

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Thomas J. Simmons
Robert W. Johnson
Gerald J. Isaacs
Otto Jordan
Sonny Nesbit

Chairman
Vice Chairman
Member
Ex-Officio Member
Ex-Officio Member

IN THE MATTER OF THE RESOLUTION FOR)
ANNEXATION OF CERTAIN LAND TO THE)
CITY OF NORTHOME)

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 the 10th day of March, 1977, in the City Hall, Northome, Minnesota. The hearing was conducted by the Executive Secretary, William A. Neiman, pursuant to Minnesota Statutes 414.01, Subdivision 12. Also in attendance was County Commissioner Otto Jordan, Ex-Officio Member of the Board. The City of Northome appeared by and through Mr. Joseph M. Boyle, City Attorney. Testimony was heard, 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. On the 10th day of January, 1977, a resolution of the annexing municipality was received by the Minnesota Municipal Board requesting the Board to order annexation of the area hereinafter described. This resolution contained all the information required by statute including a description of the territory subject to annexation which is described as follows:

The Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Lot One (1), Section Twenty-nine (29), Lot Six (6), Section Twenty (20), and the North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) and the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-eight (28) and the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$), Section Twenty-one (21), all of said property being in Township One Hundred Fifty-one (151), Range Twenty-eight (28).

That the boundaries of the area proposed to be annexed are:

Beginning at the Southwest corner of Lot 1, Section Twenty-nine (29), Township One Hundred Fifty-one (151), Range Twenty-eight (28); thence traveling in an easterly direction along the North one-eighth line of Section Twenty-nine (29) and Section Twenty-eight (28) to the Southeast

corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28; thence traveling in a northerly direction along the east one-eighth line (1/8) of Section 28 and 21 to the northeast (NE) corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21; thence traveling in a westerly direction along the South one-eighth line of Section 21 to the Northwest corner of Lot 6, Section 20; thence traveling in a general westerly and southerly direction along the highwater mark of Lake Bartlett to the northwest (NW) corner of Lot One (1) of Section 29; thence traveling in a southerly direction along the western boundary of Government Lot One (1), Section 29 to the point of beginning, all of said property being in Township 151, Range 28.

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

3. Geographic Features:

- a. The area subject to annexation is unincorporated and abuts the City of Northome.
- b. The total area of the territory subject to annexation is 345.75 acres.
- c. The perimeter of the area proposed for annexation is 15% bordered by the municipality.
- d. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes, and major bluffs is as follows: 25-40% is lowland or part of lake; the remainder is gently rolling terrain.

4. Population data:

- a. The City of Northome has an estimated 351 residents and is expected to experience moderate growth for the next 10-15 years.
- b. The area subject to annexation:
 1. Past population growth - 10-15 people who have since moved from the area.
 2. Present population - 0
 3. Projected population - 5-10 people as several residential units are redeveloped.

5. Development Issues:

- a. What, if any, are the comprehensive plans for the development of the property proposed for annexation and/or the annexing municipality, including development projected by the State Planning Agency:
Part of the area is being set aside for industrial/commercial development. Most of the remaining area will be utilized by the school district to build a regional kindergarten through twelfth grade school facility.

b. What land use controls are presently being employed:

1. In the City of Northome:

- a. Zoning - In the process of developing a code with the assistance of the Arrowhead Regional Development Commission.
- b. Housing and building codes - yes

2. In the area to be annexed:

- a. Zoning - yes, by county
- b. Subdivision regulations - yes, by county
- c. Does the city require future growth space? Yes. If so, will the area subject to annexation provide the City of Northome with necessary growth space? Yes.

c. The present pattern of physical development is:

1. In the City of Northome:

- a. Residential - yes
- b. Industrial - yes
- c. Commercial - yes
- d. Institutional - yes

2. In the area subject to annexation there is no present development.

d. What will be the effect, if any, of the annexation on adjacent communities? None

6. Governmental Services:

a. Presently, the City of Northome provides its citizens with the following services:

- | | |
|----------------------------|---|
| 1. Water - yes | 5. Street maintenance - yes |
| 2. Sewer - yes | 6 ¹ / ₂ Street improvements - yes |
| 3. Fire protection - yes | 7. Recreational - yes |
| 4. Police protection - yes | 8. Other - airport |

b. Presently, the City of Northome provides the area subject to annexation with no services.

c. Plans to extend municipal services to the area subject to annexation include the following: all services, including utilities, will be available by Fall, 1978.

7. Fiscal data:

- a. In the City of Northome, the assessed valuation trend is rising (\$976,000 in 1976), the mill rate trend is rising, and the present bonded indebtedness is zero.
- b. In the area subject to annexation, the assessed valuation is \$2,960.
- c. Will the annexation have any effect upon area school districts?
Yes, the school district will benefit by having the City of Northome's services, including utilities, available in the near future.

8. Is annexation to the City of Northome the best alternative:

- a. Could governmental services be better provided for by incorporation of the area subject to annexation? No.
- b. Could governmental services be better provided for by consolidation or annexation of the area with an adjacent municipality other than the City of Northome? No.

9. A majority of property owners in the area to be annexed have not petitioned the Minnesota Municipal Board requesting annexation.

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 character.
3. Municipal government is required to protect the public health, safety, and welfare in the area subject to annexation.
4. The best interests of the City of Northome and the area subject to annexation will be furthered by annexation.
5. There is a reasonable relationship between the increase in revenue for the City of Northome and the value of benefits conferred upon the area subject to annexation.
6. The area is within unorganized territory. There is, therefore, no effect on a township.

4. Although this annexation proceeding has not been initiated by a petition of a majority of property owners, the area subject to annexation which is also the area "primarily and substantially interested in or affected by the Board order" has no resident voters. Therefore, the referendum requirement (M.S. 414.031, Subdivision 5) is inapplicable in this proceeding.

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

ORDER

IT IS HEREBY ORDERED: That the property described herein situated in the County of Koochiching, State of Minnesota, be and the same hereby is annexed to the City of Northome, Minnesota, the same as if it had been originally made a part thereof:

The Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Lot One (1), Section Twenty-nine (29), Lot Six (6), Section Twenty (20), and the North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) and the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-eight (28) and the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$), Section Twenty-one (21), all of said property being in Township One Hundred Fifty-one (151), Range Twenty-eight (28).

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IT IS FURTHER ORDERED: That pursuant to Minnesota Statutes 414.01, Subd. 12, this order is hereby stayed for a period of thirty (30) days.

IT IS FURTHER ORDERED: That the effective date of this order is May 4, 1977.

Dated this 4th day of May, 1977

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

William A. Neiman
William A. Neiman
Executive Secretary

#30504
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 5 - 1977

John Anderson Howe
Secretary of State