



**STATE OF MINNESOTA  
MUNICIPAL BOARD**

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

October 8, 1986

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

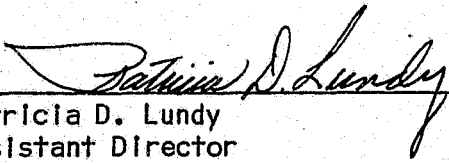
Re: Municipal Board Docket Number: OA-160-1 Amboy

The subject order of the Minnesota Municipal Board makes the following changes in the population of the named units of government:

The population of the City of Amboy is increased by 15.

The population of the Town of Shelby is decreased by 15.

Official date of the Order is October 8, 1986.

  
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  
OCT 10 1986

*Jean Anderson Howe*  
Secretary of State

36965  
O.D.

OA-160-1 Amboy

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Kenneth F. Sette	Chair
Shirley J. Mihelich	Vice Chair
John W. Carey	Commissioner
Robert N. Hodapp	Ex-Officio Member
Bill Maher	Ex-Officio Member

-----  
IN THE MATTER OF THE JOINT RESOLUTION )  
OF THE CITY OF AMBOY AND THE TOWN OF )  
SHELBY FOR THE ORDERLY ANNEXATION OF )  
CERTAIN LAND TO THE CITY OF AMBOY )  
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 on August 13, 1986, at Amboy, 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, Shirley J. Mihelich, Vice Chair, and County Commissioners Bill Maher and Robert N. Hodapp, Ex-Officio Members of the Board. The City of Amboy was represented by Linda Thorson, City Administrator Clerk-Treasurer, and the Town of Shelby made no formal appearance. 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. That a joint resolution for orderly annexation was adopted by the City of Amboy and the Town of Shelby and duly accepted by the Minnesota Municipal Board.

2. A resolution was filed by one of the signatories to the joint resolution, the City of Amboy, on May 14, 1986. The resolution contained all of the information required by statute including a description of the property subject to annexation, which is as follows:

(a). The North 189 feet of the South 219 feet of the West 120 feet of the following described tract of land:

A tract of land in the North Half ( $N\frac{1}{2}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section 23, Township 105 North, Range 28 West in Blue Earth County, Minnesota, described as follows:

Commencing at the intersection of the east line of Fourth Avenue in Amboy, Blue Earth County, Minnesota, and the South line of the North Half ( $N\frac{1}{2}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section 23, Township 105 North, Range 28 West; thence North 0 degrees 00 minutes 00 seconds East (assumed bearing) along the east line of Fourth Avenue a distance of 397.00 feet to the point of beginning and northwest corner of a tract deeded to Verle D. Salsbery and recorded and described in the office of the Blue Earth County Recorder in Book 180 of Deeds, page 228; thence continuing North 0 degrees 00 minutes 00 seconds East along the east line of Fourth Avenue a distance of 259.96 feet to the South line of the North Half ( $N\frac{1}{2}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section 23; thence South 89 degrees 47 minutes 38 seconds West along the South line of the North Half ( $N\frac{1}{2}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) a distance of 18.00 feet; thence North 0 degrees 00 minutes 00 seconds East parallel with the east line of Fourth Avenue a distance of 170.00 feet; thence North 89 degrees 40 minutes 00 seconds East a distance of 327.00 feet; thence South 0 degrees 00 minutes 00 seconds West parallel with the east line of Fourth Avenue a distance of 430.00 feet to the northeast corner of said tract deeded to Verle D. Salsbery; thence South 89 degrees 40 minutes 00 seconds West along the north line of the Salsbery tract a distance of 309.00 feet to the point of beginning. (To be known as Lots One (1) and Two (2) of Salsbery Addition to Amboy. Together with a 30-foot access easement over the South 30 feet and East 30 feet of the West 150 feet of the South 219 feet of said tract;

(b). A tract of land in the North Half of the Northeast Quarter of Section 23, Township 105 North, Range 28 West in Blue Earth County, Minnesota described as follows:

Commencing at the intersection of the east line of Fourth Avenue in Amboy, Blue Earth County, Minnesota and the South line of the North Half of the Northeast Quarter of Section 23, Township 105 North, Range 28 West; thence North 0 degrees 00 minutes 00 seconds East (assumed bearing) along the east line of Fourth Avenue a distance of 397.00 feet to the point of beginning and northwest corner of a tract deeded to Verle D. Salsbery and recorded and described in the office of the

Blue Earth County Recorder in Book 180 of Deeds, page 228; thence continuing North 0 degrees 00 minutes 00 seconds East along the east line of Fourth Avenue a distance of 259.96 feet to the South line of the North Half of the Northwest Quarter of the Northeast Quarter of Section 23; thence South 89 degrees 47 minutes 38 seconds West along the South line of the North Half of the Northwest Quarter of the Northeast Quarter a distance of 18.00 feet; thence North 0 degrees 00 minutes 00 seconds East parallel with the east line of Fourth Avenue a distance of 170.00 feet; thence North 89 degrees 40 minutes 00 seconds East a distance of 327.00 feet; thence South 0 degrees 00 minutes 00 seconds West parallel with the east line of Fourth Avenue a distance of 430.00 feet to the northeast corner of said tract deeded to Verle D. Salsbery; thence South 89 degrees 40 minutes 00 seconds West along the north line of the Salsbery tract a distance of 309.00 feet to the point of beginning.

Said tract contains 3.120 acres;

(c). Commencing at the intersection of the East line of Fourth Avenue in the Village of Amboy, Minnesota and the South line of the North Half of the Northeast Quarter of Section 23, Township 105 North, Range 28 West; thence North along the East line of said Fourth Avenue a distance of 264.0 feet to the point of beginning; thence continuing North along the East line of said Fourth Avenue a distance of 133.0 feet; thence deflecting right 89 degrees-40 minutes and parallel to the South line of the North Half of the Northeast Quarter of said Section 23, a distance of 309.0 feet; thence deflecting right 90 degrees-20 minutes and parallel to the East line of said Fourth Avenue, a distance of 133.0 feet; thence deflecting right 89 degrees-40 minutes and parallel to the South line of the North Half of the Northeast Quarter of said Section, a distance of 309.0 feet to the point of beginning;

(d). Commencing at the Southwest corner of the Northeast Quarter of the Northeast Quarter of Section 23, Township 105, North of Range 28; thence North 149 feet to the point of beginning; thence West 21.65 feet more or less to the East boundary line of Fourth Avenue, Amboy, Minnesota; thence South 108 feet more or less along the East boundary line of said Fourth Avenue to the North boundary line of Trunk Highway No. 30 and Main Street; thence East a distance of 21.95 feet along said North boundary line of Main Street; thence North 108 feet more or less to the place of beginning.

A tract of land in the Northeast Quarter of the Northeast Quarter of Section 23 in Township 105 North of Range 28 West described as follows; Commencing at the Southwest corner of the Northeast Quarter of the Northeast Quarter of said Section, thence North 149 feet; thence East 134.5 feet; thence South 41 feet; thence East 14 feet; thence South 108 feet; thence West 148.5 feet to the point of beginning;

(e). Commencing at the NE corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 23-105-28; thence West 400 feet; thence South 461 feet; thence East 40 ft; thence North 165 feet to the NW corner of Radke's Addition to the Village of Amboy, Minnesota; thence East along the North line of said Radke's Addition for a distance of 350 ft more or less to the NE corner of said Radke's Addition; thence North a distance of 296 feet to the point of beginning;

(f). Beginning at the Northwest corner of Lot One (1) of Truwe's Third (3rd) Addition to the Village of Amboy, Minnesota, thence West Ten feet (10'), thence South One Hundred Fifty feet (150'), thence East Ten feet (10'), thence North parallel with said Lot One Hundred Fifty feet (150') to place of beginning;

(g). Commencing at the Northwest corner of the South half of the Northwest quarter of Section 23, Township 105, Range 28; thence South 193 feet, thence East 178 feet, thence North 193 feet, thence West 178 feet to the place of beginning. (Containing .78 acres more or less;

(h). Beginning at a point on the West section line of Section 23, Township 105, Range 28, 2,244.7 feet North of the Southwest corner of the Northwest quarter of the Southwest quarter of said section; thence North on the section line 200 feet; thence East 356.3 feet; thence South 200 feet; thence West 356.3 feet to the place of beginning. Subject to public highways and any and all easements of record. Parcel contains 1.63 acres more or less;

(i). Beginning at a point on the West section line of Section 23, Township 105, Range 28, 2,244.7 feet North of the Southwest corner of the Northwest quarter of the Southwest quarter of said section; thence North on the section line 200 feet; thence East 356.3 feet to place of beginning, thence South 200 feet, thence East 166.7 feet, thence North 200 feet, thence West 166.7 feet to place of beginning, Parcel contains .76 acres more or less;

(j). Registered Land Survey #54 Treacta (.61A Hwy Easement) & Tract B (1.00A) 1.62A;

(k). A tract of land in the Southeast Quarter of the Northwest Quarter of Section 23 in Township 105 North, Range 28 West of the Fifth Principal Meridian in Blue Earth County, Minnesota, described as follows:

Commencing at the Northeast corner of the Southeast Quarter of the Northwest Quarter of Section 23 according to the Plat of Truwe's Addition to the Village of Amboy, Minnesota on file and of record in the office of the Register of Deeds, Blue Earth County, Minnesota; thence Westerly along the North line of the Southeast Quarter of the Northwest Quarter of Section 23 (being also the centerline of Main Street) a distance of 125.82 feet to a point on the Westerly right-of-way line of the Chicago and Northwestern Railway Company as located according to the Plat of Truwe's Addition to the Village of

Amboy, Minnesota; thence Southerly along the said Westerly railroad right-of-way line a distance of 816.50 feet to the point of beginning; thence continuing Southerly along the said Westerly railroad right-of-way line a distance of 327.92 feet; thence deflecting to the Right 89 degrees-39 minutes-00 seconds a distance of 660.95 feet to a point on the Southerly extension of the Easterly line of West Street; thence Northerly along the extended Easterly line of West Street a distance of 328.60 feet to a point 215.00 feet Southerly of the Southeast corner of Lot 1 in Block 3 of Truwe's Addition to the Village of Amboy, Minnesota; thence deflecting to the Right 90 degrees-01 minutes-38 seconds a distance of 662.80 feet to the point of beginning

Said tract contains 4.99 acres of land more or less;

(1). That part of the north half of the Northwest Quarter of the Northeast Quarter of Section 23, Township 105, Range 28 West, Blue Earth County, Minnesota, described as follows:

Beginning at the northwest corner of Block One, Salsbery Addition to Amboy, according to the plat on file and of record in the office of the Blue Earth County Recorder; thence westerly and parallel with the south line of the north half of the Northwest Quarter of the Northeast Quarter of said Section 23 to a point of intersection with the northerly projection of the east line of Block Three, Town of Amboy, according to the plat on file and of record with the Blue Earth County Recorder; thence southerly along said northerly projection, 170.00 feet to a point on the south line of the north half of the said Northwest Quarter of the Northeast Quarter; thence easterly along said south line to the westline of said Block One, Salsbery Addition to Amboy; thence northerly along said west line 170.00 feet to the point of beginning. Containing 3.5 acres;

(m). That part of the Southwest Quarter of the Northeast Quarter of Section 23, Township 105, North Range 28 West, Blue Earth County, Minnesota, described as:

Beginning at the northeast corner of Tract A, Registered Land Survey No. 78, according to the plat thereof on file and of record with the Blue Earth County Registrar of Titles; thence easterly along a line parallel with and distant 20.00 feet South of the south line of Block 10, Town of Amboy, according to the plat thereof on file and of record with the Blue Earth County Recorder, to the northwest corner of Lot 1, Block 3, DeWitz's Addition No. 2, according to the plat thereof on file and of record with the Blue Earth County Recorder; thence southerly along the westerly line of said Lot 1, Block 3, a distance of 160 feet to the southwest corner of Lot 1, Block 3; thence easterly along the southerly line of Lot 1, Block 3, a distance of 66 feet to the southeast corner of said Lot 1, Block 3; thence southerly along the southerly extension of the east line of said Lot 1, Block 3, the same being the westerly 80 foot wide right-of-way line of Second

Avenue, City of Amboy, 173 feet; thence westerly 127 feet; thence northerly, 108 feet, more or less, to the southeast corner of Tract A, Registered Land Survey No. 78; thence northerly along the easterly line of said Tract A, 225.42 feet to the point of beginning. Containing 0.75 acres;

(n). That part of the Northeast Quarter of the Northeast Quarter of Section 23, Township 105 North, Range 28 West, Blue Earth County, Minnesota, described as follows:

Commencing at the intersection of the east line of Fourth Avenue in Amboy, Blue Earth County, Minnesota, and the south line of the north half of the Northeast Quarter of said Section 23; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing) along the east line of Fourth Avenue, a distance of 264.00 feet to the southwest corner of Block One, Salsbery Addition to Amboy; thence North 89 degrees 40 minutes 00 seconds East along the south line of said Block One, Salsbery Addition, a distance of 309.00 feet to the point of beginning; thence North 00 degrees 00 minutes 00 seconds East along the east line of said Block One, Salsbery Addition, 563.00 feet to the northeast corner of said Block One; thence North 89 degrees 40 minutes 00 seconds East along the easterly projection of the north line of said Salsbery Addition to a point of intersection with the east line of the Northeast Quarter of the Northeast Quarter of said Section 23; thence southerly along said east line to a point of intersection with the northerly right-of-way line of Minnesota Trunk Highway No. 30; thence westerly along said Highway right-of-way line, 104.31 feet; thence northerly parallel with the east line of the Northeast Quarter of the Northeast Quarter of Section 23 to a point distant 208.8 feet northerly of the south line of the Northeast Quarter of the Northeast Quarter of said Section 23; thence westerly and parallel with the south line of said Northeast Quarter of the Northeast Quarter to a point distant 555.05 feet easterly of the west line of said Northeast Quarter of the Northeast Quarter as measured parallel with the south line of said Northeast Quarter of the Northeast Quarter; thence northerly parallel with the west line of said Northeast Quarter of the Northeast Quarter to a point distant 264.00 feet northerly of the south line of said Northeast Quarter of the Northeast Quarter; thence westerly and parallel with said south line to the point of beginning. Containing 14.4 acres; and;

(o). A strip of land 250 feet in length, the Southerly boundary of which lies 200 feet North of the center line of Section Twenty-three (23), Township One Hundred Five (105) North Range Twenty-eight (28) West of the Fifth Principal Meridian lying in the East Half of the Southeast Quarter of the Northwest Quarter of Section Twenty-three (23) lying Easterly of a line parallel with and distant 50 feet Westerly measured at right angles, from said original main tract center line, Section Twenty-three (23) Township One Hundred Five (105) North, Range Twenty-eight (28) West of the Fifth Principal Meridian.

Subject to an easement in favor of Interstate Power Company, A Delaware Corporation, dated January 30, 1981, recorded April 30, 1981 in Book 262, page 155 wherein Lake to Bago, Inc. is the grantor. Document No. 333845.

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

4. The area subject to annexation is unincorporated, approximately 48.03 acres in size and abuts the City of Amboy by approximately 30%.

5. The area proposed for annexation has generally black soil with slightly sloped terrain.

6. The City of Amboy had a population of 571 in 1970, a population of 606 in 1980, and its current population is 608. It is projected that in five years the City of Amboy's population will be 630.

7. The Town of Shelby had a population of 409 in 1970, a population of 357 in 1980, and its current population is 362. It is projected that in five years the Town of Shelby's population will be 370.

8. In the area proposed for annexation, the current population is 15. It is projected that in five years it will have a population of 20.

9. The City of Amboy has a zoning ordinance.

10. A majority of the area proposed for annexation is residential in use and will remain so zoned after it is annexed. The remaining land, pursuant to the zoning ordinance if annexed, will be zoned residential and may later be rezoned to industrial pursuant to the anticipated use of the property.

11. The City of Amboy has land in residential use, institutional use, commercial use, and agricultural use.

12. The Town of Shelby has land in residential use, institutional use, commercial use, and agricultural use.

13. The area proposed for annexation has land in residential use,



Institutional use, commercial use, and agricultural use.

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

15. The City of Amboy presently provides the area proposed for annexation with water, sanitary sewer, storm sewer, solid waste collection and disposal, police protection, street improvements and maintenance, administrative services, and recreational opportunities.

16. The City of Amboy is willing to provide the area proposed for annexation with all of the services it presently provides residents of the City of Amboy.

17. The Town of Shelby provides the area proposed for annexation with fire protection, street improvements and maintenance, and administrative services.

18. In the area proposed for annexation, three homes are presently receiving sanitary sewer, all of the houses are presently receiving water, and a business in the area is presently receiving city sewer and water.

The remainder of the area proposed for annexation has city sanitary sewer and water available to it.

19. The assessed valuation of the City of Amboy in 1985 was \$1,767,874.00. The city mill levy is 52.46. The city has a total bonded indebtedness of \$61,000.00.

20. The assessed valuation of the Town of Shelby in 1985 was \$7,520,429.00. The town mill levy is 5.06. The town has no bonded indebtedness.

21. The area proposed for annexation has an assessed valuation in 1985 of \$118,056.00.

22. The County of Blue Earth has a 1985 mill levy of 28.41. The school district's mill levy is 40.86. The Special Taxing District's mill levy is .14.

23. The City of Amboy is the only municipality adjacent to the area proposed for annexation.

24. The school district which services the City of Amboy and the area proposed for annexation will not be adversely impacted because of the proposed annexation.

25. The annexation is consistent with the joint resolution for orderly annexation between the Town of Shelby and the City of Amboy.

#### CONCLUSIONS OF LAW

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

2. The area subject to 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. The existing township form of government is not adequate to protect the public health, safety, and welfare of the area proposed for annexation.

4. The annexation would be in the best interests of the area proposed for annexation.

5. The annexation is consistent with the terms of the joint resolution for orderly annexation.

6. Six years will be required to effectively provide full municipal services to the annexed area or to comply with terms and conditions of the orderly annexation agreement as it relates to the mill levy step up.

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 herein in Findings of Fact 2 be, and the same hereby is annexed to the City of Amboy, Minnesota, the same as if it had been originally a part thereof.

2. IT IS FURTHER ORDERED: That the mill levy of the City of Amboy on the property herein ordered annexed shall be increased in substantially equal proportions over a period of six years to equality with the mill levy of the property already within the city.

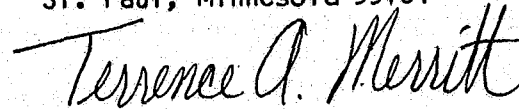
3. IT IS FURTHER ORDERED: That the population of the City of Amboy is increased by 15 people.

4. IT IS FURTHER ORDERED: That the population of the Town of Shelby is decreased by 15 people.

5. IT IS FURTHER ORDERED: That the effective date of this order is October 8, 1986.

Dated this 8th day of October, 1986.

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



Terrence A. Merritt  
Executive Director

OA-160-1 Amboy

MEMORANDUM

The board takes this opportunity to commend both the Town of Shelby and the City of Amboy for their work on this annexation. The spirit of cooperation between the city and the town is very visible and led to an efficient presentation of evidence to the board. Further, the board is certain that the citizens of the community as a whole are benefited by your cooperation, and the board hopes the spirit of cooperation will continue to grow. TAM 10-8-86

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
OCT 10 1986  
*Jean Anderson Howe*  
Secretary of State

436965  
O.D.