



STATE OF MINNESOTA
MUNICIPAL BOARD

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

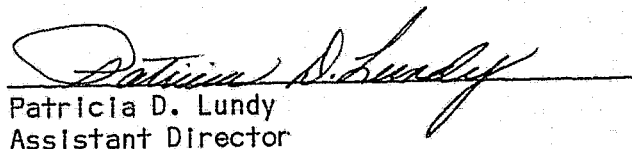
December 10, 1987

Secretary of State
c/o Donna Scott
State Office Building
St. Paul, Minnesota 55155

Re: Municipal Board Docket Number: A-4384 Oronoco

The subject order of the Minnesota Municipal Board makes no changes in the population of the City of Oronoco.

Official date of the Order is December 10, 1987.

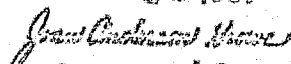

Patricia D. Lundy
Assistant Director

PDL:sg

cc: Wallace O. Dahl, Director
L.G.A. & A. Division
Department of Revenue
2nd Floor Centennial Building

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

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 15 1987


Secretary of State

137808

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Shirley J. Mihelich	Chair
John W. Carey	Vice Chair
Kenneth F. Sette	Commissioner
Carol Kamper	Ex-Officio Member
Paul Stelipflug	Ex-Officio Member

IN THE MATTER OF THE PETITION FOR)
THE ANNEXATION OF CERTAIN LAND TO)
THE CITY OF ORONOCO PURSUANT TO)
MINNESOTA STATUTES 414)

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 August 5, 1987 and was continued from time to time at Oronoco, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director, pursuant to Minnesota Statutes 414.01, Subdivision 12. Also in attendance were John W. Carey, Vice Chair, Kenneth F. Sette, Commissioner, and County Commissioners Paul Stelipflug and Carol Kamper, Ex-Officio Members of the Board. The City of Oronoco appeared by and through Mayor Merle Krause, Oronoco Township appeared by and through Don DeVaughn, and the petitioners appeared by and through Rick Gentling, Realtor. 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. On March 27, 1987, a copy of the petition for annexation by all of the property owners was received by the Minnesota Municipal Board, and an

amended petition was received on May 22, 1987 requesting the board to order annexation. The petition contained all of the information required by statute, including a description of the territory subject to annexation which is as follows:

S 1/2 of SE 1/4 Section 17, Oronoco Township, Olmsted County, Minnesota.

An objection to the amended petition was received by the Minnesota Municipal Board on June 12, 1987.

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

3. The area subject to annexation is unincorporated, approximately 80 acres in size and abuts the City of Oronoco by approximately 16% of its total boundary. The City of Oronoco is approximately 1,100 acres in size. The Town of Oronoco is approximately 23,040 acres in size.

4. The area proposed for annexation is rolling terrain with the western portion open and the eastern portion wooded.

The Zumbro River flows through the eastern portion of the area proposed for annexation.

5. The City of Oronoco had a population of 564 in 1970, 574 in 1980, and a current population of approximately 660.

6. The area proposed for annexation has no present population.

7. The City of Oronoco presently has approximately 80% of its land in residential use, approximately 10% in agricultural use, approximately 5% in commercial use, approximately 4% in vacant lands, and approximately 1% in institutional use.

8. The Town of Oronoco has approximately 90% of its land in agricultural

use, approximately 8% in residential use, and approximately 2% in commercial use.

9. The area proposed for annexation is presently 100% agricultural with one-third of the land tillable.

10. The annexation area is presently zoned agricultural.

11. The City of Oronoco has zoning and subdivision regulations, an official map, a fire code, shoreland ordinance, and floodplain ordinance. The city has a comprehensive plan which was adopted in 1976 and revised in 1986.

12. The City of Oronoco is in the process of revising its Comprehensive Plan and Zoning Ordinance to address whether the city should expand its boundaries, and if expansion is appropriate, where it should be planned for.

13. The City of Oronoco City Council and Planning Commission have passed resolutions opposing any annexation until the amendments concerning boundary expansion to the city's Comprehensive Plan and Zoning Ordinance have been completed.

14. The Town of Oronoco has a zoning ordinance, and a comprehensive plan adopted in 1976.

15. Olmsted County has zoning and subdivision regulations, an official map, capital improvements program and budget, a fire code, and a sanitation ordinance.

16. The City of Oronoco presently provides its residents with solid waste collection and disposal, fire protection, police protection, street improvements and maintenance, administrative services, and recreational opportunities.

17. The Town of Oronoco provides its residents with fire protection, street improvements and maintenance, and administrative services.

18. The annexation area is proposed to be served by private-shared wells. The annexation area is proposed to be served by private on-site septic systems.

19. The City of Oronoco does not provide its residents with central sewer or water.

20. The City of Oronoco does not plan to develop either a central sewer or water system.

21. The area proposed for annexation is planned for residential development. Residential development in the City of Oronoco would be more dense than the area is allowed under its present county zoning classification.

22. The City of Oronoco is reluctant to maintain the mile of road in the area proposed for annexation with no assurance that the area will fully develop.

23. In 1986, the assessed valuation of the City of Oronoco was \$3,133,084. In 1986, the city's mill rate was 17.767. As of 1986, the City of Oronoco had no bonded indebtedness.

24. In 1986, the assessed valuation of the Town of Oronoco was \$7,832,556. The town's mill rate is 8.241. The Town of Oronoco had no bonded indebtedness.

25. In 1986, the assessed valuation of the area subject to annexation was \$5,292.

26. For 1986, the county's mill rate was 35.735. The School District's mill levy for 1986 was 59.211.

27. The City of Oronoco is the only municipality adjacent to the area proposed for annexation.

28. Oronoco Township can continue to function without the area proposed for annexation.

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 not now urban or suburban in nature or about to become so.

3. Municipal government is not presently required to protect the public health, safety, and welfare in the area proposed for annexation.

4. An order should be issued by the Minnesota Municipal Board denying the petitioned annexation of the area described herein.

ORDER

1. IT IS HEREBY ORDERED: That the request for the annexation of the property described in Findings of Fact 1 herein, be and the same is hereby denied.

2. IT IS FURTHER ORDERED: That the effective date of this order is December 10, 1987.

Dated this 10th day of December, 1987.

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

Terrence A. Merritt
Terrence A. Merritt
Executive Director

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James Andrew Howe
Secretary of State