



**STATE OF MINNESOTA
MUNICIPAL BOARD**

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

May 19, 1977

TO: All parties of record

FROM: William A. Neiman
Executive Secretary

SUBJECT: Supplementary Order
for A-2205(OA)-2, A-2205(OA)-3
Victoria City and Laketown Town

The enclosed order merely formalizes or makes explicit what is already implicitly part of the recent annexation orders in the above-entitled proceedings. The change was suggested in order to eliminate any questions in the future regarding the Town of Laketown's capacity to satisfy its bonded obligations. No change results from this supplementary order.

If you have any questions regarding this matter, please contact me.

WAN:b

Enclosure

A-2205(OA)-2
A-2205(OA)-3
Victoria City and Laketown Town

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

| | |
|-------------------|-------------------|
| Thomas J. Simmons | Chairman |
| Robert W. Johnson | Vice Chairman |
| Gerald J. Isaacs | Member |
| Joe Neaton | Ex-Officio Member |
| Earl Gnan | Ex-Officio Member |

IN THE MATTER OF THE JOINT RESOLUTION)
BETWEEN THE CITIES OF VICTORIA, CHASKA,)
AND WACONIA AND THE TOWNSHIP OF LAKE-)
TOWN FOR THE ORDERLY ANNEXATION OF)
CERTAIN LAND TO THE CITY OF VICTORIA)

SUPPLEMENTARY ORDER

IT IS HEREBY ORDERED: That any property in Laketown Township shall remain responsible for any bonded indebtedness outstanding at the date of the orders dated March 8, 1977.

Dated this 19th day of May, 1977

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
Saint Paul, Minnesota 55101



William A. Neiman
Executive Secretary

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

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|---|---|----------------------------|
| IN THE MATTER OF THE JOINT RESOLUTION |) | |
| BETWEEN THE CITIES OF VICTORIA, CHASKA, |) | <u>FINDINGS OF FACT,</u> |
| AND WACONIA AND THE TOWNSHIP OF LAKE- |) | <u>CONCLUSIONS OF LAW,</u> |
| TOWN FOR THE ORDERLY ANNEXATION OF |) | <u>AND ORDER</u> |
| CERTAIN LAND TO THE CITY OF VICTORIA |) | |

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on February 3, 1977 at Chaska, Minnesota. The hearing was conducted by Robert W. Johnson and Gerald J. Isaacs pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Earl Gnan and Joe Neaton, ex-officio members of the Board. The City of Victoria appeared by and through Robert Nicklaus, the City of Chaska was represented by Luke Melchert, the City of Waconia was represented by Paul Melchert, and Laketown Township was represented by William Kelly. Testimony was heard and records and exhibits were received. The hearing was continued from time to time.

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 Victoria and the Township of Laketown and duly filed with the Minnesota Municipal Board on March 30, 1972. Subsequently, a new joint resolution was adopted by the City of Victoria and the Township of Laketown and duly filed with the Minnesota Municipal Board on December 28, 1976.
2. A resolution was filed by one of the signatories to the joint resolution, Victoria, on December 28, 1976 requesting annexation

of certain properties within the orderly annexation area. The resolution contained all the information required by statute including a description of the territory subject to annexation which is as follows:

That part of Sections 11, 12, 13, and 14, Twp. 116 N., R 24 W, Carver County not presently located within the Victoria limits, except that part of said Section 12 lying easterly of Schultz Lake.

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 Victoria.
- b. The total area of the City of Victoria is 1,892 acres. The total area of the territory subject to annexation is 2,040 acres (920 acres in Hennepin County Park Reserve District), net 1,120 acres.
- c. The degree of contiguity of the boundaries between the annexing municipality and the proposed annexed property is as follows: Over 50%.
- d. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is as follows: Some of the property is lakeshore. The rest is relatively flat land.

5. Population Data

- a. The City of Victoria has experienced steady growth and this trend is expected to continue. The 1970 population was 850 and the projected 1980 population is 1,150.
- b. The area subject to annexation has experienced steady growth (estimated population of 192) and this trend is expected to continue. This is true of Laketown Twp. as a whole.

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 Metropolitan Council. This annexation is consistent with the Metropolitan Council's policies regarding the Urban Service Area. This area is in Victoria's Development Guide Plan.

- b. What land use controls are presently being employed.
 - 1) In the City of Victoria
 - a) Zoning - Yes, a comprehensive code.
 - b) Subdivision regulations - Yes
 - c) Housing and building codes - Yes
 - d) Other - Planning Commission, Inspectors, Building Plumbing, and Electrical Codes
 - 2) In the area to be annexed:
 - a) Zoning - Yes, Carver County
 - b) Subdivision regulations - Yes, Carver County
 - c. Does the City require future growth space? Yes. If so, will the area subject to annexation provide the City of Victoria with necessary growth space? Over 1,500 residential lots could be developed.
 - d. The present pattern of physical development is:
 - 1) In the City of Victoria: all types of development.
 - 2) In the area subject to annexation: Residential.
7. Governmental Services
- a. Presently, the Township of Laketown provides the area subject to annexation with the following services:
 - 1) Water - No
 - 2) Sewer - No
 - 3) Fire Protection - No, contracts with Victoria.
 - 4) Police Protection - County Sheriff
 - 5) Street Improvements - Unknown
 - 6) Street Maintenance - Yes
 - 7) Recreational - No
 - 8) Other - County library
 - b. Presently, the City of Victoria provides its citizens with the following services:
 - 1) Water - Yes
 - 2) Sewer - Yes
 - 3) Fire Protection - Yes, and fire prevention, zoning provision.
 - 4) Police Protection - Yes
 - 5) Street Improvements - Yes
 - 6) Street Maintenance - Yes
 - 7) Recreational - Yes
 - 8) Other - Animal Control, street lights.

- c. Presently the City of Victoria provides the area subject to annexation with the following services:
 - 1) Water - No
 - 2) Sewer - No
 - 3) Fire Protection - Yes, by contract with Laketown
 - 4) Police Protection - No
 - 5) Street Improvements - No
 - 6) Street Maintenance - No
 - 7) Recreational - Yes
 - 8) Other
 - d. Plans to extend municipal services to the area subject to annexation include the following: Within a short period or on request, extend all services, other than water. Water service will be extended within a reasonable time.
 - e. There are existing or potential pollution problems which are: Potential pollution in Steiger Lake, Hartwood area. The following additional services will help resolve this situation: City sewer.
 - f. That the City of Victoria 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 (3) years.
8. Fiscal Data
- a. In the City of Victoria, the assessed valuation trend is rising, (over 3 million in 1976) the mill rate trend is (18.73 rising and the presnet bonded indebtendess is \$18,000 and \$310,000 on special assessments.
 - b. In the area subject to annexation, the assessed valuation trend is rising (about \$900,000), the mill rate trend is rising and the present bonded indebtedness is \$735,000, being retired by special assessments.
 - c. The mill rate trends in the following units of government are:
 - 1) County - Rising
 - 2) School Districts - Rising
 - 3) Township - 5.92, Rising

- d. Will the annexation have any effect upon area school districts? No.

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 Victoria 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 (3) 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 Laketown, County of Carver, State of Minnesota, be and the same hereby is annexed to the City of Victoria the same as if it has originally been made a part thereof:

That part of Sections 11, 12, 13, and 14, Twp. 116 N., R24W, Carver County not presently located within the Victoria limits, except that part of said Section 12 lying easterly of Schultz Lake.

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 proportions over a period of three (3) years to equality with the mill levy of the property already within the City. The formula for the step-up shall be as stipulated in the joint agreement filed with the Board December 28, 1976.

IT IS FURTHER ORDERED: That the population of the City of Victoria be and the same hereby is increased by 192 for all purposes until the next Federal Census.

IT IS FURTHER ORDERED: That the population of the Township of Laketown be and the same hereby is decreased by 192 for all purposes until the next Federal Census.

IT IS FURTHER ORDERED: That the effective date of this order is March 8, 1977.

Dated this 8th day of March, 1977

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
Saint Paul, Minnesota 55101


William A. Neiman, Executive Secretary