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STATE OF MINNESOTA
MUNICIPAL BOARD
Suite 165 Metro Square
7th & Robert Streets
St. Paul, Minnesota 55101

November 9, 1979

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

RE: Municipal Board Docket Number A-3574 East Grand Forks

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 East Grand Forks

is increased by no change

The population of Huntsville Township

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 November 8, 1979, effective date November 8, 1979

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

R. Thomas Gillaspy, Ph.D.
State Demographer
101 Capitol Square Building

Patricia D. Lundy
Assistant Executive Director

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 20 1979
Joan Anderson Growe
Secretary of State
#32513

A-3574 East Grand Forks

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Robert J. Ferderer	Member
Alfon Hanson	Ex-Officio Member
Lloyd E. Wold	Ex-Officio Member

IN THE MATTER OF THE PETITION FOR ANNEXATION OF CERTAIN LAND TO THE CITY OF EAST GRAND FORKS	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 31, 1979, at East Grand Forks, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Alfon Hanson and Lloyd E. Wold, ex-officio members of the Board. The City of East Grand Forks appeared by and through Robert A. Matt, the Township of Huntsville appeared by and through K. R. Eric, and the petitioners appeared by and through Henry G. Tweten. 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

On August 3, 1979, a copy of a petition for annexation by all the property owners 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:

> A tract of land in Section Seven (7), Township One Hundred Fifty-One (151) North, Range Forty-Nine (49) West of the Fifth Principal Meridian, said tract comprised of the following parcels, to-wit:
>
> > The Southerly One Hundred (100.00) feet of Government Lot Five (5) in said Section Seven (7);
> >
> > The Northerly Three Hundred Seventy-Five (375.00) feet of the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) of said Section Seven (7);
> >
> > The Northerly Three Hundred Seventy-Five (375.00) feet of the Westerly Ten (10) acres of the Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4}SE\frac{1}{4}$) of said Section Seven (7).

An objection to the proposed annexation was received by the Minnesota Municipal Board from Huntsville Township on October 1, 1979. 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.

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 East Grand Forks.

B. The total area of the City of East Grand Forks is 2,649 acres. The total area of the territory subject to annexation is 17.60 acres.

C. The perimeter of the area to be annexed is approximately 15% bordered by the municipality.

D. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is: Open rolling land, near the Red River

IV. Population Data

A. The City of East Grand Forks:

1. In 1975, there were 8,397 residents.

2. The present estimated population is 9,150.

3. By 1890, the projected population is 9,400.

B. The area subject to annexation:

1. The present population is 0.

C. The Township of Huntsville:

1. In 1970, there were 461 residents.

2. The present estimated population is 593.

V. Development Issues

A. The pattern of physical development, including land already in use, in the process of being developed, and remaining for various uses.

1. Area in Use

a. In the City of East Grand Forks: Residential, institutional, commercial, industrial, agricultural, and vacant land.

b. In the area subject to annexation: residential, agricultural, and vacant land

c. In the Township of Huntsville: Residential, institutional, commercial, industrial, agricultural and vacant land.

B. Transportation

1. The present transportation network is:

a) In the City of East Grand Forks: Federal, State, County and City Roads
b) In the area subject to annexation: Federal, State, County and Township Roads

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

1. In the City of East Grand Forks:

a. Zoning: yes
b. Subdivision and Regulations: yes
c. Comprehensive Plan: yes
d. Official Map: yes
e. Capital Improvements Program: yes
f. Fire Code: yes
g. Building Inspector: yes
h. Planning Commission: yes

2. In the Township of Huntsville:

a. Zoning: yes
b. Subdivision and Regulations: yes

3. In the County of Polk:

a. Zoning: yes
b. Subdivision Regulations: yes

4. There is no inconsistency between the proposed development and the planning and land use controls for the area.

VI. Governmental Services

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

1. Fire protection and rating: yes
2. Police protection: yes
3. Street improvements: yes
4. Street maintenance: yes

B. The City of East Grand Forks provides its residents with the following services:

1. Water: yes
2. Sewer: yes
3. Fire protection and rating: yes
4. Police protection: yes
5. Street improvements: yes
6. Street maintenance; yes
7. Recreational: yes
8. Administrative services: yes

C. The City of East Grand Forks provides the area subject to annexation with no services at the present.

D. There are no existing or potential environmental problems.

E. Plans and programs by the annexing municipality to provide needed governmental services for the area proposed for annexation include: extension of sewer and water.

F. The following services will be available to the annexed area within two years: sewer, water, streets, police and fire protection.

VII. Tax Base

A. In the City of East Grand Forks, the tax base includes the following: residential property, commercial property, industrial property, agricultural property and vacant land.

B. In the Township of Huntsville, the tax base includes the following: Residential property, commercial property, industrial property, agricultural land and vacant land.

C. In the area subject to annexation, the tax base is agricultural property.

VIII. Tax Data

A. In the City of East Grand Forks:

1. Combined mill rate in 1979 is 107.72.
2. Bonded indebtedness in 1978 was $12,177,000.

B. In the Township of Huntsville:

1. Combined mill rate in 1979 is 85.60.

C. In the area subject to annexation:

1. Combined mill rate in 1979 is 85.60.

D. Mill rate for the appropriate jurisdiction:

1. Township in 1979 is 4.09.
2. City in 1979 is 27.16

IX. Annexation to the City of East Grand Forks is the best alternative.

A. There is no effect on area school districts and on adjacent communities is the area is annexed.

B. The town government is inadequate to deliver needed services to the area proposed for annexation.

C. The necessary governmental services could not best be provided by incorporation or annexation to an adjacent muhicipality.

D. Present assessed valuation of proposed annexation area: $2,610.00

E. Huntsville township can continue to function without the area subject to annexation.

X. A majority of property owners in the area to be annexed have petitioned the Minnesota Municipal Board requesting annexation.

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 now or is about to become urban or suburban in character.

III. Municipal government is 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 be furthered by annexation.

V. The remainder of the Township of Huntsville can carry on the functions of government without undue hardship.

VI. There is a reasonable relationship between the increase in revenue for the City of East Grand Forks and the value of benefits conferred upon the area subject to annexation.

VII. 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.

VIII. Two years will be required to effectively provide full municipal services to the annexed area.

IX. This annexation proceeding has been initiated by a petition of a majority of property owners and, therefore, this Minnesota Municipal Board order is not subject to an annexation election to be described herein.

X. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

O R D E R

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

A tract of land in Section Seven (7), Township One Hundred Fifty-One (151) North, Range Forty-Nine (49) West of the Fifth Principal Meridian, said tract comprised of the following parcels, to wit:

The Southerly One Hundred (100.00) feet of Government Lot Five (5) in said Section Seven (7);

The Northerly Three Hundred Seventy-Five (375.00) feet of the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) of said Section Seven (7);

The Northerly Three Hundred Seventy-Five (375.00) feet of the Westerly Ten (10) acres of the Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4}SE\frac{1}{4}$) of said Section Seven (7).

II. IT IS FURTHER ORDERED: That the mill levy of the City of East Grand Forks on the property herein ordered annexed shall be increased in substantially equal proportions over a period of two years to equality with the mill levy of the property already within the City.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 20 1979
Joan Anderson Growe
Secretary of State

#32513
O.A.

III. IT IS FURTHER ORDERED; That the effective date of this order is November 8, 1979.

Dated this 8th day of November, 1979

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

Terrence A. Merritt

Terrence A. Merritt
Executive Director