



STATE OF MINNESOTA
MUNICIPAL BOARD

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

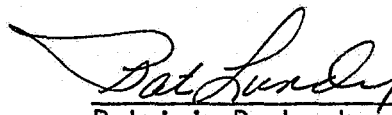
May 28, 1985

Secretary of State
c/o Donna Scott
State Office Building
St. Paul, Minnesota 55155

Re: Municipal Board Docket Number: D-189 Vesta

The subject order of the Minnesota Municipal Board makes no changes in the population of the City of Vesta.

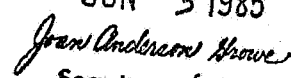
Official date of the Order is May 28, 1985.


Patricia D. Lundy
Assistant Director

PDL:sg

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

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

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 3 1985

Secretary of State

36059

D-189 Vesta

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Robert J. Ferderer	Chairman
Kenneth F. Sette	Vice Chairman
Richard A. Sand	Commissioner

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 3 1985
Joan Anderson Howe
Secretary of State

IN THE MATTER OF THE PETITION FOR)
THE DETACHMENT OF CERTAIN LAND)
FROM THE CITY OF VESTA 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 September 27, 1984 at Vesta, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director, pursuant to Minnesota Statutes 414.01, Subdivision 12. The petitioner was represented by Robert L. Gjorvad and the City of Vesta was represented by Brian L. White, City Attorney. 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. The amended petition was duly filed with the Minnesota Municipal Board on August 24, 1984 by the sole property owner requesting the detachment from the City of Vesta.

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

The East One-Half of the Southeast One Quarter of the Northwest One Quarter of Section 16, Township 112, Range 38, except approximately one acre in the Southeast corner of the Northwest Quarter described as follows, to-wit: Commencing at a point at the Southeast corner of the Northwest Quarter of said section, running thence West along the South line of said Quarter a distance of 150 feet; thence running due north a distance of 323.9 feet; running thence due East a distance of 150 feet; and running thence south 323.9 feet to the point of beginning.

3. The area proposed for detachment is located within the City of Vesta and abuts the municipal boundary.

4. The area proposed for detachment is approximately 19 acres in size.

5. The City of Vesta is approximately 443 acres in size.

6. The area proposed for detachment is located west of Trunk Highway 19.

7. The area proposed for detachment is presently used as farmland. It has no commercial, industrial, or urban residential use.

8. The area proposed for detachment has no population, no buildings, and no public improvements on it.

9. The area proposed for detachment is not presently serviced by any streets, lights, or city plowing.

10. The area proposed for detachment is a portion of a larger agriculturally used tract of land owned by the petitioner. He farms both the area proposed for detachment and the area immediately west of that land.

11. The City of Vesta provides its residents with lights, road maintenance, and water service.

12. The County Sheriff patrols the city for police protection at no extra charge to the city.

13. The City of Vesta provides its residents with fire protection through a volunteer fire department. This fire department also provides protection to the Vesta and Underwood Townships at a cost of \$70 per section.

14. The City of Vesta is proposing to construct a waste water treatment facility. If the area proposed for detachment is allowed to detach, the city still intends to go forward with the waste water treatment facility. Since there are no buildings in the area proposed for detachment, the projected cost for assessment per building for the remainder of the structures within the City of Vesta will not change for the sewer service, as there were no structures in the detachment area to figure in when computing the over-all cost.

Present city sewage disposal is a county drain tile constructed in approximately 1916, which also drains 4 or 5 farms north and west of the city. The tile eventually empties into the Redwood River.

15. The area proposed for detachment is approximately .5% of the City of Vesta's assessed valuation.

16. The area proposed for detachment presently pays \$253.11 in taxes to the City of Vesta.

17. The mill levy for the Town of Vesta is 5.03. The mill levy for the City of Vesta is 57.92.

Presently the tax per acre for the property immediately west of the area proposed for detachment is \$1.48 per acre, while it is \$13.32 per acre for the land in the area proposed for detachment.

18. The population of the City of Vesta in 1980 was 360 and its present population is 345.

19. The property owner has no plans to develop the area proposed for annexation for residential, commercial, or industrial purposes.

20. The area proposed for detachment abuts the Town of Vesta.

21. The detachment of the area proposed for detachment would not

unreasonably impact the symmetry of the City of Vesta.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.
2. The detachment would not unreasonably affect the symmetry of the City of Vesta.
3. The remainder of the municipality can continue to carry out the functions of government without undue hardship should the area proposed for detachment be detached.
4. The area proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
5. An order should be issued by the Minnesota Municipal Board approving the petition for detachment of the area described herein.

ORDER

1. IT IS HEREBY ORDERED: That the property described in Findings of Fact 1 herein is hereby detached and made a part of the Town of Vesta the same as if it had been originally made a part thereof.
2. IT IS FURTHER ORDERED: That the effective date of this order is May 28, 1985.

Dated this 28th day of May, 1985.

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

Terrence A. Merritt
Terrence A. Merritt
Executive Director

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O.D.

#36059