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STATE OF MINNESOTA  
MUNICIPAL BOARD

Suite 165 Metro Square  
7th & Robert Streets  
St. Paul, Minnesota 55101

September 12, 1977

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

Re: Municipal Board Docket Number A-3105 Pine Island

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 CHANGE

The population of \_\_\_\_\_

is decreased by \_\_\_\_\_ NO CHANGE

A new municipality named \_\_\_\_\_

has been created with a population of \_\_\_\_\_

The \_\_\_\_\_

has been dissolved.

Official date of the Order September 12, 1977. Effective October 9, 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.

Mr. Arthur C. Roemer  
Department of Revenue  
201 Centennial Bldg.

BEFORE THE MUNICIPAL BOARD  
OF THE STATE OF MINNESOTA

Gerald J. Isaacs	Chairman
Robert W. Johnson	Vice Chairman
Thomas J. Simmons	Member
John Davidson	Ex-Officio Member
Earl Prigge	Ex-Officio Member

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IN THE MATTER OF THE PETITION )  
FOR ANNEXATION OF CERTAIN LAND )  
TO THE CITY OF PINE ISLAND )  
-----  
FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
AND ORDER  
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The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on June 2, 1977 at Pine Island, Minnesota. The hearing was conducted by Board Member Robert W. Johnson pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance was County Commissioner John Davidson, ex-officio member of the Board. The City of Pine Island appeared by and through John Hanson, the Township of Pine Island appeared by and through Duane Klingsporn, and the petitioners were represented by David Rockne. 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

On February 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:

That part of the Northwest Quarter (NW $\frac{1}{4}$ ) and the North Half (N $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 33, Township 109 North, Range 15 West, lying north of Minnesota Thru Highway No. 52

described as follows: Beginning at the point of intersection of the north Right of Way (R.O.W.) line of said Mn T.H. #52 and the west line said NW¼ of Sec. 33, T. 109 N., R. 15 W., thence East Southeasterly 439.53 ft. on said north R.O.W. line Mn. T.H. #52 on a 1822 ft. radius curve deflecting to the left, chord bearing and length S. 73 degrees 52'50" E. 438.47 ft., delta angle 13 degrees 49'19", thence S. 80 degrees 47'30" E. 1278.00 ft. on said north R.O.W. line Mn T.H. #52, thence N. 09 degrees 12'30" E. 239.06 ft., thence N. 80 degrees 47'30" W. 841.00 ft. on line parallel and 239.06 ft. distant northerly of said North R.O.W. line Mn. T.H. #52, thence North 09 degrees 12'30" E. 824.22 ft., thence N. 80 degrees 47'30" W. 490.37 ft., thence N. 49 degrees 22'33" W. 32.26 ft. to East corner of Block Three (3) Woodland Estates Addition to Goodhue County, thence S. 33 degrees 20'30" W. 454.05 ft. on east line Blocks Two (2) and Three (3) of said Woodland Estates Addition, thence N. 84 degrees 02'08" W. 266.09 ft. on south line said Block 2 Woodland Estates Addition to west line said NW¼ Sec. 33, T. 109 N., R. 15 W., thence South 605.72 ft. on said west line Sec. 33, T. 109 N., R. 15 W., to point of beginning, containing 24.0397 Acres, more or less.

An objection to the proposed annexation was received by the Minnesota Municipal Board by Pine Island Township on March 3, 1977. The Municipal Board upon receipt of this objection conducted further proceedings in accordance with M.S. 414.031, as required by M.S. 414.033, Subd. 5.

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 Pine Island.
- b. The total area of the City of Pine Island is 1600 acres. The total area of the territory subject to annexation is 24 acres.
- c. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is as follows: rolling with high point on north.

4. Population Data

- a. The City of Pine Island: the area has experienced steady growth and presently has an estimated population of 1840.
- b. The area subject to annexation has 0 population and is unlikely to acquire any in the foreseeable future.

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. There are no specific plans.
- b. What land use controls are presently being employed. The area under consideration is zoned agricultural by Goodhue County.
- c. Does the city require future growth space? No, not at this time.
- d. The present pattern of physical development is:
  - 1) In the City of Pine Island:
    - a) Residential - Yes
    - b) Industrial - Yes
    - c) Commercial - Yes
    - d) Institutional - Yes
  - 2) In the area subject to annexation: the area is farm land.
- e. What will be the effect, if any, of the annexation on adjacent communities? None.

6. Governmental Services

- a. Presently, the Township of Pine Island provides the area subject to annexation with fire service by contract which is the only service the area requires.
- b. Presently, the City of Pine Island provides its citizens with the following services:
  - 1) Water - Yes
  - 2) Sewer - Yes
  - 3) Fire Protection - Yes, volunteer force.
  - 4) Police Protection - By contract with County.
  - 5) Street Improvements - Yes
  - 6) Street Maintenance - Yes
  - 7) Recreational - Yes
  - 8) Other
- c. Presently, the City of Pine Island provides the area subject to annexation with fire service by contract.
- d. Plans to extend municipal services to the area subject to

annexation include the following: there are no such plans and much of the area would presently be difficult to service with utilities.

- e. There is a potential pollution problem in that the area might become polluted if developed with septic tanks, and, further, the municipal sewage treatment plant is presently overloaded. The following additional services will help resolve this situation: an upgrading of the plant is required, and preliminary plans are underway; however, such plans do not include the area in question.

7. Fiscal Data

- a. In the area subject to annexation, the assessed valuation as of 1977 is \$2,664, the mill rate as of 1977 is 11.72.
- b. Will the annexation have any effect upon area school districts? No.

8. Is annexation to the City of Pine Island 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 Pine Island? No.
- c. Could Pine Island township provide the services required? Yes, the area is farm land and likely to remain so for some 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 nor 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 City of Pine Island and 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 Pine Island 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.

O R D E R

IT IS HEREBY ORDERED: That the petition requesting annexation of the property described herein situated in the County of Goodhue, State of Minnesota, be and the same is hereby denied.

IT IS FURTHER ORDERED: That pursuant to M.S. 414.01, Subd. 12, this order is hereby stayed for a period of 30 days during which time any party of record may demand an oral review by the full Municipal Board.

IT IS FURTHER ORDERED: That the effective date of this order is October 9, 1977.

Dated this 12th day of September, 1977.

MINNESOTA MUNICIPAL BOARD  
165 Metro Square Building  
St. Paul, Minnesota 55101

*William A. Neiman*  
William A. Neiman  
Executive Secretary

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
SEP 15 1977  
*John Anderson Howe*  
Secretary of State

#31021