



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-) SUPPLEMENTARY ORDER
TOWN FOR THE ORDERLY ANNEXATION OF)
CERTAIN LAND TO THE CITY OF VICTORIA)

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

Thomas J. Simmons	Chairman
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IN THE MATTER OF THE JOINT RESOLUTION)	
BETWEEN THE CITIES OF VICTORIA, CHASKA,)	
AND WACONIA, AND THE TOWNSHIP OF LAKETOWN)	
FOR THE ORDERLY ANNEXATION OF CERTAIN LAND)	<u>FINDINGS OF FACT,</u>
TO THE CITY OF VICTORIA)	<u>CONCLUSIONS OF LAW,</u>
	<u>AND ORDER</u>

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statute 414, as amended, on February 3, 1977 at Chaska, Minnesota. The hearing was conducted by Mr. Gerald J. Isaacs, Member of the Board, and Robert W. Johnson, Vice Chairman of the Board. 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 Mr. Robert Nicklaus, Attorney at Law; the City of Chaska was represented by Mr. Luke Melchert, Attorney at Law; the City of Waconia was represented by Mr. Paul Melchert, Attorney at Law; and, the Township of Laketown was represented by Mr. William F. Kelly, Attorney at Law. Testimony was heard, 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 Victoris 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, the City of 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:

All that property located in Sections 1 and 2, that part of Section 12 lying easterly of Schutz Lake, and any part of Section 3 not then included within the Hennepin County Park Reserve District **all in Twp.116N, R24W, Carver County, Minn.**

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 1,340 acres (540 acres are in Hennepin County Park Reserve District) net **800 acres** including lakes.
- c. The degree of contiguity of the boundaries between the annexing municipality and the proposed annexed property is as follows:
about 20%.
- d. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes, and major bluffs is as follows: Mostly flat, gentle rolling, some swamp and hills, some lakeshore.

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 230**) and this trend is expected to continue. This is true of Laketown Township 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. Also, this area is included in the comprehensive plan to be submitted by the City of Victoria to the Metropolitan Council.
- 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? Yes, about 100 residential lots.
- 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) Sewer - yes
 - 2) Water - no
 - 3) Fire protection - no, contracts with the City of Victoria

- 4) Police protection - Carver 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 Township
 - 4) Police protection - no
 - 5) Street improvements - no
 - 6) Street maintenance - no
 - 7) Recreational - yes
- d. Plans to extend municipal services to the area subject to annexation include the following: After annexation, extend all services, including sewer and water, within a short period or on request.
- e. 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 rising (18.73), and the present bonded indebtedness is \$18,000 and \$310,000 on special assessments.
- b. In the area subject to annexation, the assessed valuation trend is rising (about 1½ million), 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.

ORDER

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:

All that property located in Sections 1 and 2, that part of Section 12 lying easterly of Schutz Lake, and any part of Section 3 not then included within the Hennepin County Park Reserve District **all in Twp.116N, R24W, Carver County, Minn.**

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 Minnesota Municipal Board December 28, 1976.

IT IS FURTHER ORDERED: That the effective date of this order is the 1st day of December, 1981.

Dated this 8th day of March, 1977

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



William A. Neiman
Executive Secretary