

BEFORE THE MUNICIPAL COMMISSION  
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
Wayne E. Holtmeier	Ex-Officio Member
Earl F. Gnan	Ex-Officio Member

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IN THE MATTER OF THE JOINT	)	
RESOLUTION BETWEEN THE CITY OF	)	SUPPLEMENTARY
VICTORIA AND THE TOWNSHIP OF	)	FINDINGS OF FACT,
LAKETOWN FOR THE ORDERLY	)	CONCLUSIONS OF LAW,
ANNEXATION OF CERTAIN LAND TO	)	AND ORDER
THE CITY OF VICTORIA	)	

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The Minnesota Municipal Commission having made and filed its decision in the above matter on December 9, 1974, the Township of Laketown thereafter petitioned said Commission for a vacation of said decision and proposed amended findings of fact, conclusions of law and order denying the annexation;

WHEREBY, objection having been made by the City of Victoria to said petition to vacate and the proposed amended findings of fact, conclusions of law and order, the Minnesota Municipal Commission, after reviewing said petition and the objection thereto, hereby confirms its original decision and makes and files the following additional findings of fact, conclusions of law and order.

ADDITIONAL FINDINGS OF FACT

9. That the land to be annexed is suitable for residential development and urban or suburban in nature or about to become so and the annexation would be in the best interests of the property to be annexed and the City of Victoria.

10. That the proposed area for annexation abuts the existing boundary line of the City of Victoria and would be suitable for annexation under the terms and conditions of the Joint Resolution

for Orderly Annexation, dated March 27, 1972, and on file with the Minnesota Municipal Commission, said resolution having been agreed to and executed by the City of Victoria and Laketown Township.

11. The proposed annexation will not be detrimental to future urbanization plans of Laketown Township.

ADDITIONAL CONCLUSIONS OF LAW

4. That the annexation would not create a fiscal problem for Laketown Township, taking into consideration sewer assessments, annual sewer bills and the ability of Laketown Township to function as a legal entity and recover assessments already made.

5. That the Commission has the authority pursuant to M.S. 414.067 to order an equitable apportionment of the deferred reserve capacity sewer charges levied against Laketown Township, by the Metropolitan Sewer Board, at the time such charges become due and payable and whenever Laketown Township can ascertain the correct amount to be calculated according to the area to be annexed.

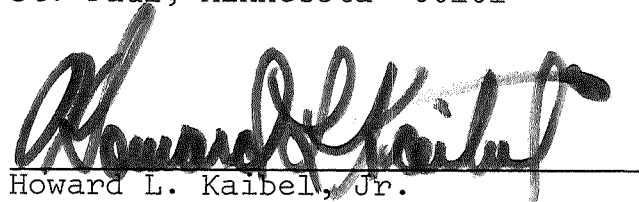
ORDER

IT IS HEREBY ORDERED that the Township of Laketown's Petition for Vacation, of the previous decision, is hereby denied, and the previous order of annexation herein is confirmed in all respects.

IT IS FURTHER ORDERED that jurisdiction is hereby retained for the purpose of apportioning reserve capacity sewer charges levied against Laketown Township, upon proper application and documentation submitted by the parties.

Dated this 19<sup>TH</sup> day of June, 1975

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



Howard L. Kaibel, Jr.  
Executive Secretary

BEFORE THE MUNICIPAL COMMISSION

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IN THE MATTER OF THE JOINT RESOLUTION )	
BETWEEN THE CITY OF VICTORIA AND THE )	
TOWNSHIP OF LAKETOWN FOR THE ORDERLY )	<u>FINDINGS OF FACT,</u>
ANNEXATION OF CERTAIN LAND TO THE )	<u>CONCLUSIONS OF LAW,</u>
CITY OF VICTORIA )	<u>AND ORDER</u>

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The above-entitled matter came on for hearing before the Minnesota Municipal Commission pursuant to Minnesota Statutes 414, as amended, on August 30, 1974 at Victoria, Minnesota. The City of Victoria appeared by and through Robert A. Nicklaus, Attorney at Law, Chaska, Minnesota. The Township of Laketown appeared by and through Mr. William F. Kelly and Mr. John Sanders, Attorneys at Law, Excelsior, Minnesota. The hearing was conducted by Chairman Simmons before the full Commission. Testimony was heard and records and exhibits were received.

After due and careful consideration of all evidence, together with all records, files and proceedings, and being fully advised in the premises, the Minnesota Municipal Commission hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Due, timely and adequate legal notice of the hearing was published, served and filed.
2. That the area proposed to be annexed will experience residential development in the near future.

3. That the City of Victoria does now provide fire protection to the area proposed for annexation.

4. That the City of Victoria is capable of and it is practical for it to provide to the area proposed for annexation the following municipal services within the next three (3) years:

- a. police protection
- b. sanitary sewers
- c. road construction and maintenance
- d. city engineering services

5. The population of the area proposed for annexation is none.

6. The annexation herein ordered will not create a fiscal problem for Laketown Township taking into consideration sewer assessments, annual sewer bills, and the ability of Laketown Township to function as a legal entity and recover assessments already made.

7. The assessed value of the area proposed for annexation is \$2,778.00.

8. The mill rate levied by the township on the area proposed for annexation was 3.73.

#### CONCLUSIONS OF LAW

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

2. The area proposed for annexation is now or is about to become urban or suburban in nature.

3. The City of Victoria is capable of providing the services required by the area described herein within a reasonable time.

#### O R D E R

IT IS HEREBY ORDERED: that the following described property lying in the Township of Laketown, County of Carver, State of Minnesota,

be and the same hereby is annexed to the City of Victoria the same as if it had originally been made a part thereof:

All portions of the following described area which are not presently included within the existing boundaries of the City of Victoria:

That part of Government Lot 8, Section 12, Township 116, Range 24 lying Easterly of the Southeasterly Right of Way line of the Chicago-Northwestern Railway; Laketown Township, Carver County, State of Minnesota.

IT IS FURTHER ORDERED: that the mill levy of the City of Victoria on the property herein ordered annexed shall be increased in substantially equal proportion over a period of three (3) years to equality with the mill levy of the property already within the City. In the year following annexation the increase in the mill rate for city purposes on the property annexed shall not exceed 1/3 of the difference between the current mill levy for city and township purposes. In the second year following annexation the increase in the mill rate on the property annexed shall not exceed 1/2 of the then existing difference between the mill levy on the property annexed and the full mill levy for city purposes. In the third year following annexation the property annexed shall be taxed at the full city rate.

Dated this 9th day of December, 1974

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



Howard L. Kaibel, Jr.  
Executive Secretary