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STATE OF MINNESOTA
MUNICIPAL BOARD

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

February 13, 1978

Mr. Mark Winkler
Deputy Secretary of State
State Office Building
Saint Paul, Minnesota

Re: Municipal Board Docket Number OA-121 Detroit Lakes

Dear Mr. Winkler:

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 Detroit Lakes
is increased by 260 persons to 6,985.

The population of the Town of Lake View
is decreased by 260 persons to 1,409.

A new municipality named _____
has been created with a population of _____

The _____
has been dissolved.

Official date of the Order February 13, 1978. Effective date -
February 13, 1978.

C.C. Mr. Wallace O. Dahl
Director
Tax Research Division
205 Centennial Bldg.


Patricia D. Lindy
Assistant Executive Secretary

Hazel Reinhardt
State Demographer
101 Capitol Square Bldg.

Mr. Arthur C. Roemer
Department of Revenue
201 Centennial Bldg.

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BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Gerald J. Isaacs	Chairman
Robert W. Johnson	Vice Chairman
Thomas J. Simmons	Member
C. A. Boyer	Ex-Officio Member
Cecil Bergquist	Ex-Officio Member

IN THE MATTER OF THE ORDERLY)
ANNEXATION OF CERTAIN LAND TO)
THE CITY OF DETROIT LAKES)

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 December 8, 1977, at Detroit Lakes, Minnesota. The hearing was conducted by Thomas J. Simmons pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners C. A. Boyer and Cecil Bergquist, ex-officio members of the Board. The City of Detroit Lakes appeared by and through William Briggs, Lakeview Township appeared by and through Lynn Hummel, and petitioners appeared pro se. 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 an area was designated for orderly annexation by the Minnesota Municipal Board Order dated October 20, 1977.
2. The Municipal Board, on October 6, 1977, moved to consider annexation of certain properties within the orderly annexation area. The description of the territory subject to annexation is as follows:

Beginning at the point of intersection of C.S.A.H. #22 and the North line of the NE $\frac{1}{4}$ of Section 9, Township 138 North, Range 41 West; thence South along the centerline of C.S.A.H. #22 to its point of intersection with the centerline of County Highway No. 24; thence Easterly along the centerline of County Highway No. 24 to its point of intersection with the East line of the NE $\frac{1}{4}$ of Section 9, Township 138 North, Range 41 West; thence South along the East line of said Section 9 to the Southeast corner of NE $\frac{1}{4}$ said Section 9, also the Southwest corner of the NW $\frac{1}{4}$ of Section 10, Township 138 North, Range 41 West; thence East along the South line of the NW $\frac{1}{4}$ of said Section 10, Township 138 North, Range 41 West to the Southeast corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 10; thence North to the NE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Said Section 10; thence West along the North line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 10

to a point of intersection with the centerline of County Highway No. 114; thence Northeasterly along the centerline of County Highway No. 114 to the point of intersection with the North line of the NW $\frac{1}{4}$ of Section 10, Township 138 North, Range 41 West; thence East along the North line of the NW $\frac{1}{4}$ of said Section 10 and the North line of the NE $\frac{1}{4}$ of Section 10, Township 138 North, Range 41 West to its point of intersection with Lot 23 of City View Beach; thence North along the West line of said Lot 23 to its Northwest corner; thence Easterly along the North line of Lot 23, City View Beach, to its point of intersection with the shoreline of Detroit Lake; thence Westerly along the shoreline of Detroit Lake to its point of intersection with the North line of the NE $\frac{1}{4}$ of Section 9, Township 138 North, Range 41 West; and thence West along the North line of the NE $\frac{1}{4}$ of said Section 9, Township 138 North, Range 41 West to the centerline of C.S.A.H. #22 and the point of beginning.

The above-described area contains approximately 122 acres.

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

4. Geographic Features

- a. The area subject to annexation is unincorporated and abuts the City of Detroit Lakes.
- b. The total area of the City of Detroit Lakes is 3.07 square miles. The total area of the territory subject to annexation is 116 acres.
- c. The degree of contiguity of the boundaries between the annexing municipality and the proposed annexed property is as follows: a small percentage.
- d. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is as follows: lake shore and hilly terrain with about one-half the area being lowlands.

5. Population Data

- a. The City of Detroit Lakes
 - 1) Past population growth: In 1970 - 5,797 persons.
 - 2) Present population: 6,725
 - 3) Projected population: 8,000 persons by 1980.
- b. The area subject to annexation
 - 1) Past population growth: steady growth
 - 2) Present population: 260 persons
 - 3) Projected population: steady growth is likely

6. Development Issues

- a. What, if any, are the comprehensive plans for the development of the property proposed for annexation and/or the annexing

municipality, including development projected by the State Planning Agency. Development has generally been completed and is residential.

- b. What land use controls are presently being employed.
 - 1) In the City of Detroit Lakes:
 - a) Zoning - Yes
 - b) Subdivision regulations - Yes
 - c) Housing and building codes - Yes
 - d) Other - Building Inspection
 - 2) In the area to be annexed:
 - a) Zoning - Becker County
 - b) Subdivision regulations - Becker County
 - c) Housing and building codes - Unknown
 - c) Other - Shoreland Management Act
- c. Does the City require future growth space? Yes. If so, will the area subject to annexation provide the City of Detroit Lakes with necessary growth space? Yes, some limited growth space, generally off the lake.
- d. The present pattern of physical development is:
 - 1) In the City of Detroit Lakes:
 - a) Residential - Considerable building, including apartments.
 - b) Industrial - Yes
 - c) Commercial - Especially along the highway.
 - d) Institutional - Yes
 - 2) In the area subject to annexation:
 - a) Residential - Yes, most of the area has year-round or seasonal cabins.
 - b) Industrial - No
 - c) Commercial - Yes, three resorts and one grocery store.
 - d) Institutional - No

7. Governmental Services

- a. Presently, the Township of Lakeview provides the area subject to annexation with the following services:
 - 1) Water - No
 - 2) Sewer - No
 - 3) Fire Protection - By contract with Detroit Lakes
 - 4) Police Protection - County sheriff and a township constable.
 - 5) Street Improvements - No
 - 6) Street Maintenance - No
 - 7) Recreational - Unknown

b. Presently, the City of Detroit Lakes provides its citizens with the following services:

- | | |
|------------------------------------------------------------------------|-------------------------------------|
| 1) Water - Yes | 5) Street Improvements - Yes |
| 2) Sewer - Yes, a tertiary system, the most sophisticated in the area. | 6) Street Maintenance - Yes |
| 3) Fire Protection - Yes | 7) Recreational - Yes |
| 4) Police Protection - Yes | 8) Other - Electrical, storm sewer. |

c. Presently, the City of Detroit Lakes provides the area subject to annexation with the following services:

- | | |
|----------------------------------------------------------|-----------------------------|
| 1) Water - No | 5) Street Improvements - No |
| 2) Sewer - No | 6) Street Maintenance - No |
| 3) Fire Protection - Yes, by contract with the township. | 7) Recreational - Unknown |
| 4) Police Protection - No | 8) Other - Electrical |

d. Plans to extend municipal services to the area subject to annexation include the following: Although there are no specific plans to extend services, Detroit Lakes has clearly demonstrated a capability and willingness to extend services.

e. There are existing or potential pollution problems which are: The water supply and the lake are being polluted by septic tanks, many of which are, by modern standards, substandard and/or placed on substandard locations. The following additional services will help resolve this situation: community sewer and water, now available through the City of Detroit Lakes. The township may or may not have sewer capacity within two years and will not have water available.

f. The City of Detroit Lakes is capable of and it is practical for it to provide to the area proposed for annexation the listed municipal services within the next three years.

8. Fiscal Data

a. In the City of Detroit Lakes, the assessed valuation trend is upward (about 17.5 million as of 1976), the mill rate trend is relatively stable (18.72 mills as of 1976), and the present bonded indebtedness as of 1976 is \$1,000,074.75.

b. In the area subject to orderly annexation, the assessed valuation as of 1976 is about \$475,000 (the township's entire assessed value being about 5½ million), the mill rate trend

is relatively stable (5.71 mills as of 1976) and the present bonded indebtedness is 0.

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.
3. The City of Detroit Lakes is capable of providing the services required by the area described herein within a reasonable time.
4. The mill levy of the annexing municipality on the area proposed for annexation should be increased in substantially equal proportions over a three-year period.
5. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

O R D E R

IT IS HEREBY ORDERED: That the following described property lying in the Township of Lake View, County of Becker, State of Minnesota, be and the same hereby is annexed to the City of Detroit Lakes the same as if it had originally been made a part thereof:

Beginning at the point of intersection of C.S.A.H. #22 and the North line of the NE $\frac{1}{4}$ of Section 9, Township 138 North, Range 41 West; thence South along the centerline of C.S.A.H. #22 to its point of intersection with the centerline of County Highway No. 24; thence Easterly along the centerline of County Highway No. 24 to its point of intersection with the East line of the NE $\frac{1}{4}$ of Section 9, Township 138 North, Range 41 West; thence South along the East line of said Section 9 to the Southeast corner of NE $\frac{1}{4}$ said Section 9, also the Southwest corner of the NW $\frac{1}{4}$ of Section 10, Township 138 North, Range 41 West; thence East along the South line of the NW $\frac{1}{4}$ of said Section 10, Township 138 North, Range 41 West to the Southeast corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 10; thence North to the NE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 10; thence West along the North line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 10 to a point of intersection with the centerline of County Highway No. 114; thence Northeasterly along the centerline of County Highway No. 114 to the point of intersection with the North line of the NW $\frac{1}{4}$ of Section 10, Township 138 North, Range 41 West; thence East along the North line of the NW $\frac{1}{4}$ of said Section 10 and the North line of the NE $\frac{1}{4}$ of Section 10, Township 138 North, Range 41 West to its point of intersection with Lot 23 of City View Beach; thence North along the West line of said Lot 23 to its Northwest corner; thence Easterly along the North line of Lot 23, City View Beach, to its point of intersection with the shoreline of Detroit Lake; thence Westerly along the shoreline of Detroit Lake to its point of intersection with the North line of the NE $\frac{1}{4}$ of Section 9, Township 138 North, Range 41 West; and thence West along the North line of the NE $\frac{1}{4}$ of said Section 9, Township 138 North, Range 41 West to the centerline of C.S.A.H. #22 and the point of beginning.

The above-described area contains approximately 122 acres.

IT IS FURTHER ORDERED: That the mill levy of the City of Detroit

Lakes on the property herein ordered annexed shall be increased in substantially equal proportions over a period of three years to equality with the mill levy of the property already within the City.

IT IS FURTHER ORDERED: That the population of the City of Detroit Lakes be and the same hereby is increased by 260 persons to 6,985 for all purposes until the next Federal Census.

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IT IS FURTHER ORDERED: That the population of the Town of Lake View be and the same hereby is decreased by 260 to 1,409 for all purposes until the next Federal Census.

IT IS FURTHER ORDERED: That the effective date of this order is February 13, 1978.

Dated this 13th day of February, 1978.

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

William A. Neiman
William A. Neiman
Executive Secretary

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB 16 1978
John Anderson Browe
Secretary of State