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STATE OF MINNESOTA
MUNICIPAL BOARD

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

October 15, 1979

Mr. Mark Winkler
Deputy Secretary of State
c/o Donna Scott
State Office Building
Saint Paul, Minnesota

RE: Municipal Board Docket Number D-138 Redwood Falls

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 Redwood Falls
is increased by no change

The population of Township of Redwood Falls
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 12, 1979, effective date October 12, 1979

C.C. Commissioner
Department of Revenue
c/o Wallace O. Dahl, Director
Tax Research Division
205 Centennial Building

Patricia D. Lundy
Patricia D. Lundy
Assistant Executive Director

Hazel Reinhardt
State Demographer
101 Capitol Square Building

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 16 1979

John Anderson Howe
Secretary of State

B2448
OWD.

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Robert J. Ferderer	Member

IN THE MATTER OF THE RESOLUTION)
FOR THE DETACHMENT OF CERTAIN)
LAND FROM THE CITY OF REDWOOD)
FALLS PURSUANT TO MINNESOTA)
STATUTES 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 23, 1979, at Redwood Falls, Minnesota. The hearing was conducted by Thomas J. Simmons pursuant to Minnesota Statutes 414.01 Subd. 12. Also in attendance was Minnesota Municipal Board, then Chairman, Gerald J. Isaacs. The City of Redwood Falls was represented by John Schnobrich, the Township of Redwood Falls was represented by Wayne R. Farnberg and property owner Scott Hammerschmidt was represented by Wolfgang Sarrazin. Testimony was heard and records and exhibits were received.

After due and careful consideration of all evidence, together with all records, files and proceeds, the Minnesota Municipal Board hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

- I. That a resolution was duly filed with the Municipal Board by the City of Redwood Falls.
- II. The resolution contained all the information required by statute including a description of the territory proposed for detachment which is as follows:

All of Peavey Lakeview Addition to the City of Redwood Falls, and all of those parts of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Two (2), and the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section One (1) lying North of the Redwood River in Township One Hundred Twelve (112) North, Range Thirty-six (36) West.
- III. The area proposed for detachment is situated within the City of Redwood Falls and abuts the municipal boundary.
- IV. The area proposed for detachment is approximately 7.9 acres.
- V. The area proposed for detachment is not rural in character and is developed for urban, residential, commercial, or industrial purposes.

VI. The number and character of buildings on the concerned area are as follows: two residential dwellings and several out buildings.

VII. Municipal improvements in the area are: garbage pick-up by contract, and City electricity, with a request for City snow removal.

VIII. The population of the area subject to detachment is four.

IX. The area abuts the township of Redwood Falls.

CONCLUSIONS OF LAW

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

II. The area subject to detachment is not rural in character and is developed for urban residential, commercial, or industrial purposes.

III. The detachment would not unreasonably affect the symmetry of the detaching municipality.

IV. The area subject to detachment is needed for reasonably anticipated future development.

V. An order should be issued by the Minnesota Municipal Board denying the resolution for detachment of the area described herein.

ORDER

I. IT IS HEREBY ORDERED: That the resolution for detachment of the property described herein is hereby denied.

II. IT IS FURTHER ORDERED: That the effective date of this order is October 12, 1979.

Dated this 12th day of October, 1979.

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

Terrence A. Merritt

Terrence A. Merritt
Executive Director

MEMORANDUM

In denying the City's request for detachment of the property described herein from Redwood Falls, the Minnesota Municipal Board notes that the detachment would have deprived the property owners of the very essence of why they bought said property, which was property within the city. Presently the City provides the area with electricity and some garbage removal. Further, the City would presently respond to police or fire calls from the area should they arise.

Notwithstanding the presence of only minimal services, the property has more intrinsic value being in the City than if it were detached into the Township. Its presence in the City allows it to plan for the potential receipt of City sewer and water, as well as presently receiving such services as fire protection, police protection, snow removal, garbage pick-up and electrical service. These amenities or their potential add to the value of the property in question.

In addition to the aforementioned benefits and rights of the property owner, is the lack of the property owner's absolute right to be reunited to the City. If the City is able to sever its ties with property it wishes not to serve, it is under no obligation to take back the property at a future date. Hence, the property owners would not be assured of ever being able to regain the value for their property because of its location in the City.

Finally, the Minnesota Municipal Board after reviewing the property feels that this area near the river and also the area north thereof is potentially an area of potential extensive residential growth for Redwood Falls. Therefore any detachment of this property within the City now may have to be reversed in the future possibly at a time after the present property owners have sold their property and thereby lost any change to recover the loss of value to their property resulting from a detachment from the City.

STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
OCT 16 1979

Jean Anderson Howe
Secretary of State