

ORDINANCE NO. 2978

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 72.5 ACRES OF LAND LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 106 NORTH, RANGE 14 WEST, OLMSTED COUNTY, MINNESOTA.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. A petition has been initiated by the Common Council of the City of Rochester requesting the annexation of said land to the City of Rochester. The land described in said petition for annexation is located in Rochester Township, Olmsted County, Minnesota, and is described as follows:

That part of HILLCREST SUBDIVISION lying in the NE 1/4 of Section 4, and the NW 1/4 of Section 3, Township 106 North, Range 14 West, and of TERRYVILLE SUBDIVISION, RUSSELL'S SUB-DIVISION and HIGHLAND ADDITION, all being in the NW 1/4 of said Section 3, Olmsted County, Minnesota, being further described as follows:

Commencing at the northeast corner of the NE 1/4 of said Section 4, thence North 88 degrees 22 minutes 35 seconds West (assumed bearing) along the North line of said Quarter Section a distance of 333.85 feet to a point on the East line of Lot 9, Block 2, THE ASPENS, said point being 109.09 feet south of the northeast corner of said Lot 9; thence South 01 degree 19 minutes 07 seconds West, plat bearing, along the East line of said THE ASPENS a distance of 263.24 feet; thence South 01 degree 22 minutes 11 seconds West, plat bearing, continuing along the East line of said plat 443.96 feet to the southeast corner of said plat; thence continue South 01 degree 22 minutes 11 seconds West a distance of 33 feet to the Centerline of 4th Street SW; thence North 88 degrees 01 minute 50 seconds West, Aspens' plat bearing, along said centerline of 4th Street SW to the West line of HILLCREST SUBDIVISION, said point being 33 feet south of the northwest corner of Lot 9, HILLCREST SUBDIVISION; thence Southerly along said West line a distance of 567 feet to the southwest corner of Lot 14, said point also being on the North line of Lot 20, HILLCREST SUBDIVISION; thence westerly along the North line of Lots 20 and 19 a distance of 346 feet to the northwest corner of Lot 19; thence Southerly 345.6 feet along the West line of said Lot 19 to the southwest corner thereof; thence Northeasterly 406.24 feet to a point on the East line of said Lot 19 distant 100 feet south of the northeast corner thereof; thence Southwesterly 250.48 feet to a point on the North line of Lot 26, HILLCREST SUBDIVISION, 90 feet west of the northeast corner thereof; thence Southwesterly 303.0 feet to a point on the South line of said Lot 26 distant 140 feet west of the southeast corner thereof, said point also being on the West line of a 33 foot platted roadway right-of-way; thence Southerly along said platted

right-of-way a distance of 60 feet; thence Northwesterly 297.89 feet to a point on the South line of Lot 27, HILLCREST SUBDIVISION, said point being 290 feet west of said platted roadway and being on the East line of the west 575.0 feet of the SE 1/4 of the SW 1/4 of the NE 1/4 of said Section 4; thence Southerly along said East line of the west 575.0 feet to a point on the South line of the NE 1/4 of Section 4; thence Easterly along the South line of said Quarter Section (said line also being the South line of HILLCREST SUBDIVISION) to the southeast corner of the NE 1/4 of Section 4, said point also being the southwest corner of Lot 47, HILLCREST SUBDIVISION; thence continue Easterly 330 feet along the South line of said Lot 47 to the southeast corner thereof; thence Northerly along the East line of Lots 47, 46 and 43 a distance of 1004.0 feet to the northeast corner of said Lot 43; thence Westerly along the North line of said Lot 43 to the northwest corner thereof, said point also being on the West line of the NW 1/4 of Section 3; thence Northerly along said West line to the Centerline of 5th Street SW as platted in TERRYVILLE SUBDIVISION; thence South 89 degrees 55 minutes 00 seconds East, plat bearing, a distance of 563 feet to the southeast corner of said plat; thence North 27 degrees 36 minutes 00 seconds West, plat bearing, 180.21 feet; thence North 25 degrees 03 minutes 00 seconds West, plat bearing, 391.31 feet to the northeast corner of said plat; thence Northerly, in Outlot No. 1, HIGHLAND ADDITION, distant 314.05 feet, as measured perpendicular to, and parallel with the West line of said NW 1/4 of Section 3 to the centerline of Third Street SW (platted West Third Street); thence Southwesterly along the centerline of said street to a point 244.4 feet east of the West line of said Quarter Section; thence at a deflection of 30 degrees 36 minutes 00 seconds to the right, plat deflection, for a distance of 244.4 feet to the West line of said NW 1/4 of Section 3; thence Northerly to the point of beginning and there terminating.

And also, that part of the SW 1/4 of Section 3, Township 106 North, Range 14 West, Olmsted County, Minnesota, lying Northerly of BAIHLY HEIGHTS SIXTH SUBDIVISION and Westerly of BAIHLY HEIGHTS and BAIHLY HEIGHTS SECONDS SUBDIVISION.

Section 2. The amount of land included in this petition for annexation is approximately 72.5 acres.

Section 3. The Common Council of the City of Rochester does hereby determine that the land described in Section 1 is completely surrounded by land within the present territorial limits of the City of Rochester.

Section 4. Therefore, the land described in Section 1 above is hereby annexed, added to and made a part of the City of Rochester, Minnesota, as effectually as if it had originally been a part thereof.

Section 5. Present and future owners of the lands annexed by this ordinance are hereby notified that in addition to the usual assessments, it is the intention of the Common Council to assess against benefitted property all or a portion of the cost of any storm sewer, water tower,

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MMR

pumping station, and trunk line sanitary sewer construction, heretofore or hereafter undertaken to serve the area annexed.

Section 6. This ordinance shall take effect and be in force from and after its official publication and from and after the filing of a certified copy hereof with the Minnesota Municipal board, the Rochester Town Clerk, the County Auditor, and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 20 DAY OF March, 1995.

John Thuzipew
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Carole A. Duman
CITY CLERK

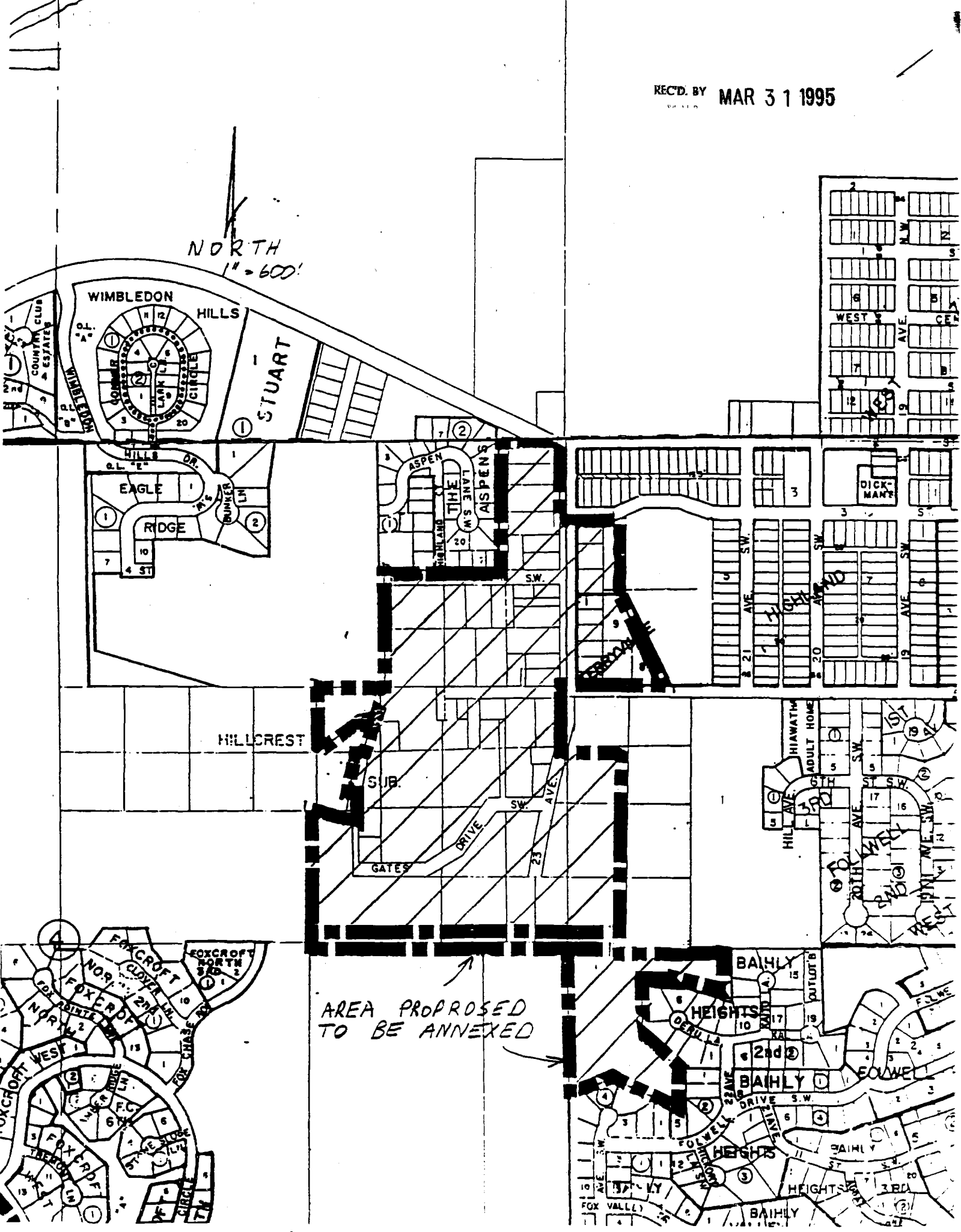
APPROVED THIS 21 DAY OF March, 1995.

Chuck Hernandez
MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)

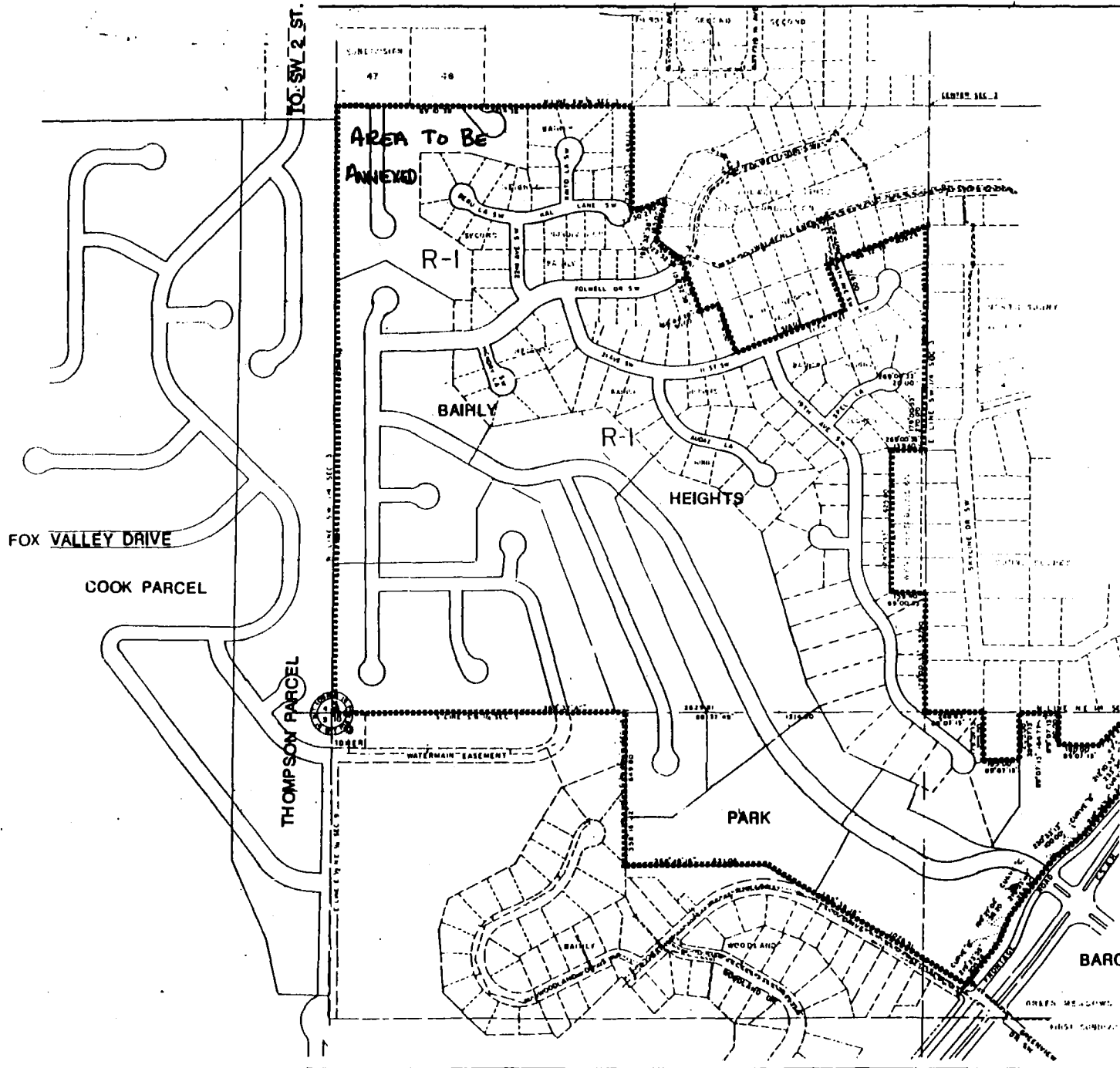
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NORTH
1" = 600'



BAILLY HEIGHTS GENERAL DEVELOPMENT PLAN

(PROPOSED REVISION)



RECD. BY
MAR 3 1 1995

BARCLAY SQUARE



217 THIRD AVENUE S.E. DEPT. 404
ROD ESTER, MINNEAPOLIS, MN 55401
(612) 338-1541

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