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Phone: 296-2428

STATE OF MINNESOTA
MUNICIPAL BOARD

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

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

Re: Municipal Board Docket Number D-126 City of Norcross

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 Norcross
is increased by no change

The population of the Town of Gorton
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 Nov. 16, 1978, effective date

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

Nov. 16, 1979.

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.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 21 1978
John Andrew Howe
Secretary of State

31820

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNEOSTA

Gerald J. Isaacs	Chairman
Robert W. Johnson	Vice Chairman
Thomas J. Simmons	Member

IN THE MATTER OF THE PETITION AND RESOLUTION)
 FOR THE DETACHMENT OF CERTAIN LAND FROM THE)
 CITY OF NORCROSS PURSUANT TO M.S. 414.06.)

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 July 22, 1977, and December 7, 1977, at Herman, Minnesota. The hearing was conducted by Thomas Simmons, Board Member, pursuant to Minnesota Statutes 414.01, Subd. 12. The petitioners were represented by Mr. Peter Smilde and Mr. Dewey Nelson; the City was represented by Mr. Lyndon Kratochwill. 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. That a petition was duly filed with the Municipal Board on April 19, 1977, by all the property owners requesting detachment from the City of Norcross.
2. The petition contained all the information required by statute including a description of the territory proposed for detachment which is as follows:

The Northwest Quarter (NW -1/4) of Section Thirty-four (34), Township One Twenty-eight (128) North, Range Forty-four (44) West, comprising 143.96 acres more or less.

The West Half of the Southwest Quarter (W -1/2 SW -1/4) of Section Twenty-seven (27), Township One Twenty-eight (128) North, Range Forty-four (44) West, of the principal Meridian.

That part of the South Half (S -1/2) of Section Twenty-eight (28), Township One Twenty-eight (128) North, Range Forty-four (44) West, lying South and West of the right-of-way of the Great Northern Railway and lying South and East of the center line of Griswold Street of the Village of Norcross extended to the South line of said Section 28 except that portion known as Lane's Addition of the Village of Norcross and also excepting two (2) acres described as follows to-wit: Beginning at the intersection of the center line of Griswold Street of the Village of Norcross produced with the section line of the South side of said Section 28, thence running North 23° 30" East along the center line of Griswold Street 34.17 rods, thence South 66° 30" East 10 rods, thence South 23° 30" West 29.83 rods to said Section line, thence West along said Section line to place of beginning.

The West Half (W -1/2) of the West Half (W -1/2) of the Northwest Quarter (NW -1/4) of Section Twenty-seven (27), Township One Twenty-eight (128) North, Range Forty-four (44) West, comprising 40 acres.

The Southeast Quarter (SE -1/4) of Section Twenty-one (21), Township One Twenty-eight (128) North, Range Forty-four (44) West, comprising 160 acres;

The South Half (S -1/2) of the Southwest Quarter (SW -1/4), Section Twenty-two (22), Township One Twenty-eight (128) North, Range Forty-four (44) West, comprising 80 acres;

That part of the Northeast Quarter (NE -1/4) of Section Twenty-eight (28), Township One Twenty-eight (128) North, Range Forty-four (44) West, lying North and East of the right-of-way of the St. Paul, Minneapolis and Manitoba Railway as now located except the town site of Norcross and except a triangular body of land containing twelve (12) acres situate at the angle formed by the intersection of said right-of-way with the Northwest boundary line of said town site of Norcross, said excepted tract being bounded on the Southeast by said boundary line of said town site on the Southwest by said right-of-way and on the North by a line drawn between said boundary line of Norcross and said right-of-way parallel with the North line of said Section 28, the tract hereby described containing exclusive of said excepted tract 217 acres and 18 square rods more or less according to the government survey and said tract in said Section 28 hereby conveyed being further described by the following magnetic courses running by the magnetic needle without correction of the variation to-wit, beginning at a point 3.41 chains South 80° West from the Northeast corner of said Section 28, running thence South 13° 45" West 22.47 chains, thence South 80° West 15.98 chains to the right-of-way of the St. Paul, Minneapolis and Manitoba Railroad, thence North 42° West 24.50 chains along the line of said right-of-way, thence North 80° East 38.09 chains to the point of beginning, comprising 57 acres more or less.

3. The area proposed for detachment is situated within the City of Norcross and abuts the municipal boundary.
4. The area proposed for detachment is 612 acres.
5. The area proposed for detachment is unplatted and occupied and used primarily for agricultural purposes.
6. The number and character of buildings on the concerned area are as follows:
farm house and farm buildings.
7. Municipal improvements in the area are: a "winter road" running north and south and touching most of the property involved and a drainage ditch along this same road.
8. The population of the area subject to detachment is 6.
9. The area abuts the township of Gorton.
10. The adoption of a reasonable rural service taxing district would best serve the affected area and Norcross.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.
2. Detachment would not unreasonably affect the symmetry of Maynard.
3. Detachment may adversely affect anticipated future development.
4. An order should be issued by the Minnesota Municipal Board conditionally detaching the area described herein.

O R D E R

IT IS HEREBY ORDERED: That, if a reasonable rural service taxing district is not created by this order's effective date, the following-described property be, and the same hereby is, detached from the City of Norcross and made a part of the Township of Gorton, the same as if it had originally been made a part thereof:

The Northwest Quarter (NW-1/4) of Section Thirty-four (34), Township One Twenty-eight (128) North, Range Forty-four (44) West, comprising 143.96 acres more or less.

The West Half of the Southwest Quarter (W-1/2 SW-1/4) of Section Twenty-seven (27), Township One Twenty-eight (128) North, Range Forty-four (44) West, of the principal Meridian.

That part of the South Half (S-1/2) of Section Twenty-eight (28), Township One Twenty-eight (128) North, Range Forty-four (44) West, lying South and West of the right-of-way of the Great Northern Railway and lying South and East of the center line of Griswold Street of the Village of Norcross extended to the South line of said Section 28 except that portion known as Lane's Addition of the Village of Norcross and also excepting two (2) acres described as follows to-wit: Beginning at the intersection of the center line of Griswold Street of the Village of Norcross produced with the section line of the South side of said Section 28, thence running North 23° 30" East along the center line of Griswold Street 34.17 rods, thence South 66° 30" East 10 rods, thence South 23° 30" West 29.83 rods to said Section line, thence West along said Section line to place of beginning.

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That part of the Northeast Quarter (NE-1/4) of Section Twenty-eight (28), Township One Twenty-eight (128) North, Range Forty-four (44) West, lying North and East of the right-of-way of the St. Paul, Minneapolis and Manitoba Railway as now located except the town site of Norcross and except a triangular body of land containing twelve (12) acres situate at the angle formed by the intersection of said right-of-way with the Northwest boundary line of said town site of Norcross, said excepted tract being bounded on the Southeast by said boundary line of said town site on the Southwest by said right-of-way and on the North by a line drawn between said boundary line of Norcross and said right-of-way parallel with the North line of said Section 28, the tract hereby described containing exclusive of said excepted tract 217 acres and 18 square rods more or less according to the government survey and said tract in said Section 28 hereby conveyed being further described by the following magnetic courses running by the magnetic needle without correction of the variation to-wit, beginning at a point 3.41 chains South 80° West from the Northeast corner of said Section 28, running thence South 13° 45" West 22.47 chains, thence South 80° West 15.98 chains to the right-of-way of the St. Paul, Minneapolis and Manitoba Railroad, thence North 42° West 24.50 chains along the line of said right-of-way, thence North 80° East 38.09 chains to the point of beginning, comprising 57 acres more or less.

IT IS FURTHER ORDERED: That if a reasonable rural service taxing district is established, subject to review by the Municipal Board, the detachment petition shall be dismissed.

IT IS FURTHER ORDERED: That the effective date of this order is November 16, 1979.

Dated this 16th day of November, 1978.

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

William A. Neiman
William A. Neiman
Executive Director

STATE OF MINNESOTA
DEPARTMENT OF STATE
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John Anderson Howe
Secretary of State

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O.D.