

See of State

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson
Arthur R. Swan
Robert J. Ford
C. A. Boyer
Cecil B. Bergquist

Chairman
Vice Chairman
Member
Ex-Officio Member
Ex-Officio Member

IN THE MATTER OF THE ANNEXATION)
OF CERTAIN LANDS TO THE CITY OF)
DETROIT LAKES, MINNESOTA)

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER

This proceeding under Minnesota Statutes 1969, Section 414.031,
as amended, for the annexation to the City of Detroit Lakes of certain
real estate located in the Towns of Lake View and Detroit, Becker
County, State of Minnesota, more particularly described herein, came
on for hearing before the Minnesota Municipal Commission at the Becker
County Courthouse in the City of Detroit Lakes, County of Becker, State
of Minnesota, on April 21, 1971.

Robert W. Johnson, Chairman of the Municipal Commission presided
at the hearing. Also in attendance was Commission Member Robert J. Ford
and Ex-Officio Members C. A. Boyer and Cecil B. Bergquist, Becker County
Commissioners. The City of Detroit Lakes was represented by Lloyd Learned,
its Clerk-Treasurer. There was no appearance for or on behalf of the
Town of Lake View. Roland Nelson appeared for Detroit Township. The
petitioners were represented by R. W. Irvine, Attorney at Law, Detroit
Lakes, Minnesota.

The Commission, having considered the testimony of the witnesses, the
exhibits received in evidence, and all other evidence, the arguments of
counsel, and the files and records herein, and being fully advised in the

22554

premises, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Due, timely and adequate legal notice of the hearing ordered by the Minnesota Municipal Commission was posted, published, served and filed.
2. The area proposed for annexation contains approximately 241 acres. The area is located along the east limits of the present City of Detroit Lakes, Minnesota.
3. The area above described contains many residences and commercial buildings. It is presently largely urban or suburban in character and the remainder is about to become urban or suburban in character.
4. The population of the area proposed to be annexed is approximately 555 persons, as compared to approximately 6,000 persons in the City of Detroit Lakes, Minnesota.
5. The area proposed to be annexed is in the same school district as the school district of the City of Detroit Lakes and, therefore, the school levy in said area will not be affected by said annexation.
6. The Townships of Lake View and Detroit in which the area proposed to be annexed is situated, operate no sanitary sewer or water facilities and provide no separate police protection and no fire protection other than that provided for by contract with the City of Detroit Lakes. The City of Detroit Lakes has available the foregoing services and maintains street maintenance crews and equipment.
7. The City of Detroit Lakes has constructed water mains and sanitary sewers adjacent to the area proposed to be annexed, which with proposed extensions and connections are adequate to serve the area.

8. The expected increase in property taxes if the area is annexed to the City of Detroit Lakes will be proportionate to the benefits which will inure to the area by reason of such annexation.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Commission duly acquired and now has jurisdiction of this annexation proceeding.

2. The area proposed to be annexed is so conditioned and so located as to be properly subjected to municipal government of the City of Detroit Lakes.

3. The Township form of government is not adequate to cope with the problems of the area proposed to be annexed.

4. There is no need for the continuance of any township government within the area proposed to be annexed.

5. Municipal government by the City of Detroit Lakes in the area proposed to be annexed is necessary and required to protect the public health, safety and welfare and to provide proper needed governmental services.

6. The City of Detroit Lakes is capable and is best situated to provide the governmental services presently needed and those services which will become necessary in the future in the area to be annexed.

7. The proposed annexation to the City of Detroit Lakes will not materially affect the capability of the Townships of Lake View and Detroit to continue normal operation.

8. The annexation of the area to the City of Detroit Lakes would be in the best interests of the area and the City of Detroit Lakes.

9. An Order should be issued by the Minnesota Municipal Commission annexing to the City of Detroit Lakes, the real estate located in Becker County, Minnesota, and described in the Order herein.

10. The order shall increase the population of the City of Detroit Lakes by 555 for all purposes until the next federal census.

O R D E R

IT IS HEREBY ORDERED: That the real estate situated in the County of Becker, State of Minnesota, described as follows be and the same is hereby annexed to the City of Detroit Lakes, Minnesota, the same as if it had been originally made a part thereof:

Located in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$); the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$); the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$); the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), and the Southeast Quarter (SE $\frac{1}{4}$) of Section 35, Township 139 North, Range 41 West, Detroit Township; and

The North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 2, Township 138 North, Range 41 West, Lake View Township, Becker County, Minnesota, described as follows:

Commencing at the Northeast corner of Section 35, Township 139 North, Range 41 West, Becker County, Minnesota; thence South along the East line of said Section 35 for a distance of approximately 4100 feet, more or less, to the centerline of the Westbound track of the Northern Pacific Railroad (now Burlington Northern) which shall be the point of beginning; thence continuing South along the East line of said Section 35 to the shore of Detroit Lake; thence Westerly along the shore of Detroit Lake a distance of approximately one mile, more or less, to a point of intersection with the Easterly line of Lot 10, Breezy Point Addition, if said line were extended Southerly to the lakeshore; thence Northerly along the Easterly line of Lot 10 to the centerline of North Shore Drive and County Road No. 130; thence Easterly along the centerline of North Shore Drive and County Road No. 130 to its point of intersection with the East line of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section 35; thence North to the Northeast corner of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section 35; thence Westerly along the North line of Granger Road to a point that is 233 feet East of the East line of Madison Avenue and 33 feet North of the North line of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section 35; thence North and parallel with Madison Avenue and along the East side of Jackson Avenue to a point of intersection with the West bound main track of Burlington Northern, Inc.; and thence Southeasterly along the centerline of the railroad tracks to the point of beginning.

IT IS FURTHER ORDERED: That the population of the City of
Detroit Lakes be increased by 555 for all purposes until the next
federal census.

Dated this 18th day of June, 1971

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

Bruce Rasmussen

Bruce Rasmussen
Executive Secretary

22554

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JUN 21 1971

Allen J. Edsall
Secretary of State

22554