



STATE OF MINNESOTA
MUNICIPAL BOARD

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

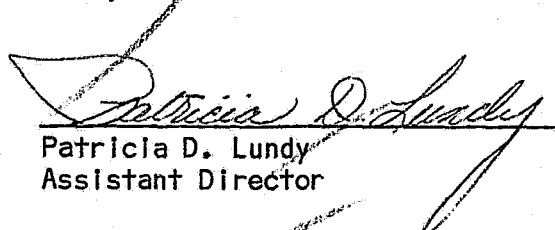
October 4, 1985

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

Re: Municipal Board Docket Number: A-4172 Litchfield

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

Official date of the Order is October 4, 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 Gillaspy, Ph.D.
State Demographer
101 Capitol Square Building

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O.D.
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 7 1985

Secretary of State

A-4172 Litchfield

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
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Jean Anderson Howe
Secretary of State

Kenneth F. Sette	Chairman
Richard A. Sand	Vice Chairman
Shirley J. Mihelich	Commissioner
Stephen Dille	Ex-Officio Member
George A. Rice	Ex-Officio Member

IN THE MATTER OF THE PETITION FOR)
THE ANNEXATION OF CERTAIN LAND TO)
THE CITY OF LITCHFIELD PURSUANT TO)
MINNESOTA STATUTES 414)

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 May 15, 1985 at Litchfield, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director, pursuant to Minnesota Statutes 414.01, Subdivision 12. Also in attendance were County Commissioners George A. Rice and Stephen Dille, Ex-Officio Members of the Board. The City of Litchfield was represented by Betty Anderson, City Clerk-Treasurer, the Town of Darwin appeared by and through Gary Gabrielson, Town Board Clerk, and the Town of Litchfield appeared by and through Eugene Hoffman, Town Board Chairman. 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. On December 28, 1984, a petition by all of the property owners were filed with the Minnesota Municipal Board. The petition contained all the

information required by statute including a description of the area proposed for annexation which is as follows:

A tract of land lying and being in the County of Meeker, State of Minnesota, described as follows, to-wit:

That part of the Easterly 100 feet of the NE 1/4 of the NE 1/4 of Section 13, Township 119N, Range 31W, and that part of the NW 1/4 of Section 18, Township 119, Range 30, Meeker County, Minnesota described as follows: Commencing at the NE corner of said NW 1/4; thence on an assumed bearing on N 89°35'55" W along the north line of said NW 1/4 a distance of 1988.81 feet to the point of beginning; thence S 0°48'18" W a distance of 557.26 feet; thence S 89°35'55" E a distance of 429.52 feet; thence S 2°48'24" W a distance of 803.66 feet to the northerly right-of-way line of U.S. Highway Number 12; thence N 73°06'00" W, along said right-of-way line a distance of 1014.27 feet to the west line of said NW 1/4; thence N 0°16'42" E along said west line a distance of 1072.16 feet to the NW corner of said NW 1/4; thence S 89°35'55" E a distance of 582.94 feet to the point of beginning, excepting therefrom the following described tract: A part of the NE 1/4 of Section 13, Township 119N, Range 31W and a part of the NW 1/4 of Section 18, Township 119N, Range 30W described as follows: Beginning at the intersection of the W right-of-way line of County Aid Road No. 34, if extended, to the centerline of U.S. Highway No. 12, thence in a SE'ly direction along the centerline of said U.S. Highway No. 12 a distance of 1225.0 feet, thence in a NE'ly direction & perpendicular to said centerline of U.S. Highway No. 12 a distance of 710.0 feet, thence NW'ly and parallel to the centerline of U.S. Highway No. 12 to the W right-of-way line of County Aid Road No. 34, thence S'ly along the West right-of-way line of County Road No. 34 to the point of beginning. Containing 8.05 acres, more or less.

An objection to the proposed annexation was received by the Minnesota Municipal Board from Darwin Township on February 1, 1985. The Municipal Board upon receipt of this objection conducted further proceedings in accordance with M.S. 414.031, Subdivisions 3, 4, and 5 as required by M.S. 414.033, Subdivision 5.

2. Due, timely and adequate legal notice of the hearing was published, served and filed.

3. The area proposed for annexation is unincorporated, approximately 8.05 acres in size, and abuts the City of Litchfield for approximately 45% of

its total border. The City of Litchfield is approximately 2,851 acres in size.

4. The area proposed for annexation is vacant and has generally flat terrain with sandy soil.

5. The City of Litchfield had a population of 5,262 in 1970, 5,904 in 1980, and its present population is approximately 5,926.

6. The Town of Darwin had a population of 431 in 1970, 606 in 1980, and its present population is approximately 656. It is projected that in five years it will have a population of approximately 708.

7. The area proposed for annexation has no present population and it is not projected to have any population within five years.

8. The City of Litchfield has land in residential use, institutional use, commercial use, and industrial use.

9. The Town of Darwin has approximately 5% of its land in residential use, approximately 1% of its land in commercial/industrial use, and the remaining land in agricultural use.

10. The area proposed for annexation is presently used for agricultural purposes. Land to the west and south of the area proposed for annexation is presently used for commercial purposes.

11. The city has a zoning ordinance which also has jurisdiction one mile into the town.

12. The zoning for the area proposed for annexation is proposed to be commercial if the property were annexed to the city.

13. The City of Litchfield presently provides its residents with water, sanitary sewer, waste water treatment, storm sewer, solid waste collection and disposal, police protection, fire protection, street improvements and maintenance, administrative services, recreational opportunities, and library

service.

14. The Town of Darwin presently provides the area proposed for annexation with fire protection through a contract with the City of Litchfield. The town also provides street improvements and maintenance and administrative services.

15. The City of Litchfield is willing to provide the area proposed for annexation with all of the services it presently provides the residents of the city, if the area proposed for annexation is annexed.

16. There are heavy, hard-surfaced roads adjacent to the area proposed for annexation.

Highway 12 is south of the area proposed for annexation and adjacent to Block 2, which is in the preliminary plat of Litchfield East, which plat also includes the area proposed for annexation.

17. Immediately south of Highway 12 is the Burlington Northern Railroad.

18. The owner of the area proposed for annexation proposes to develop a bowling alley in the area, as well as selling a portion of the land for a car dealership, with the remainder of the land available for commercial development.

19. The mill levy for the Town of Darwin is 15.47.

20. The Meeker County mill levy is 18.60 for the town and 18.18 for the city in 1985.

21. The school district mill levy in 1985 for the City of Litchfield and the Town of Darwin is 41.84.

The mill levy for the Special Taxing District in 1985 is .148 for the city and 1.15 for the Town of Darwin.

22. The mill levy for the City of Litchfield for 1985 is 21.83.

The bonded indebtedness for the City of Litchfield is approximately \$3,745,000.

23. The City of Litchfield is the only municipality adjacent to the area proposed for annexation. The annexation of the area proposed for annexation to Litchfield would not have any impact on any other municipalities.

24. The Town of Litchfield waived any objection to the annexation of that portion of the area proposed for annexation located within Litchfield Township.

25. Darwin Township and Litchfield Township can continue to function without the area proposed for annexation.

CONCLUSIONS OF LAW

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

2. The area proposed for annexation is now or is about to become urban or suburban in nature and the annexing municipality is capable of providing the services required by the area within a reasonable time.

3. Municipal government is required to protect the public health, safety, and welfare in the area proposed for annexation.

4. The best interests of the area proposed for annexation will be furthered by annexation.

5. The remainder of the Town of Darwin and the Town of Litchfield can carry on the functions of government without undue hardship.

6. There is a reasonable relationship between the increase in values to the City of Litchfield and the value of benefits conferred upon the area subject to annexation.

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


ORDER

1. IT IS HEREBY ORDERED: That the property described in Findings of Fact 1 herein, be and the same is hereby annexed to the City of Litchfield, Minnesota the same as if it had been originally a part thereof.

2. IT IS FURTHER ORDERED: That the effective date of this order is October 4, 1985.

Dated this 4th day of October, 1985.

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


Terrence A. Merritt
Executive Director

A-4172 Litchfield

MEMORANDUM

The board, in approving the requested annexation, notes with some concern that there does not appear to be a comprehensive plan worked out by the City of Litchfield, the Towns of Darwin and Litchfield, and the County of Meeker to address Litchfield's future growth and development. The board urges the parties to get together and work on this issue and other issues of mutual concern.

Among other matters that may need to be addressed are the various county roads that are adjacent to and partially within the City of Litchfield. As Litchfield expands, this expansion will impact the roads and the construction requirements on the roads. For the benefit of long-term planning for not only the towns and the city, but also the county, a comprehensive growth plan is necessary.

Further, by planning its growth, the city will not be reacting to individual developers, but will have a better idea of where it wishes to urge growth and thereby be in more control of its own destiny.

The board cannot urge the parties strongly enough to work together for the ultimate benefit of their citizens. TAM 10-4-85

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