota, be and the same hereby is annexed to the City of Hutchinson the same as if it had originally been made a part thereof:

Beginning at the Northwest corner of Lot 6 of Auditor's Plat of the South Half of Section 30 and the North Half of Section 31 in Township 117 North of Range 29 West;

Thence due South along the West line of said Lot 6, 294 feet; thence due East on a line parallel with the North line of said Lot 6, 30 feet to the point of beginning of the tract herein described, thence due South on a line parallel with the West line of said Lot 6 a distance of

90 feet; thence due East on a line parallel with the North line of said Lot 6, 130 feet thence due North on a line parallel with the West line of Lot 6, 90 feet; thence due West on a line parallel with the North line of said Lot 6, 130 feet to the point of beginning, subject to easements of record.

IT IS FURTHER ORDERED: That the mill levy of the City of Hutchinson on the property herein ordered annexed shall be increased in substantially equal proportions over a period of five (5) 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 October 29, 1976.

Dated this 29th day of October, 1976

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
Saint Paul, Minnesota 55101

William A. Neiman
William A. Neiman
Executive Secretary

#30063
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 4 - 1976
John Anderson Howe
Secretary of State