

ORDINANCE NO. 2988

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 41.32 ACRES OF LAND LOCATED IN A PORTION OF THE WEST HALF OF SECTION 9, 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 filed with the Common Council of the City of Rochester, signed by the owners of land described herein, requesting the Common Council to annex 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 the West Half of the Northeast Quarter of Section 9, Township 106 North, Range 14 West, lying North of State Aid Road No. 3, Excepting therefrom about 6 acres, bounded and described as follows, viz: Beginning at the Northeast corner of said subdivision and running thence West along the North line thereof a distance of 848 feet to the North right of way line of the road, running thence Southeasterly along the North right of way line of said road, which has a middle line curve of 6 degrees to the right, a distance of 233.4 feet, running thence Southeast along the North right of way line of said road a distance of 150.15 feet, running thence South to a point which is 511 feet West and 303.6 feet South of the Northeast corner of said subdivision, running thence Southeasterly a distance of 351 feet, more or less, to the Southwest corner of the property conveyed to Otis Wicklund, running thence South 45 degrees 58 minutes East a distance of 214.3 feet, running thence East a distance of 42 feet to the East line of said subdivision, running thence North a distance of 572 feet, more or less, to the point of beginning.

Also excepting from the Northwest Quarter of the Northeast Quarter of said Section 9 an undivided One-half interest in a strip of land, containing about 1.9 acres, being 25 feet in width on each side of the following described middle line; beginning at a point 50 feet South of the Northwest corner of said Northeast Quarter of said Section 9 and running thence Northeasterly along the curve of a 75 foot radius for a distance of 117.8 feet to a point which is 25 feet North and 75 feet East of said Northwest corner of the Northeast Quarter to said Section 9, running thence East parallel with the North line of said Northeast Quarter a distance of 67.8 feet, running thence along a 6-degree curve to the right a distance of 539.4 feet, running thence Southeasterly 166 feet to a point which is 211.6 feet South of the North line of the Northeast Quarter of said Section 9.

And the above described property being more particularly described by metes and bounds as follows:

Beginning at the Northwest corner of the Northeast Quarter of Section 9, Township 106 North, Range 14 West, marked by a cast iron monument; thence South 88 degrees 18 minutes 52 seconds East, assumed bearing along the North line of said Northeast Quarter, 446.43 feet to a 5/8" I.D. pipe; thence Southeasterly a distance of 245.26 feet along a nontangential curve, concave to the Southwest, Delta Angle 14 degrees 04 minutes 46 seconds radius 998.10 feet and the chord of the curve bears South 63 degrees 03 minutes 45 seconds East, said point being marked by a 1/2" iron rod; thence tangent to said curve South 56 degrees 01 minute 22 seconds East, 150.15 feet to a 1/2" iron rod; thence South 01 degree 39 minutes 37 seconds West, 121.39 feet to a 1/2" iron rod; thence South 68 degrees 22 minutes 40 seconds East, 351.42 feet to a 1/2" iron rod; thence South 44 degrees 59 minutes 45 seconds East, 217.46 feet to a 1/2" iron rod; thence North 89 degrees 38 minutes 48 seconds East, 42.00 feet to the East line of the West Half of the Northeast Quarter of said Section 9, marked by a 1/2" iron rod; thence along said East line South 00 degrees 17 minutes 53 seconds East, 1145.54 feet to a 5/8" I.D. pipe, thence North 74 degrees 35 minutes 00 seconds West, 562.93 feet to a 1/2" iron rod in the centerline of C.S.A.H. No. 25; thence North 75 degrees 59 minutes 33 seconds West along said centerline, 382.03 feet to a 1/2" iron rod; thence Northwesterly along said centerline and along a tangential curve concave to the Southwest, Delta Angle 04 degrees 05 minutes 40 seconds, radius of 5729.58 feet, and chord bearing North 78 degrees 02 minutes 23 seconds West, a distance of 409.44 feet to a 5/8" I.D. pipe in the west line of the Northeast Quarter of said Section 9; thence due North along said West line 1430.80 feet to the point of beginning, except an undivided One-half interest in a strip of land 50 feet in width along a portion of the Northerly line of the herein described property, and being subject to an easement for C.S.A.H. No. 122 right of way across the Westerly boundary and an easement for C.S.A.H. No. 25 right of way across the Southerly boundary thereof.

Containing 41.32 acres, more or less.

Section 2. The total quantity of land included in said petition is approximately 41.32 acres in size.

Section 3. On April 3, 1995, the Common Council held a public hearing to consider this annexation petition after providing written notice of the hearing, by registered mail, to the property owner, the Rochester Township officers, and the adjacent property owners.

Section 4. Following the public hearing, the Common Council of the City of Rochester determined that the land abuts the municipal limits, is less than 60 acres in area, the annexation petition is signed by all property owners of the land described in Section 1, and the land is or will soon become urban or suburban in character.

Section 5. Therefore, pursuant to Minn. Stat. §414.033, subd. 2(3), 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 6. 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, pumping station, and trunk line sanitary sewer construction, heretofore or hereafter undertaken to serve the area annexed.

Section 7. 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 1st DAY OF May, 1995.

John Hunziker
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Carol A. Summ
CITY CLERK

APPROVED THIS 2nd DAY OF May, 1995.

John Hunziker
Acting MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)

REC'D. BY MAY 05 1995
M.M.R.

