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**STATE OF MINNESOTA
MUNICIPAL BOARD**

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

October 31, 1978

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

Re: Municipal Board Docket Number A-3233

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 Norwood
is increased by no change

The population of Township of Young America
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 October 27, 1978, effective date October 27, 1978

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

Patricia D. Lundy
Patricia D. Lundy
Assistant Executive Director

Hazel Reinhardt
State Demographer
101 Capitol Square Bldg.

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

**STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 14 1978**

John Anderson
Secretary of State
431798
O.N.

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Gerald J. Isaacs	Chairman
Robert W. Johnson	Vice Chairman
Thomas J. Simmons	Members
Harold Trende	Ex-Officio Member
Jerome Aretz	Ex-Officio Member

STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
NOV 14 1978

John Anderson Howe
Secretary of State

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

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 March 20, 1978, at Hamburg, Minnesota. The hearing was conducted by Chairman Isaacs pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Harold Trende and Jerome Aretz, ex-officio members of the Board. The City of Norwood appeared by and through Kerry Olson, and the Township of Young America appeared by and through Luthar Woltar, Jr. 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

I. On September 28, 1977, a copy of a Notice of Intent to annex was filed with the Minnesota Municipal Board by the City of Norwood. The Notice of Intent contained all the information required including a statement that the area proposed for annexation is 60 percent or more bordered by the city.. A description of the territory subject to annexation which is as follows:

All that land which lies Easterly of the Westerly right of way line of the Chicago and Northwestern Railway Company right of way, South of the present State Highway No. 212 right of way and North of the center-line of old State Highway No. 212 which triangular shaped piece of land is located in the North Half of Section 14, Township 115 North, Range 26 West in the County of Carver, State of Minnesota.

An objection to the proposed annexation was received by the Minnesota Municipal Board from Young America Township on November 23, 1977. The Municipal Board upon receipt of this objection conducted further proceedings in accordance with M.S. 414.031, Subds. 3 & 4 as required by M.S. 414.033, Subd. 3.

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

III. Geographic Features

A. The area subject to annexation is unincorporated and abuts the City of Norwood.

B. The total area of the territory subject to annexation is 16.9 acres.

C. The perimeter of the area to be annexed is more than 60 percent.

bordered by the municipality.

D. The natural terrain of the area, including general topography, major

watersheds, soil conditions, rivers, lakes and major bluffs is:

Formerly farm land, now vacant.

IV. Population Data

A. The City of Norwood has experienced continuing growth.

B. The area subject to annexation has 0 population and is not expected to acquire any.

V. Development Issues

A. The pattern of physical development:

1. In the City of Norwood, development of all types is occurring.

2. In the area subject to annexation:

- | | |
|---------------------------|----------------------------|
| 1) Residential: 0 acres | 4) Industrial: 0 acres |
| 2) Institutional: 0 acres | 5) Agricultural: 0 acres |
| 3) Commercial: 0 acres | 6) Vacant land: 16.4 acres |

B. Land use controls and planning, including comprehensive plans, in the city and the area subject to annexation:

1. In the City of Norwood:

- a. Zoning - Yes
- b. Subdivision Regulations - Yes
- c. Comprehensive Plan - Yes

2. In the Township of Young America:

- a. Zoning - Yes, by County

VI. Governmental Services

A. The Town of Young America provides the area subject to annexation with the following services:

- 1. Water - No
- 2. Sewer - No
- 3. Fire protection - Yes, by contract.
- 4. Police protection - By County Sheriff
- 5. Street improvements - No
- 6. Street maintenance - Yes
- 7. Recreational - No

B. The City of Norwood provides its residents with the following services:

- 1. Water - Yes
- 2. Sewer - Yes
- 3. Fire protection - Yes
- 4. Police protection - Yes
- 5. Street improvements - Yes
- 6. Street maintenance - Yes
- 7. Recreational - Yes

C. The City of Norwood provides the area subject to annexation with the following services:

- 1. Water - No
- 2. Sewer - No
- 3. Fire protection - Yes, by contract
- 4. Police protection - No
- 5. Street improvements - No

6. Street maintenance - No
7. Recreational - No

D. Existing or potential environmental problems and the need for additional services to resolve these problems: A ditch which disposes of the Norwood/Young America effluent is creating a potential health hazard in Young America Town, and, an upgraded plant, which would resolve this problem, is no less than several years in the future.

VII. Is annexation to the City of Norwood the best alternative?

- A. Relationship and effect of the proposed annexation on area school districts and on adjacent communities: Although the City of Young America did not respond to this issue, the annexation proposal creates concerns very similar to those addressed by the Board in its September 21, 1977. order, denying an annexation to the City of Young America; that is, the area which lies west of Norwood should be the subject of either a municipal consolidation between the cities of Norwood and Young America or should be the focus of joint efforts by all parties under the newly adopted, orderly annexation sections. The alternative is a piece-meal approach, detrimental to all parties.
- B. Adequacy of town government to deliver services to the area proposed for annexation: While the area remains rural, the township can service the area.
- C. Could necessary governmental services best be provided by annexation to an adjacent municipality? At the present time, no, but the long-range future of the proposed annexation area and adjacent lands remains uncertain.

CONCLUSIONS OF LAW

I. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.

II. The area subject to annexation is not now or about to become urban or suburban in character.

III. Municipal government is not required to protect the public health, safety, and welfare in the area subject to annexation

IV. The best interest of the area subject to annexation will not be furthered by annexation.

V. Annexation of all or a part of the property to an adjacent municipality may better serve the interests of the residents who reside in the area subject to annexation.

VI. An order should be issued by the Minnesota Municipal Board denying the proposed annexation.

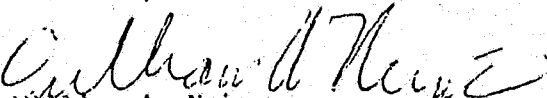
O R D E R

I. IT IS HEREBY ORDERED: That the resolution requesting the annexation of certain land in the County of Carver, State of Minnesota, described in Finding of Fact I be and the same is hereby denied.

II. IT IS FURTHER ORDERED: The the effective date of this order is October 27, 1978.

Dated this 27th day of October, 1978.

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


William A. Neiman
Executive Director