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STATE OF MINNESOTA
MUNICIPAL BOARD

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

February 3, 1978

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

Re: Municipal Board Docket Number A-3178 New Trier

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 The City of New Trier

is increased by NO CHANGE

The population of The Township of Hampton

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 February 3, 1978. Effective date:

February 3, 1978.

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

Patricia D. Lundy
Patricia D. Lundy
Assistant Executive Secretary

Hazel Reinhardt
State Demographer
101 Capitol Square Bldg.

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

31274

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Gerald J. Isaacs	Chairman
Robert W. Johnson	Vice Chairman
Thomas J. Simmons	Member
James Kennedy	Ex-Officio Member
Gerald Hollenkamp	Ex-Officio Member

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

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 October 19, 1977, at New Trier, Minnesota. The hearing was conducted by William A. Neiman, Executive Secretary, pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners James Kennedy and Gerald Hollenkamp, ex-officio members of the Board. The Township of Hampton appeared by and through Harry Schoen, and the petitioners appeared by and through David Tanner. 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 June 28, 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:

The West 495.0 feet of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 13, T. 113N., R. 18W., lying East and South of Lot 17, Auditor's Sub-division No. 15, according to the plat thereof in the office of the County Recorder, Dakota County, Minnesota, subject to STH No. 50 over the North 33 feet thereof and subject to SAR No. 85 over the West 33 feet thereof, containing an area of approximately 11.4 acres, which land is abutting the Village of New Trier and is presently within the Township of Hampton.

An objection to the proposed annexation was received by the Minnesota Municipal Board by Hampton Township on August 9, 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.

A resolution supporting the annexation was not received from the annexing municipality.

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 New Trier.
- b. The total area of the City of New Trier is 120 acres. The total area of the territory subject to annexation is 11.4 acres.
- c. The perimeter of the area to be annexed is approximately 25% 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: slightly rolling with a ravine.

4. Population Data

- a. The City of New Trier
 - 1) Past population growth: 1960 - 143 persons
 - 2) Present population: 1977 - 143 persons
 - 3) Projected population: Growth is uncertain.
- b. The area subject to annexation: None, although 75 - 100 persons would reside there if development is successful.

5. Development Issues

- a. What, if any, are the plans for the development of the property proposed for annexation and/or the annexing municipality, including development projected by the Metropolitan Council? The developer believes that 25 homes will be built in the area, but the timing is uncertain.
- b. What land use controls are presently being employed?
 - 1) In the City of New Trier:
 - a. Zoning - No
 - b. Subdivision regulations - No
 - c. Housing and building codes - Under consideration.

- 2) In the area to be annexed:
 - a. Zoning - Yes, by Dakota County.
 - b. Subdivision regulations - Unknown
 - c. Housing and building codes - Unknown
 - c. Does the city require future growth space? Unknown.
Growth is uncertain, and there are other undeveloped parcels in the city. If so, will the area subject to annexation provide the City of New Trier with growth space? Yes.
 - d. Development of the following types is occurring:
 - 1) In the City of New Trier:
 - a. Residential - Very limited
 - b. Industrial - No
 - c. Commercial - Two taverns
 - d. Institutional - Unknown
 - 2) In the area subject to annexation: None, presently agricultural.
 - e. What will be the effect, if any, of the annexation on adjacent communities? None.
6. Governmental Services
- a. Presently, the Township of Hampton provides the area subject to annexation with the following services:
 - 1) Water - No
 - 2) Sewer - No
 - 3) Fire Protection - Unknown
 - 4) Police Protection - Unknown
 - 5) Street Improvements - Unknown
 - 6) Street Maintenance - Unknown
 - 7) Recreational - Unknown
 - b. Presently, the City of New Trier provides its citizens with the following services:
 - 1) Water - Yes
 - 2) Sewer - No
 - 3) Fire Protection - No, contracts with Cannon Falls
 - 4) Police Protection - Unknown
 - 5) Street Improvements - Unknown
 - 6) Street Maintenance - Yes
 - 7) Recreational - No
 - c. Presently, the City of New Trier provides the area subject to annexation with the following services: None.
 - d. Plans to extend municipal services to the area subject to annexation include the following: water can be

extended upon development.

- e. There are existing or potential pollution problems which are: present and potential pollution from septic tanks. The following additional services will help resolve this situation: community sewer, which is not available.

7. Fiscal Data

- a. In the City of New Trier, the assessed valuation trend as of 1977 is rising (\$150,914), the mill rate trend as of 1977 is decreasing (8.59) and the bonded indebtedness as of 1977 is \$160,000.
 - b. In the area subject to annexation, the assessed valuation trend as of 1977 is rising (\$910), the mill rate trend as of 1977 is decreasing (4.57) and the bonded indebtedness as of 1977 is 0.
 - c. The mill rate trends in the following units of government are:
 - 1) County - Relatively stable (17.4)
 - 2) School Districts - No pattern (62.40)
 - 3) Township - Decreasing
 - d. Will the annexation have any effect upon area school districts? No.
8. Is annexation to the City of New Trier 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 New Trier? No.
 - c. Could Hampton Township provide the services required? Yes, the area is very unlikely to require more services for the foreseeable future.
 - d. Can Hampton Township continue to function without the area subject to annexation? Yes.
9. A majority of property owners in the area to be annexed have 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 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 New Trier and the value of benefits conferred upon the area subject to annexation.
6. An order should be issued by the Minnesota Municipal Board denying the annexation petition described herein.

O R D E R

IT IS HEREBY ORDERED: That the proposed annexation of the property described herein situated in the County of Dakota, 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.

IT IS FURTHER ORDERED: That the effective date of this order is February 3, 1978.

Dated this 3rd day of February, 1978.

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

William A. Neiman
William A. Neiman
Executive Secretary

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB 7 - 1978

Joan Anderson Howe
Secretary of State

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