

Sec. of State

A-1745 Fairmont

21787

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Arthur R. Swan	Vice Chairman
Robert J. Ford	Member
Daniel J. Keasling	Ex-Officio Member
Raymond Worden	Ex-Officio Member

IN THE MATTER OF THE PETITION)
FOR ANNEXATION OF CERTAIN LANDS)
TO THE CITY OF FAIRMONT)

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER

A petition of Geo. A. Hormel & Co. requesting the annexation to the City of Fairmont of certain real estate situated in the County of Martin, State of Minnesota, said real estate being described in the attached order, came duly on for hearing before the Minnesota Municipal Commission on the 15th day of April, 1970, at which time Bruce Rasmussen, Executive Secretary, and ex-officio members, Daniel J. Keasling and Raymond Worden, of the Minnesota Municipal Commission were present. The City of Fairmont appeared by and through its City Engineer, Wes Youngerman. The Township of Rolling Green appeared by and through its Town Board, Roland Thiesse, Chairman. Geo. A. Hormel & Co., the owner of the property herein described, appeared by and through its attorney, Elton A. Kuderer.

It appeared that a petition was filed with the City of Fairmont for the annexation of the real estate herein described, said petition having been executed by the owner of the area to be annexed.

It appeared that copies of the petition were duly filed with the County Board of Martin County, Minnesota, the Town Board of Rolling Green Township, Minnesota, and the Minnesota Municipal

Commission.

It appeared that the notice of hearing had been duly published and further that notice of the hearing had been sent to all parties in interest.

Evidence was offered and received for and against the annexation at said hearing. Maps or plats were used as evidence.

After due and careful consideration of the evidence offered and received, together with all the records, files and proceedings had and taken herein, and being duly advised in the premises, the Municipal Commission of the State of Minnesota now makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I.

That due, timely and adequate notice of the petition and the hearing herein, was published, served and filed.

II.

That the property described in said petition abuts the legal boundaries of the City of Fairmont, Minnesota, and is not included in any other municipality.

III.

That the petition for annexation of said property was signed by the owner of all the property included in said petition.

IV.

That the City of Fairmont has indicated approval of such annexation and said City of Fairmont, by and through its common council, has passed and filed with the Minnesota Municipal Commission a resolution approving such annexation.

V.

That the area to be annexed consists of vacant land and does

not have any permanent residents.

VI.

That the area to be annexed is approximately 1.455 acres.

VII.

That the area to be annexed is urban or suburban in character and suited for municipal government.

VIII.

That the taxes in the area to be annexed will increase but that the increase will be commensurate with the municipal services provided by the City of Fairmont, Minnesota.

IX.

That there is a present need in the area to be annexed for all municipal services, including water, sewer and police protection.

X.

That the area to be annexed constitutes a small geographical portion of Rolling Green Township, and annexation of said area will not impair the ability of this township to function.

XI.

That the township in which the area to be annexed lies has no plans for the installation of water or sewage systems.

XII.

That the City of Fairmont has expanded and will continue to expand with respect to population and construction, and requires space to accommodate this expansion.

XIII.

That the boundaries of the area to be annexed are logical geographic boundaries for the City of Fairmont and these boundaries

coincide with the orderly expansion of the City limits.

XIV.

Because of the existing growth in the area surrounding the City of Fairmont, and because of the proximity of the area to be annexed to U. S. Highway #16, and the new proposed I-90, the area is a logical area for continued development and, therefore, said area requires municipal planning, zoning, and utility services for the proper use and development of said area.

CONCLUSIONS OF LAW

I.

The Minnesota Municipal Commission duly acquired, and now has, jurisdiction of the within proceedings.

II.

The area to be annexed herein is so conditioned and so located as to be properly subjected to municipal government by the City of Fairmont, Minnesota, and is urban or suburban in character.

III.

That the interests of the City of Fairmont and the area to be annexed would be served best by the annexation of said area to the City of Fairmont, Minnesota.

IV.

That the municipal form of government and the corresponding municipal services are required in the area to be annexed for the preservation and protection of public health, welfare and safety in the area to be annexed and in the City of Fairmont, Minnesota.

V.

The township form of government is not adequate to meet the problems found to exist in the area to be annexed.

VI.

The City of Fairmont can meet the problems existing in the area to be annexed, can remedy them and provide any and all governmental services presently required and which may become necessary in the future in the area to be annexed.

VII.

That the City of Fairmont can properly provide for the orderly planning and regulation of growth and development in the area to be annexed.

VIII.

An Order should be issued by the Minnesota Municipal Commission ordering the annexation of the land described herein to the City of Fairmont, Minnesota. Let an Order for such an annexation be entered and filed accordingly.

O R D E R

IT IS ORDERED: That the following described real estate lying in the Township of Rolling Green in Martin County, Minnesota, be and the same hereby is annexed to the City of Fairmont, Minnesota, the same as if it had originally been made a part thereof:

Starting at the Northeast corner of the Southeast Quarter ($SE\frac{1}{4}$) of Section One (1), Township One Hundred Two (102) North, Range Thirty-one (31) West, thence South along the East Line of said Quarter Section a distance of 730.6 feet to the point of beginning: thence South $90^{\circ} 00'$

West 317 feet; thence North 0° 00' West
200 feet; thence North, 90° 00' East 317
feet; thence South along the East Line
of said Quarter Section 200 feet to the
point of beginning. Subject to easements
for highway purposes.

Dated this 2nd day of October, 1970

MINNESOTA MUNICIPAL COMMISSION
610 Capitol Square Building
St. Paul, Minnesota 55101

Bruce Rasmussen

Bruce Rasmussen
Executive Secretary

21787
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 5 - 1970

Joseph L. Anderson
Secretary of State