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STATE OF MINNESOTA
MUNICIPAL BOARD

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

April 3, 1986

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

Re: Municipal Board Docket Number: D-212 Worthington

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

Official date of the Order is April 3, 1986.

A handwritten signature in cursive script, reading "Patricia D. Lundy".

Patricia D. Lundy
Assistant Director

PDL:sg

cc: Wallace O. Dahl, Director
L.G.A. & A. Division
Department of Revenue
2nd Floor Centennial Building

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

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 14 1986

James Anderson Howe
Secretary of State

36580

O.P.

D-212 Worthington

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Kenneth F. Sette	Chair
Richard A. Sand	Vice Chair
Shirley J. Mihelich	Commissioner

IN THE MATTER OF THE PETITION FOR THE)
DETACHMENT OF CERTAIN LAND FROM THE)
CITY OF WORTHINGTON 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 October 9, 1985 at Worthington, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director, pursuant to Minnesota Statutes 414.01, Subdivision 12. Also in attendance were Kenneth F. Sette, Chair, Richard A. Sand, then Vice Chair, and Shirley J. Mihelich, Commissioner. The petitioner was represented by Andrew Hagemann, Jr. Phillip Swanson, City Planner appeared on behalf of the City of Worthington. 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 petition was duly filed with the Minnesota Municipal Board on July 3, 1985 by the sole property owner requesting the detachment from the City of Worthington.

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 North Twenty acres of the Northwest Quarter (NW 1/4) of the Southwest One-Quarter (SW 1/4) except a two acre tract in the Southwest corner, in Section Nineteen (19), Township One Hundred Two (102) North, Range Thirty-nine (39) West of the 5th P.M., consisting of 18 acres, more or less.

More particularly described as follows:

A tract of land lying and being in the County of Nobles, State of Minnesota described as follows, to wit: The north 20 acres of the Northwest Quarter of the Southwest Quarter (N 20A NW1/4SW1/4) of Section Nineteen (19), Township One Hundred Two (102), North, Range Thirty-nine (39), West of the 5th P.M., except that part described as follows: Commencing at the southwest corner of the above described 20-acre tract as place of beginning, thence north along the west line thereof, a distance of 215 feet; thence at right angles east and parallel with the north line of said Section 19, a distance of 405 feet; thence at right angles south and parallel with the west line of said Section 19, a distance of 215 feet to the south line of the above described 20-acre tract; thence west in a direct line, a distance of 405 feet to the place of beginning, said excepted tract containing about 2 acres.

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

4. The area proposed for detachment is approximately 18 acres in size.

5. The City of Worthington is approximately 5400 acres in size.

6. The area proposed for detachment is located east of County Road #5.

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 city presently provides the area proposed for detachment with fire protection and has in place a ten-inch water main for domestic,

Industrial, and fire protection use. The property, being agricultural in nature, does not avail itself of the water main. The city does not provide any sewer service or street improvements and maintenance to the area proposed for detachment.

10. Land to the east and north of the area proposed for detachment is agricultural in nature.

11. The City of Worthington provides its residents with water, sanitary sewer, fire protection, police protection, street improvements and maintenance, recreational opportunities, and electricity.

12. The City of Worthington does not anticipate extending sewer service to the area proposed for detachment at the present time since it would require an extension of the sewer line three-quarters of a mile.

13. The City of Worthington is presently fostering industrial, commercial, and residential development in areas where municipal services are already available, so as to more fully use the investment in services.

14. The City of Worthington does not anticipate needing the area proposed for detachment for development in the foreseeable future.

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

16. The area proposed for detachment abuts the Town of Lorain.

17. The detachment of the area proposed for detachment would not unreasonably impact the symmetry of the City of Worthington.

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 Worthington.

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 2 herein is hereby detached and made a part of the Town of Lorain 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 April 3, 1986.

Dated this 3rd day of April, 1986.

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

Terrence A. Merritt
Terrence A. Merritt
Executive Director

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