

REC'D. BY
M A R JAN 02 1997

ORDINANCE NO. 3073

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 43.96 ACRES OF LAND LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 106 NORTH, RANGE 13 WEST, LYING SOUTH OF THE CENTER LINE OF U.S. HIGHWAY 14, 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 Marion Township, Olmsted County, Minnesota, and is described as follows:

All that part of the East One-Half (E1/2) of the Southeast Quarter (SE 1/4) of Section Five (5), Township 106, Range 13, lying south of the center line of U.S. Highway No. 14, Excepting therefrom the following parcels of land:

1. Commencing at the Northwest (NW) corner of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of said section, running thence South along the West line of said Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of said section a distance of 714 feet to the center of Trunk Highway No. 14 for a place of beginning, running thence Easterly along the center of said Trunk Highway to a point which is 333 feet East of the West line of said lands, running thence South parallel with the West line of said lands a distance of 452.5 feet, thence North 88 degrees 58 minutes 5 seconds West parallel with the South line of said Southeast Quarter (SE1/4) a distance of 333 feet to the West line of said Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4), running thence North along the West line of said lands a distance of 460 feet to the place of beginning, subject to the rights of the State of Minnesota in the Northerly 50 feet thereof;

2. Commencing at the Northwest (NW) corner of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of said Section 5, running thence South along the West line of said Northeast Quarter (NE1/4) a distance of 1174 feet, running thence East parallel with the South line of said Southeast Quarter (SE1/4) a distance of 333 feet for a place of beginning, running thence North parallel with the West line of said Northeast Quarter (NE1/4) a distance of 452.5 feet to the center of Trunk Highway No. 14, running thence Easterly along the center line of said highway a distance of 102.5 feet, thence running South parallel with the West line of said Northeast Quarter (NE1/4) a distance of 448.2 feet, running thence West a distance of 102.4 feet to the place of

beginning, subject to the rights of the State of Minnesota in the Northerly 50 feet thereof, containing one (1) acre more or less.

3. Commencing at the Northwest corner of the Northeast Quarter of the Southeast Quarter of Section 5, Township 106 North, Range 13 West, thence South along the West line of said Northeast Quarter a distance of 1174.0 feet, thence East parallel with the South line of said Southeast Quarter a distance of 435.4 feet for a point of beginning, thence North parallel with the West line of said Northeast Quarter a distance of 448.2 feet to a point in the centerline of Trunk Highway No. 14, thence Easterly along the centerline of said Highway a distance of 886.3 feet to a point in the East line of said Northeast Quarter, thence South along said East line a distance of 401.0 feet, thence West parallel with the South line of said Southeast Quarter a distance of 883.6 feet to the point of beginning, being subject to the rights of the State of Minnesota in the Northerly 50.0 feet thereof, and the County of Olmsted in the Easterly 33.0 feet thereof, containing 8.66 acres more or less, and also subject to the Right-of-Way being secured by condemnation proceedings by the State of Minnesota.

Section 2. The total quantity of land included in said petition is approximately 43.96 acres in size.

Section 3. On November 18, 1996, 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 Marion 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 Marion Town Clerk, the County Auditor, and the Secretary of State.

REC'D BY JAN 02 1997

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 18TH DAY OF DECEMBER, 1996.

John Hamzler
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Andy Kay
CITY CLERK

APPROVED THIS 19TH DAY OF DECEMBER, 1996.

Ed Confield
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)
ord/annex96.13

