

PETITION FOR ANNEXATION OF
PLATTED LAND OR UNPLATTED LAND OF 200 ACRES OR LESS
MINNESOTA STATUTES, SECTION 414.033 SUBD. 5

To: Common Council
City Hall
Rochester, MN 55901

REC'D. BY MAY 3 1984
MMB

The undersigned being (all) (a majority) of the owners in number of the land hereinafter described which abuts the City of Rochester, petition the Common Council to annex said land to the City of Rochester: (If more space is needed, attach additional sheet)

Description: The North 178.00 Feet of Lot Fourteen (14), Oak Hills
Subdivision AND Lot One (1), Elmcroft Subdivision; Both according to Plats
Thereof on File in The Olmsted County Recorder's Office

Reason for Annexation: Upon approval of metes and bounds subdivision of
Lot 14, Oak Hills subdivision, by the Rochester Township Board of Supervisors
and the Olmsted County Board of Commissioners a Declaration of Covenants
(Art. I and II attached) was filed on Tract 148 (No. 178' of Lot 14) which
virtually requires annexation before property can be used for building Purposes.

Total Number of Owners: 2 (Joint Tenants)

"Owners" include each fee holder, contract for deed purchaser, joint tenant, and tenant in common.

Area of Land to be Annexed in Acres:

Platted 1.3 acres Unplatted _____ Total 1.3 acres

Existing Population of Area to be Annexed: 0

IN WITNESS WHEREOF we have subscribed to this petition of
this 30th day of April, 19 84.

Respectfully submitted, (Additional names may be put on attached sheet if necessary.)

Alice M. Mellin 13227 Titan Dr. Sun City West, Arizona
(Owner) Alice M. Mellin (Address)

Malcolm Mellin 13227 Titan Dr., Sun City West, Arizona
(Owner) Malcolm Mellin (Address)

DISTRIBUTION:

City Clerk (White Copy)
Consolidated Planning Department (Yellow Copy)
Township Board (Blue Copy)
Olmsted County Board (Green Copy)
Minnesota Municipal Commission (Pink Copy)
Petitioner (Goldenrod Copy)

ANNEXATION: FORM NO. 1

Petition for Annexation

5covenants, conditions, restrictions, and easements hereinafter set forth, which shall inure to the benefit of said real property (and each and every lot and tract thereof), and which shall apply to the benefit of and be binding upon the present and future owners of said real property:

ARTICLE I.

PROPERTY SUBJECT TO THIS DECLARATION

The following real property shall be subject to this

Declaration:

1. Lot One (1), Elmcroft Subdivision, according to the plat thereof on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota.
2. Lot Fourteen (14), Oak Hills, except the North 178 feet thereof, according to the plat thereof on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota, hereinafter referred to as Tract 14A.
3. The North 178 feet of Lot Fourteen (14), Oak Hills, according to the plat thereof on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota, hereinafter referred to as Tract 14B.

ARTICLE II.

BUILDING RESTRICTION

No building or structure for residential purposes shall be erected, placed or permitted to remain on any part or portion of Tract 14B until public water and sewer services are available and utilized by such building or structure.

ARTICLE III.

UTILITY EASEMENTS

Declarants hereby grant to the subsequent owners of Tract 14B, their heirs, successors and assigns, a utility easement for public utility purposes over, under and across the North Twelve (12) feet of Tract 14A, and do further hereby grant to the subsequent owners of Tract 14A and Tract 14B, their heirs, successors and assigns, a utility easement for public utility purposes over, under and across the South Twelve (12) feet of Lot One (1), Elmcroft Subdivision. The said easements include the right of ingress and egress to excavate for, install, replace, repair, maintain and use such utility lines as the subsequent

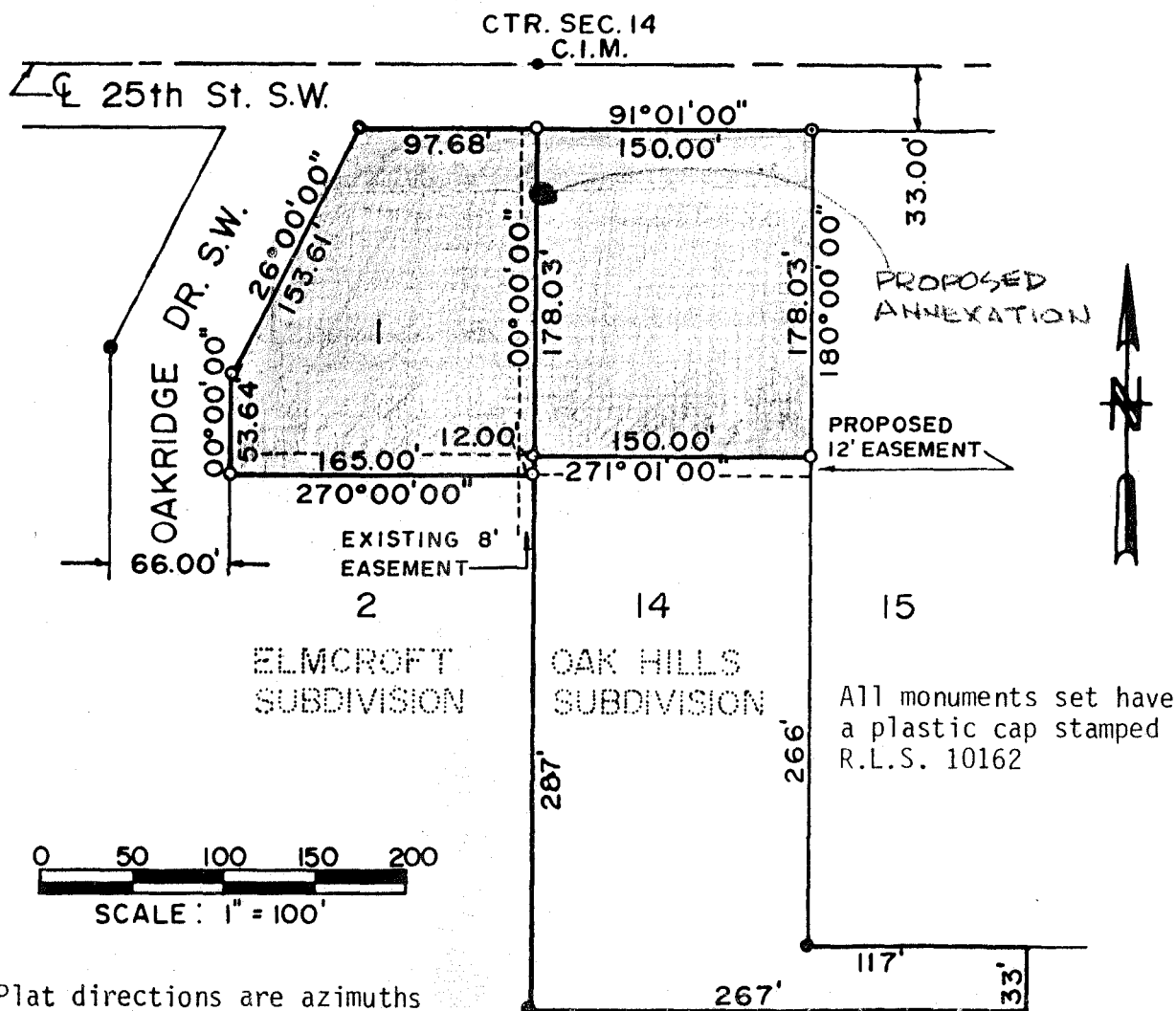
CERTIFICATE OF SURVEY

LOT 14

OAK HILLS SUBDIVISION

OLMSTED COUNTY

REC'D. BY
M M B MAY 3 1984



PROPERTY DESCRIPTIONS

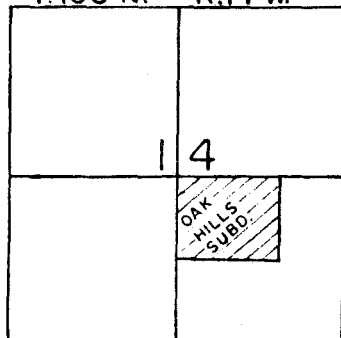
The North 178.00 feet of Lot 14, Oak Hills Subdivision, according to the plat thereof on file in the County Recorders Office, Olmsted County, Minnesota.

All of Lot 14, Oak Hills Subdivision, according to the plat thereof on file in the County Recorders Office, Olmsted County, Minnesota, except the North 178.00 feet thereof.

PROPOSED ANNEXATION OF MELLIN PROPERTY
APRIL 30, 1984

M. MELLIN

Property Location Map
T.106 N. R.14 W.



SCALE: 1" = 3000'

MONUMENTS

- Found (Pipe, Stone, etc.)
- Set 1/2" Rebar with Cap
- Set 3/4" Pipe with Cap
- No Monuments Found or Set

Drawn By: A.T.S.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Date 5/15/83 Reg. No. 10162

Survey For: MALCOLM MELLIN Date of Survey: 5-26-83



PREPARED BY

YAGGY ASSOCIATES, INC.

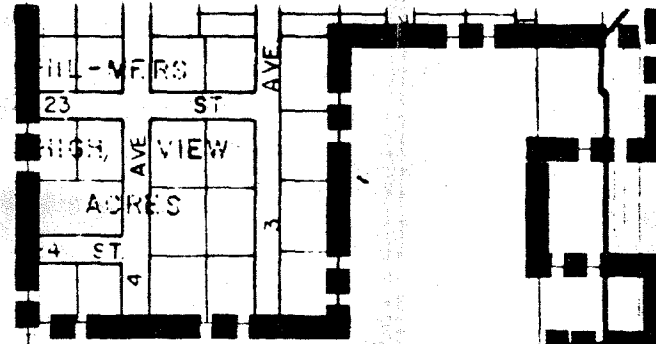
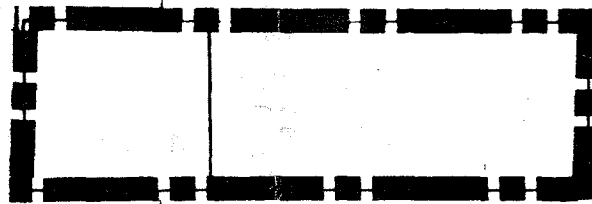
CONSULTING ENGINEERS ■ PLANNERS ■ SURVEYORS

ROCHESTER, MINNESOTA MASON CITY, IOWA

Job no. 1009-83

GOLDEN HILLS
SCHOOL

REC'D BY
MMB
MAY 3 1984



MEADOW HILLS ADD.

SHADOW RUN ADD.

EXIST. CITY LIMITS

25th ST. SO.

14

PROPOSED ANNEXATION
FOR RESIDENTIAL USE

ELMCROFT
ADD.

ELMVIEW PLACE

SW

OAK HILLS DR.

OAK HILLS

DR.

LINDEN CT

KLEIST

DE PLAT

PARADISE

ST

SW

ACRES

SCHWANNES
DRIVE

PARADISE CT

ADD.

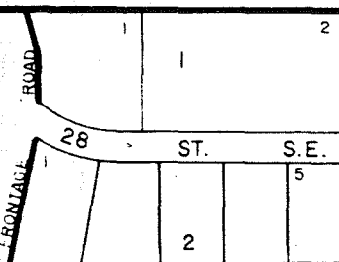
SW

30

FREMONT CT

ST. RICHARDS

HIGHWAY 52 SOUTH



FRONTAGE ROAD

28

ST.

S.E.

5

2

PROPOSED ANNEXATION OF
MELLIN PROPERTY
SCALE: 1" = 500' APRIL 26 1984
DRWN BY: MALCOLM MELLIN

FELLCON

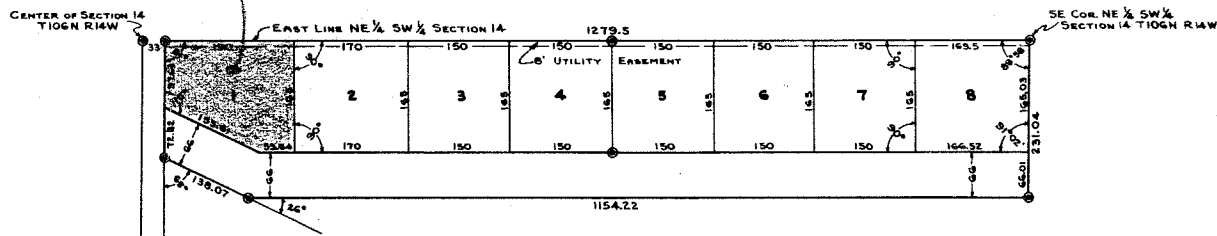
ELMCROFT SUBDIVISION



SCALE: 1" = 100'

PROPOSED ANNEXATION

EASEMENT DEFINED
UTILITY EASEMENT FOR CONSTRUCTION AND
MAINTENANCE OF ELECTRIC POWER AND TELEPHONE
LINES AND TRIMMING RIGHTS FOR SAID MAINTENANCE.
BOUNDARY LINES SHOWN THUSLY: _____



SURVEYOR'S CERTIFICATE

STATE OF MINNESOTA,
COUNTY OF OLMSTED.

STATE OF MINNESOTA.
COUNTY OF OLMSTED, S.S.

I, HENRY M. KALB, DO HEREBY CERTIFY THAT, AT THE REQUEST OF DOROTHY TUCK JONES (OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT: COMMENCING AT THE CENTER OF SECTION FOURTEEN (14) TOWNSHIP ONE-HUNDRED-SIX NORTH (116GN) ONE-HUNDRED-FOURTEEN (14) EAST, RUNNING THENCE SOUTH ALONG THE EAST LINE OF THE NORTHWEST ONE-FOURTH OF THE SOUTHWEST ONE-FOURTH OF THE NE 1/4 SW 1/4 OF SAID SECTION 14, 133 FEET FOR A PLACE OF BEGINNING, THENCE SOUTH ALONG SAID EAST LINE FOR A DISTANCE OF TWELVE-HUNDRED-SEVENTY-NINE AND FIVE-TENTHS FEET (1279.5') TO THE SOUTHEAST CORNER OF SAID NE 1/4 SW 1/4, RUNNING THENCE WEST ALONG THE SOUTH LINE OF SAID NE 1/4 SW 1/4 FOR A DISTANCE OF TWO-HUNDRED-THIRTY-ONE AND FIVE-TENTHS FEET (231.5'), THENCE NORTH ALONG THE WEST LINE OF SAID NE 1/4 SW 1/4 FOR A DISTANCE OF ELEVEN-HUNDRED-FIFTY-FOUR AND TWENTY-TWO ONE-HUNDREDTHS FEET (1154.22'), THENCE DEFLCT TO THE RIGHT TWENTY-ONE DEGREES (26') FOR A DISTANCE OF ONE-HUNDRED-THIRTY-EIGHT AND SEVEN ONE-HUNDREDTHS FEET (138.07'), THENCE DEFLCT TO THE RIGHT SIXTY-FIVE DEGREES (65') FOR A DISTANCE OF TWENTY-THREE AND FIFTY-ONE ONE-HUNDREDTHS FEET (23.51'), THENCE SOUTH ALONG SAID EAST LINE AND PLATTED SAID TRACT INTO LOTS, BLOCKS, AND STREETS AS SHOWN ON THE ACCOMPANYING PLAT ON WHICH THIS CERTIFICATE IS WRITTEN, SAID TRACT TO BE DESIGNATED AND KNOWN AS "ELMCROFT SUBDIVISION."

I FURTHER CERTIFY THAT THE ACCOMPANYING PLAT IS A TRUE REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECTLY SHOWN AND THAT THERE ARE NO WET LANDS THEREON, AND THAT THE SAID TRACT HAS NOT HERETOFORE BEEN PLACED IN ANY MANNER THUSLY: (6) THAT THERE ARE NO WET LANDS THEREON, AND THAT THE SAID TRACT HAS NOT HERETOFORE BEEN PLACED

Henry M. Felt REGISTERED LAND SURVEYOR No. 2151

SUBSCRIBED AND SWORN TO BEFORE ME THIS 4 DAY OF December, 1956.
Frank NOTARY PUBLIC, OLMSTED COUNTY, MINNESOTA.
 MY COMMISSION EXPIRES May 26, 1961.

DEDICATION

WE, THE UNDERSIGNED, DOROTHY TUCK JONES AND DO WEEBIE CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE THAT WE HAVE CAUSED THE SAME TO BE SURVEYED, STAKED AND PLATTED INTO LOTS, BLOCKS, AND STREETS AS SHOWN ON THE ACCOMPANYING PLAT, THE SAME BEING KNOWN AS "ELM CROFT SUBDIVISION", AND THAT WE DO FOR OURSELVES, OUR HEIRS, ADMINISTRATORS, EXECUTORS, AND ASSIGNS, HEREBY GROW AND DEDICATE THE STREETS AND AVENUES AS SHOWN ON THE ACCOMPANYING PLAT TO THE USE OF THE PUBLIC AS SUCH FOREVER.

IN TESTIMONY WHEREOF, WE HAVE HEREON SET OUR HANDS AND DRAWS THIS 4 DAY OF DECEMBER, 1956 A.D.

IN TESTIMONY WHEREOF, WE HAVE HEREON SET OUR HANDS AND SEALS THIS 4 DAY OF December, 1956 A.D.

IN THE PRESENCE OF: James H. Kindred, Jr. WITNESS. Dorothy Tock Jones DOROTHY TOCK JONES.
Est. Sick WITNESS. Richard C. Jones RICHARD JONES.

STATE OF MINNESOTA.
COUNTY OF OLMSTED, S. S.

ON THIS 4th DAY OF November, 1956 BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED DOROTHY TUCK JONES AND RICHARD JONES, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

James H. K. Lindworth
NOTARY PUBLIC, OLMTED COUNTY, MINNESOTA.
MY COMMISSION EXPIRES APRIL 29, 1958

APPROVED THIS 4 DAY OF December, 1956 FOR SEWAGE DISPOSAL
AND WATER SUPPLY.

Thomas H. Hall ENGINEER.
REGISTRATION No. 2608

APPROVED THIS 6th DAY OF December, 1956 BOARD OF SUPERVISORS,
ROCHESTER TOWNSHIP.
Robert Ferguson CHAIRMAN
Wm. J. Thompson SUPERVISOR
Ed. J. Kistler SUPERVISOR

APPROVED THIS 4th DAY OF December, 1956
Dr. Charles Shantz
 CHAIRMAN,
 OLMSTED COUNTY PLANNING COMMISSION

STATE OF MINNESOTA.
COUNTY OF OLNEY. S.S.

I, FRANCES L. UNDERLEAK, COUNTY AUDITOR IN AND FOR SAID COUNTY,
DO HEREBY CERTIFY THAT THE ATTACHED PLAT WAS DULY APPROVED BY THE BOARD
OF COUNTY COMMISSIONERS AT A MEETING HELD THIS 12th DAY OF Decr. A.D. 1956.
IN TESTIMONY WHEREOF, I HAVE SIGNED MY NAME AND AFFIXED THE SEAL OF SAID
COUNTY, THIS 12th DAY OF Decr. A.D. 1956.

Francis L. Underlock COUNTY AUDITOR.

TAXES PAID FOR THE YEAR 1955. Carl H. Foster
COUNTY TREASURER

TAXES PAID AND TRANSFER ENTERED THIS 4th DAY OF Dec., 1956.

Francis L. Fiedler
COUNTY AUDITOR.

STATE OF MINNESOTA.
COUNTY OF OLUSTED. S.S.
FILED FOR RECORD THIS 21 DAY OF December A.D. 1956
AT 3 1/2 O'CLOCK P.M.; AND RECORDED IN BOOK OF PLATS _____, PAGE _____
John Moore
REGISTER OF DEEDS.

PROPOSED ANNEXATION OF MELLIN PROPERTY

APRIL 30, 1984

REC'D. BY MAY 3 1984
M.M.B.

757

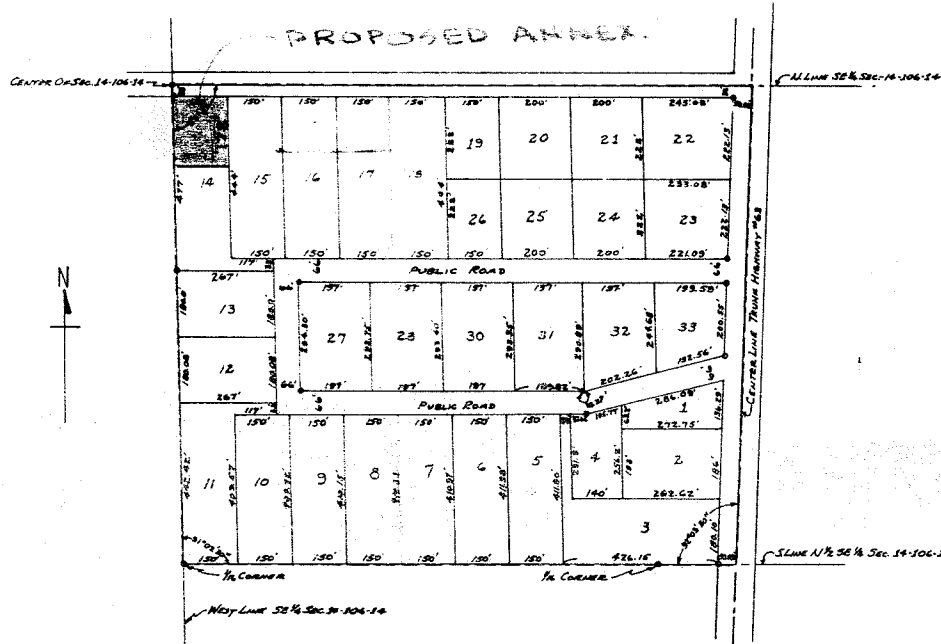
OAK HILLS

OLMSTED COUNTY, MINNESOTA.

BOUNDARY LINES SHOWN THUS
MONUMENTS SHOWN THUS
MEASUREMENTS IN FEET AND DECIMALS.
SCALE 1 INCH EQUALS 200 FEET.

John J. Kell..... COUNTY SURVEYOR.
REGISTERED LAND SURVEYOR NO. 238.

PROPOSED ANNEX.



WE, THE UNDERSIGNED IRVING V. WURST AND MARGARET A. WURST (HIS WIFE) DO ALSO AS A PART OF THIS DEDICATION TO THE PUBLIC, COVENANT AND AGREE FOR OURSELVES, OUR HEIRS, ADMINISTRATORS AND ASSIGNS THAT THE CULMINAL ADEQUATE CONSTRUCTION, GRADING AND DRAINAGE OF ALL ROADS AND STREETS TO BE HEREBY CONSTRUCTED OR Laid OUT ON THE PROPERTY ON THIS PLAT ASSIGNING ANY SUCH SAID ROADS AND STREETS, AND ALL EXPENSE THEREOF SHALL BE BORNE BY SUCH SAID ADJOINING PROPERTY OWNERS AND THAT NEITHER THE TOWNSHIP OF ROCHESTER NOR THE COUNTY OF OLMASTED SHALL BE CHARGEABLE WITH SUCH SAID CONSTRUCTION, GRADING AND DRAINAGE EXPENSE, IN TESTIMONY WHEREOF WE HAVE HERE-UNTO SET OUR HANDS AND SEALS THIS 10. DAY OF JULY 1950, IN THE PRESENCE OF:

William F. Kell..... WITNESS
William F. Kell..... WITNESSES

IRVING V. WURST
MARGARET A. WURST

PROPOSED ANNEXATION OF MELLIN PROPERTY

APRIL 30, 1984

SURVEYOR'S CERTIFICATE

I, JOHN J. KELL, DO HEREBY CERTIFY THAT AT THE REQUEST OF IRVING V. WURST AND MARGARET A. WURST (HIS WIFE), ORDERED ON THE FOLLOWING DESCRIBED PROPERTY TO-WIT: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 SECTION 14 TOWNSHIP 106 NORTH OF RANGE 14 WEST IN OLMASTED COUNTY AND RUNNING THENCE EAST ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 1396.51 FEET TO THE CENTERLINE OF TRUNK HIGHWAY NO. 63, THENCE SOUTHERLY ALONG THE CENTERLINE OF SAID TRUNK HIGHWAY TO THE SOUTH LINE OF THE NORTH 1/4 OF THE SOUTHEAST 1/4 SAID SECTION, THENCE WEST ALONG THE SOUTH LINE OF SAID NORTH 1/4 1528.18 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/4 OF THE SOUTHEAST 1/4, THENCE NORTH 1312.5 FEET TO THE PLACE OF BEGINNING. I HAVE SURVEYED, STAKED AND PLATTED SAID REAL ESTATE INTO LOTS AND PUBLIC ROADS, SUCH SUBDIVISION TO BE KNOWN AND DESIGNATED AS "OAK HILLS". I FURTHER CERTIFY THAT THE ACCOMPANYING PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY AS MADE; THAT THE LENGTHS ARE SHOWN IN FEET AND DECIMALS, THAT BOUNDARIES ARE SHOWN, THAT MONUMENTS FOR THE GUIDANCE OF FUTURE SURVEYS HAVE BEEN PLACED IN THE GROUND AT LOCATIONS MARKED "O" THAT SAID REAL ESTATE HAS NOT HERE-TO-FORE BEEN SUBDIVIDED AND THAT THERE ARE NO WET LANDS THEREON.
DATED THIS 10. DAY OF JULY 1950.

John J. Kell..... COUNTY SURVEYOR.
REGISTERED LAND SURVEYOR NO. 238.

DEDICATION

STATE OF MINNESOTA,
COUNTY OF OLMASTED, S.S.

WE, THE UNDERSIGNED IRVING V. WURST AND MARGARET A. WURST (HIS WIFE) DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LANDS DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE, THAT WE HAVE CAUSED THE SAME TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AND PUBLIC ROADS, AS SHOWN ON THE ACCOMPANYING PLAT, THE SAME TO BE KNOWN AND DESIGNATED AS "OAK HILLS" AND THAT WE DO FOR OURSELVES, OUR HEIRS, ADMINISTRATORS, EXECUTORS AND ASSIGNS, DO HEREBY GRANT AND DEDICATE THE PUBLIC ROADS AS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC AS SUCH FOREVER, IN TESTIMONY WHEREOF WE HAVE HERE-UNTO SET OUR HANDS AND SEALS THIS 10. DAY OF JULY A.D. 1950.

William F. Kell..... WITNESS
William F. Kell..... WITNESSES

IRVING V. WURST
MARGARET A. WURST

STATE OF MINNESOTA,
COUNTY OF OLMASTED, S.S.

ON THIS 10. DAY OF JULY, A.D. 1950, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED IRVING V. WURST AND MARGARET A. WURST (HIS WIFE) TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

William F. Kell..... NOTARY PUBLIC,
COUNTY, MINNESOTA.
MY COMMISSION EXPIRES 1.1.1955.

STATE OF MINNESOTA,
COUNTY OF OLMASTED, S.S.

WE, THE MEMBERS OF THE TOWNSHIP BOARD OF SUPERVISORS FOR ROCHESTER TOWNSHIP, OLMASTED COUNTY, MINNESOTA, DO HEREBY CERTIFY THAT WE HAVE APPROVED THE ACCOMPANYING PLAT. IN TESTIMONY WHEREOF WE HAVE STAMPED OUR NAMES THIS 10. DAY OF JULY, A.D. 1950.

W. J. Property..... CHAIRMAN.
W. J. Property..... SUPERVISOR.
W. J. Property..... SUPERVISOR.

STATE OF MINNESOTA,
COUNTY OF OLMASTED, S.S.

I, FRANKER L. UNDERHILL, COUNTY AUDITOR IN AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE ANNEXED PLAT WAS DULY APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AT MEETING HELD ON THIS 17. DAY OF JULY, 1950, IN TESTIMONY WHEREOF I HAVE SIGNED MY NAME AND AFFIXED THE SEAL OF SAID COUNTY THIS 18. DAY OF JULY, A.D. 1950.

Franker L. Underhill..... COUNTY AUDITOR.

TAXES PAID FOR THE YEAR 1949

W. J. Property..... COUNTY TREASURER.

TAXES PAID AND TRANSFER ENTERED THIS 18. DAY OF JULY, A.D. 1950.

Franker L. Underhill..... COUNTY AUDITOR.

STATE OF MINNESOTA,
COUNTY OF OLMASTED, S.S.

I HEREBY CERTIFY THAT THE ACCOMPANYING PLAT AND INSTRUMENT WERE FILED IN THIS OFFICE FOR RECORD ON THIS 18. DAY OF JULY, 1950 AT 11.30 O'CLOCK P.M. AND WAS DULY RECORDED IN BOOK OF PLATS..... PAGE.....

W. J. Property..... REGISTER OF DEEDS.
W. J. Property.....