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STATE OF MINNESOTA
MUNICIPAL BOARD

Suite 165 Metro Square
7th & Robert Streets
St. Paul, Minnesota 55101
December 14, 1979

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

RE: Municipal Board Docket Number D-145 Climax

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 Climax

is increased by no change

The population of Town of Vineland

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 December 18, 1979, effective date December 7, 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

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

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 19 1979

John Anderson Howe
Secretary of State

#32548
O.D.

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 PETITION AND RESOLUTION)
FOR THE DETACHMENT OF CERTAIN LAND FROM THE)
CITY OF CLIMAX PURSUANT TO MINNESOTA)
STATUTES 414.06)

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER

On October 29, 1979, the Minnesota Municipal Board received a petition by all of the property owners for the detachment of certain land from the City of Climax. On December 3, 1979 an amendment to the petition was received. A resolution for the detachment of the same land was received from the City of Climax on the 3rd day of December, 1979.

After review of the petition and resolution, the Minnesota Municipal Board hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I. That a petition was duly filed with the Municipal Board by the requisite number of property owners and a resolution for the detachment of the same property was filed by the City of Climax.

II. The petition contained all the information required by statute including a description of the territory proposed for detachment which is as follows:

---That part of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 29, Township 148 North, Range 48 West of the Fifth Principal Meridian, Polk County, Minnesota, described as follows, to-wit:

Beginning at the quarter corner common to Sections 20 and 29 of said Township and Range; thence East along the section line common to Sections 20 and 29 a distance of 82.0 feet to the northwest corner of Lot 1, Auditor's Plat of Outlots in the Townsite of Climax; thence south 38°34' east along the boundary of said Outlot 1 a distance of 275.0 feet; thence south 71°12' east along said Outlot boundary a distance of 208.0 feet; thence north 72°16' east along said Outlot boundary a distance of 269.0 feet; thence deflecting 122°00' right and southerly a distance of 640 feet; more or less, to the center of the Sand Hill River; thence northwesterly following the center of said Sand Hill River to a point on the north and south quarter line in said Section 29; thence northerly along said quarter line a distance of 410 feet, more or less, to the point of beginning, containing 5.3 acres---

and

---Outlot No. 1 of the Auditor's Plat of Outlots, Townsite of Climax (excepting one and one-quarter (1 $\frac{1}{4}$) acres for road---
Consisting of 4.4 acres

III. The area proposed for detachment is situated within the City of Climax and abuts the municipal boundary.

IV. The area proposed for detachment is 9.8 acres.

V. The area proposed for detachment is rural in character and not developed for urban, residential, commercial, or industrial purposes.

VI. The number and character of buildings on the concerned area are as follows:

- a. a House and single garage
- b. a Quonset (used as a workshop and to store machinery)
- c. a Barn (used for storage)
- d. an old Silo

VII. Municipal improvements in the area are: none

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

IX. The area abuts the Township of Vineland.

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 rural in character and not 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 not needed for reasonably anticipated future development.

V. The remainder of the municipality can continue to carry on the functions of government without undue hardship.

VI. An order should be issued by the Minnesota Municipal Board detaching the area described herein.

ORDER

I. IT IS HEREBY ORDERED: That the following described property be, and the same hereby is, detached from the City of Climax and made a part of the Township of Vineland, the same as if it had originally been made a part thereof:

---That part of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 29, Township 148 North, Range 48 West of the Fifth Principal Meridian,

Polk County, Minnesota, described as follows, to-wit:

Beginning at the quarter corner common to Sections 20 and 29 of said Township and Range; thence East along the section line common to Sections 20 and 29 a distance of 82.0 feet to the northwest corner of Lot 1, Auditor's Plat of Outlots in the Townsite of Climax; thence south 38°34' east along the boundary of said Outlot 1 a distance of 275.0 feet; thence south 71°12' east along said Outlot boundary a distance of 208.0 feet; thence north 72°16' east along said Outlot boundary a distance of 269.0 feet; thence deflecting 122°00' right and southerly a distance of 640 feet; more or less, to the center of the Sand Hill River; thence northwesterly following the center of said Sand Hill River to a point on the north and south quarter line in said Section 29; thence northerly along said quarter line a distance of 410 feet, more or less, to the point of beginning, containing 5.3 acres---

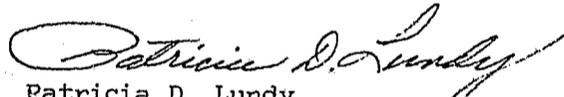
and

---Outlot No. 1 of the Auditor's Plat of Outlots, Townsite of Climax (excepting one and one-quarter (1 $\frac{1}{4}$) acres for road---
Consisting of 4.4 acres

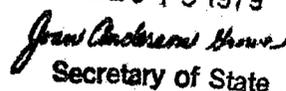
V. IT IS FURTHER ORDERED: That the effective date of this order is
December 7, 1979.

Dated this 14th day of December, 1979

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


Patricia D. Lundy
Assistant Executive Director

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