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STATE OF MINNESOTA
MUNICIPAL BOARD

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

September 28, 1978

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

Re: Municipal Board Docket Number A-3320 Buhl, Order #2

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 City of Buhl
is increased by (no change)

The population of Town of Great Scott
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 July 26, 1978

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

Hazel Reinhardt
State Demographer
101 Capitol Square Bldg.

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

Pat Lundy
Patricia D. Lundy
Assistant Executive Secretary

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 2 - 1978

John Andrew Howe
Secretary of State

231723
O.D.

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Gerald J. Isaacs	Chairman
Robert W. Johnson	Vice Chairman
Thomas J. Simmons	Member
Ron Dicklich	Ex-Officio Member
Ed Hoff	Ex-Officio Member

IN THE MATTER OF THE PETITION AND RESOLUTION)	<u>FINDINGS OF FACT,</u>
FOR ANNEXATION OF CERTAIN LAND TO THE CITY)	<u>CONCLUSIONS OF LAW,</u>
OF BUHL PURSUANT TO MINNESOTA STATUTES 414)	<u>AND ORDER</u>

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on May 25, 1978, at Buhl, Minnesota. The hearing was conducted by Chairman Gerald Isaacs. Also in attendance were Municipal Board Member Thomas Simmons and County Commissioners Ron Dicklich and Ed Hoff, ex-officio members of the Board. The City of Buhl appeared by and through Jon Rice, and the Township of Great Scott appeared by and through Bruce Rasmussen. 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, 1978, 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 as follows:

School Forty: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21, Township 58 North, Range 19 West of 4th Principal Meridian--excepting that part thereof which has previously been incorporated into the City of Buhl.

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

3. Geographic Features

- The area subject to annexation is unincorporated and abuts the City of Buhl.
- The total area of the City of Buhl is 1680 acres.

4. Population Data

- The City of Buhl:
 - Past population growth: 1303 (1970 Census)
 - Present population: 1366 (Dept. of Treasury estimate)
 - Projected population: increase
- The area subject to annexation: none

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 State Planning Agency? Unknown.
- b. What land use controls are presently being employed?
 - 1) In the City of Buhl:
 - a. Zoning - Yes
 - b. Subdivision regulations - Yes
 - c. Housing and building codes - Yes
 - 2) In the area to be annexed:
 - a. Zoning - under County regulation
 - b. Subdivision regulations - No
 - c. Housing and building codes - No
- c. Does the city require future growth space? Yes. If so, will the area subject to annexation provide the City of Buhl with necessary growth space? Yes.
- d. Development of the following types is occurring:
 - 1) In the City of Buhl:
 - a. Residential - Yes
 - b. Industrial - No
 - c. Commercial - Yes
 - d. Institutional - No
 - 2) In the area subject to annexation: Yes, institutional.
- e. What will be the effect, if any, of the annexation on adjacent communities? None.

6. Governmental Services

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

1) Water - No	5) Street Improvements - No
2) Sewer - No	6) Street Maintenance - No
3) Fire Protection - Yes	7) Recreational - No
4) Police Protection - No	8) Other - garbage collection
- b. Presently, the City of Buhl 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 - Yes
4) Police Protection - Yes	8) Other - garbage collection, power
- c. Presently, the City of Buhl provides the area subject to annexation with the following services:

1) Water - Yes	5) Street Improvements - No
2) Sewer - Yes	6) Street Maintenance - Yes
3) Fire Protection - "on call"	7) Recreational - No
4) Police Protection - Yes	8) Other - power
- d. Plans to extend municipal services to the area subject to annexation include the following: fire protection on full-time basis; street improvements and recreational.

7. Fiscal Data

- a. In the City of Buhl, the assessed valuation trend as of 1978 is up, the mill rate trend as of 1978 is down, and the bonded indebtedness as of 1978 is \$180,000.

- b. In the area subject to annexation, the assessed valuation as of 1978 is \$91,473 (not including school), and the mill rate trend as of 1978 is up.
- c. The mill rate trends in the following units of government are: (1978)
 - 1) County - down 2) School Districts - down 3) Township - up
- d. Will the annexation have any effect upon area school districts? No.
- 8. Is annexation to the City of Buhl 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 Buhl? No.
 - c. Could Great Scott Township provide the services required? No.
 - d. Can Great Scott 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 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 interest of the City of Buhl and the area subject to annexation will be furthered by annexation.
- 5. The remainder of the Township of Great Scott can carry on the functions of government without undue hardship.
- 6. There is a reasonable relationship between the increase in revenue for the City of Buhl and the value of benefits conferred upon the area subject to annexation.
- 7. 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.
- 8. This annexation proceeding has been approved by a petition of a majority of property owners and, therefore, this Minnesota Municipal Board order is not subject to an annexation election.
- 9. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

ORDER

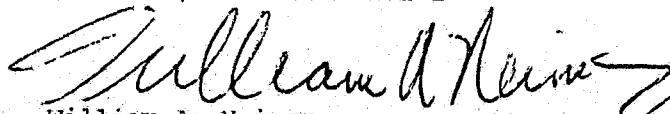
IT IS HEREBY ORDERED: That the property described herein situated in the County of St. Louis, State of Minnesota, be and the same is hereby annexed to the City of Buhl, Minnesota, the same as if it had been originally made a part thereof:

School Forty: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21, Township 58 North, Range 19
West of 4th Principal Meridian--excepting that part thereof which has
previously been incorporated into the City of Buhl.

IT IS FURTHER ORDERED: That the effective date of this order is July 26, 1978.

Dated this 26th day of July, 1978

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


William A. Neiman
Executive Director

#31723
O.D.