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STATE OF MINNESOTA
MUNICIPAL BOARD
Suite 165 Metro Square
7th & Robert Streets
St. Paul, Minnesota 55101
August 5, 1977

Mr. Mark Winkler
Deputy Secretary of State
State Office Building
Saint Paul, Minnesota

Re: Municipal Board Docket Number A-3129 Stacy

Dear Mr. Winkler:

The subject order of the Minnesota Municipal Board makes the following changes in the population of the named units of government:

The population of _____
is increased by NO CHANGES

The population of _____
is decreased by NO CHANGES

A new municipality named _____
has been created with a population of _____

The _____
has been dissolved.

Official date of the Order August 5, 1977

C.C. Mr. Wallace O. Dahl
Director
Tax Research Division
205 Centennial Bldg.

pd
Patricia D. Lundy
Assistant Executive Secretary

Hazel Reinhardt
State Demographer
101 Capitol Square Bldg.

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Gerald J. Isaacs	Chairman
Robert W. Johnson	Vice Chairman
Thomas J. Simmons	Member
Carl Lindberg	Ex-Officio Member
Donald Hestbeck	Ex-Officio Member

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

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 May 9, 1977 at Stacy, Minnesota. The hearing was conducted by Chairman Gerald J. Isaacs pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Carl Lindberg and Donald Hestbeck, ex-Officio Members of the Board. The City of Stacy was represented by Rosemary Maskoski, Francis Rutt appeared in behalf of the Township of Lent, and M.L. Aslakson, the petitioner, represented himself. 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. On March 15, 1977, a copy of a petition for annexation by the sole property owner was filed with the Minnesota Municipal Board. The petition contained all the information required by statute including a description of the territory subject to annexation which is as follows:

All that part of the East Half of the Southwest Quarter which lies to the West of the right-of-way of the Burlington Northern Railroad, in Section 32, Township 34 North, Range 21 West, Chisago County, Minnesota. Except therefrom that part lying West of Interstate Highway Number 35.

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 Stacy.
- b. The total area of the City of Stacy is unknown.
- c. The perimeter of the area to be annexed is 25% or less 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: undeveloped and forested.

4. Population Data

- a. The City of Stacy has shown some growth in this decade and has a present estimated population of 540.
- b. The area subject to annexation has zero population, and there are no immediate prospects for population growth.

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 Metropolitan Council. There was some discussion of developing the area with single-family homes, but no actual planning had been done.
- b. What land use controls are presently being employed.
 - 1) In the City of Stacy: Zoning by Chisago County. Others are unknown.
 - 2) In the area to be annexed: as administered by Chisago County.
 - a. Zoning - Yes, the area is zoned agricultural.
 - b. Subdivision regulations - Yes
 - c. Housing and building codes - Yes
- c. Does the city require future growth space? Unknown. If so, will the area subject to annexation provide the City of Stacy with necessary growth space? Substantial, better located, undeveloped tracts are within Stacy's corporate limits.

d. The present pattern of physical development is:

- 1) In the City of Stacy: all types of development, including slow residential growth.
- 2) In the area subject to annexation: none, the area is undeveloped.

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

6. Governmental Services

a. Presently, the Township of Lent provides the area subject to annexation with the following services:

- 1) Fire Protection - by contract with Stacy.
- 2) Police Protection - by Chisago County.
- 3) Other services not required.

b. Presently, the City of Stacy provides its citizens with the following services:

- | | |
|----------------------------|------------------------------|
| 1) Water - Yes | 5) Street Improvements - Yes |
| 2) Sewer - Yes | 6) Street Maintenance - Yes |
| 3) Fire Protection - Yes | 7) Recreational - Unknown |
| 4) Police Protection - Yes | |

c. Presently, the City of Stacy provides the area subject to annexation with the following services:

- 1) Fire Protection - Yes, by contract
- 2) Police Protection - No
- 3) Other services not required.

d. Plans to extend municipal services to the area subject to annexation include the following: Although services other than utilities could be extended, Stacy presently has water and sewer problems and must resolve these before it can plan for a larger area.

e. There are existing or potential pollution problems which are: None.

7. Fiscal Data

a. In the City of Stacy, the mill rate is 12.46.

b. In the area subject to annexation, the assessed valuation is \$645, and the mill rate is 11.08.

c. Will the annexation have any effect upon area school districts? No.

- 8. Is annexation to the City of Stacy the best alternative.
 - a. Could governmental services be better provided for by incorporation of the area subject to annexation? No, the area is obviously not a potential city.
 - b. Could governmental services be better provided for by consolidation or annexation of the area with an adjacent municipality other than Stacy? No. There is no such city.
 - c. Could Lent Township provide the services required? Yes, the area needs no other services at this time.

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 not now or is about to become urban or suburban in character.
- 3. Municipal government is not required to protect the public health, safety, and welfare in the area subject to annexation.
- 4. The best interest of the area subject to annexation will not be furthered by annexation.
- 5. There is not a reasonable relationship between the increase in revenue for the City of Stacy and the value of benefits conferred upon the area subject to annexation.
- 6. Annexation of all or a part of the property to an adjacent municipality would not better serve the interests of the residents who reside in the area subject to annexation.
- 9. An order should be issued by the Minnesota Municipal Board denying the annexation of the area described herein.

O R D E R

IT IS HEREBY ORDERED: That the petition to annex the property described heretofore situated in the County of Chisago, State of Minnesota, be and the same is hereby denied.

IT IS FURTHER ORDERED: That the effective date of this order is August 5, 1977.

Dated this 5th day of August, 1977

STATE OF MINNESOTA
 DEPARTMENT OF STATE
 FILED
 AUG 8 - 1977
James Anderson Howe
 Secretary of State

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

William A. Neiman
 William A. Neiman
 Executive Secretary