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STATE OF MINNESOTA
MUNICIPAL BOARD
Suite 165 Metro Square
7th & Robert Streets
St. Paul, Minnesota 55101
Phone: 296-2428

November 20, 1979

Mr. Mark Winkler
Deputy Secretary of State
c/o Donna Scott
State Office Building
Saint Paul, Minnesota

RE: Municipal Board Docket Number OA-122-12 Rochester

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 City of Rochester

is increased by no change

The population of Town of Cascade

is decreased by no change

A new municipality named _____

has been created with a population of _____

The _____

has been dissolved.

Official date of the Order November 20, 1979, effective November 20, 1979

C.C. Commissioner
Department of Revenue
c/o Wallace O. Dahl, Director
Tax Research Division
205 Centennial Building

R. Thomas Gillaspy, Ph.D.
State Demographer
101 Capitol Square Building

Patricia D. Lundy
Assistant Executive Director

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 26 1979
Joan Anderson Growe
Secretary of State

#32521
O.M.

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Robert J. Ferderer	Member
Douglas Krueger	Ex-Officio Member
Carol Kamper	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION BETWEEN THE CITY OF ROCHESTER AND THE TOWNSHIP OF CASCADE FOR THE ORDERLY ANNEXATION OF CERTAIN LAND TO THE CITY OF ROCHESTER	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 September 19, 1979, at Rochester, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance was Municipal Board Member Robert J. Ferderer and County Commissioners Douglas Krueger and Carol Kemper, ex-officio members of the Board. The City of Rochester appeared by and through Kenneth Moen, the Township of Cascade appeared by and through Stanley Hunter, Board Chairman. 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

I. That a joint resolution for orderly annexation was adopted by the City of Rochester and the Township of Cascade and duly accepted by the Minnesota Municipal Board.

II. A resolution was filed by one of the signatories to the joint resolution, City of Rochester, on June 29, 1979 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:

> Lot Twenty-Three (23), less the East 93 and 75/100ths feet thereof and Lot Twenty-Four (24), all in Auditor's Plat "D" on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota.

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

IV. Geographic Features

A. The area subject to annexation is unincorporated and abuts the City of Rochester.

B. The total area of the City of Rochester is 17.2 square miles.

The total area of the territory subject to annexation is 6.5 acres.

C. The perimeter of the area to be annexed is approximately 70% bordered by the municipality.

D. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is: flat land, with some slope adjacent to the roadway.

V. Population Data

A. The City of Rochester:

1. In 1970, there were 53,766 residents.

2. The present estimated population is 59,770.

3. By 2000, the projected population is 85,130.

B. The area subject to annexation:

1. The present estimated population is 1.

C. The Township of Cascade:

1. In 1976, there were 2760 residents.

2. By 2000, the projected population is 1,000.

VI. Development Issues

A. The pattern of physical development, including land already in use, in the process of being developed, and remaining for various uses.

1. Area in Use

a. In the City of Rochester:

1. Residential: 13,763.9 acres
2. Institutional: 346 acres
3. Commercial: 1094.6 acres
4. Industrial: 2245.5 acres
5. Agricultural: 999.4 acres
6. Park and Open Space: 6,374.9 acres

b. In the area subject to annexation:

1. Institutional: 2.0 acres
2. Commercial: 4:5 acres

c. In the Township of Cascade:

1. Residential: 2,391.9 acres
2. Institutional: 40.3 acres
3. Commercial: 95.1 acres
4. Industrial: 112.6 acres
5. Agricultural: 10,379.8 acres
6. Parks and Open Space: 157.2 acres

B. Transportation

1. The present transportation network is:

a. In the City of Rochester: Federal, State, and City Roads
b. In the area subject to annexation: Federal, State and Township and City Roads.

2. There are no potential transportation issues.

C. Land use controls and planning, including comprehensive plans, in the city and the area subject to annexation:

1. In the City of Rochester:

a. Zoning: yes
b. Subdivision Regulations: yes
c. Comprehensive Plan: yes
d. Official Map: yes
e. Capital Improvements Program: yes
f. Fire Code: yes
g. Building Inspector: yes
h. Planning Commission: yes

2. In the Township of Cascade

a. Zoning: provided by County
b. Subdivision Regulations: provided by County
c. Comprehensive Plan: provided by County
d. Capital Improvements Program: provided by County
e. Fire Code: provided by County
f. Building Inspector: provided by County
g. Planning Commission: provided by County

3. In the County of Olmsted:

a. Zoning: yes
b. Subdivision Regulations: yes
c. Comprehensive Plan: yes
d. Official Map: no
e. Capital Improvements Program: yes
f. Fire Code: yes
g. Building Inspector: yes
h. Planning Commission: yes

4. There is no inconsistency between the proposed development and the planning and land use controls for the area.

VII. Governmental Services

A. The Town of Cascade provides the area subject to annexation with the following services:

1. Water: no
2. Sewer: no
3. Fire protection and rating: yes, by contract with city
4. Police protection: no
5. Street improvements: yes
6. Street mainteancne: yes
7. Recreational: no
8. Administrative services: no

B. The City of Rochester provides its residents with the following services:

1. Water: yes
2. Sewer: yes
3. Fire protection and rating: yes
4. Police protection: yes
5. Street improvements: yes
6. Street maintenance: yes
7. Recreationl: yes
8. Administrative services: yes

C. The City of Rochester provides the area subject to annexation with the following services:

1. Water: no
2. Sewer: no
3. Fire protection and rating: by contract with the Township
4. Police protection: no
5. Street improvements: no
6. Street maintenance: no
7. Recreational: no
8. Administrative services: no

D. There are no existing or potential environmental problems.

E. Plans and programs by the annexing municipality to provide needed governmental services for the area proposed for annexation include: extension of sewer and water, police and fire protection.

F. The following services will be available to the annexed area within three years: sewer and water.

VIII. Tax Base

A. In the City of Rochester, the tax base includes the following:

Residential property, commercial property, industrial property, agricultural property, and parks and open space.

B. In the Township of Cascade, the tax base includes the following:

Residential property, commercial property, industrial property, agricultural land, and parks and open space.

C. In the area subject to annexation, the tax base includes the following:

Commercial property in 1978 was valued at $80,674.

IX. Tax Data

A. In the City of Rochester:

1. Mill rate in 1979 is 23.877.
2. Bonded indebtedness in 1978 was $6,885,000.

B. In the Township of Cascade:

1. Mill rate in 1979 is 4.679.
2. Bonded indebtedness in 1978 was $0.

C. In the area subject to annexation:

1. Mill rate in 1979 is 4.679.
2. Bonded indebtedness in 1978 was $0.

D. The mill rate in the appropriate governmental units:

1. County in 1979 is 22.869 for the township and 21.263 for the City.
2. School district in 1979 is 58.618.
3. Township in 1979 is 4.679.

X. Annexation to the City of Rochester is the best alternative.

A. There is no effect on area school districts and on adjacent communities if the area is annexed.

B. The town government is inadequate to deliver services to the area proposed for annexation that it presently needs, namely sewer and water.

C. Necessary governmental services could not best be provided by incorporation or annexation to an adjacent municipality.

D. Present assessed valuation of the Town of Cascade: $9,964,312.

Present assessed valuation of proposed annexation area: $80,674.

New valuation of the Town of Cascade if entire area is annexed: $9,863,638.

E. Cascade Township can continue to function without the area subject to annexation.

CONCLUSIONS OF LAW

I. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.

II. The area subject to annexation is now or is about to become urban or suburban in nature and the annexing municipality is capable of providing the services required by the area within a reasonable time.

III. The existing township form of government is not adequate to protect the public health, safety, and welfare.

IV. The annexation would be in the best interests of the area proposed for annexation.

V. The annexation does not conflict with terms of the joint agreement.

VI. Three years will be required to effectively provide full municipal services to the annexed area.

VII. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

O R D E R

I. IT IS HEREBY ORDERED: That the property described herein situated in the County of Olmsted, State of Minnesota, be and the same is hereby annexed to the City of Rochester, Minnesota, the same as if it had been originally made a part thereof:

> Lot Twenty-Three (23), less the East 93 and 75/100ths feet thereof and Lot Twenty-Four (24), all in Auditor's Plat "D" on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota.

IT IS FURTHER ORDERED: That the mill levy of the City of Rochester 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 effective date of this order is November 20, 1979.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 26 1979
Joan Anderson Growe
Secretary of State
#32521

Dated this 20th day of November, 1979

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

Terrence A. Merritt

Terrence A. Merritt
Executive Director