

ORDINANCE NO. 3402

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 165 ACRES OF LAND LOCATED IN A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, THE EAST HALF OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 105 NORTH, RANGE 14 WEST, OLMSTED COUNTY, MINNESOTA.

## THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. The Common Council of the City of Rochester has initiated the annexation of the property described as follows:

The East 436 feet of the North 797 feet of the Southwest Quarter (SW 1/4) of Section 16, Township 105, Range 14, in Olmsted County, Minnesota.

## ALSO:

That part of the Southwest Quarter of Section 16, Township 105 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Beginning at the southeast corner of the Southwest Quarter of said Section 16; thence South 89 degrees 54 minutes 52 seconds West, assumed bearing, along the south line of said Southwest Quarter, 1317.77 feet to the southwest corner of the Southeast Quarter of said Southwest Quarter; thence North 25 degrees 46 minutes 28 seconds East, 2036.12 feet to the southwest corner of the East 436 feet of the North 797 feet of said Southwest Quarter; thence South 89 degrees 57 minutes 21 seconds East, along the south line of

said North 797 feet, a distance of 436.00 feet to the east line of said Southwest Quarter; thence South 00 degrees 06 minutes 46 seconds West, along said east line, 1831.25 feet to the point of beginning.

ALSO:

The East 1/2 of the Northwest Quarter of Section 21, Township 105 North, Range 14 West, Olmsted County, Minnesota.

ALSO:

The Northwest Quarter of the Northeast Quarter of Section 21, Township 105 North, Range 14 West.

Containing in all 165 acres, more or less.

Section 2. The total quantity of land included in the petition is approximately 165 acres in size.

Section 3. On June 4, 2001, the Common Council held a public hearing to consider this annexation petition after providing written notice of the hearing, by certified mail, to the property owners, the High Forest Township officers, and the adjacent property owners.

Section 4. The City provided notification pursuant to Minn. Stat. §414.033, subd. 2b, 11, 12 and 13 as those sections may be applicable to this annexation.

Section 5. Following the public hearing, the Common Council of the City of Rochester determined that the land is owned by the City of Rochester and is or will soon become urban or suburban in character.

Section 6. Therefore, pursuant to Minn. Stat. §414.033, subd. 2(1), the land described in Section 1 above is hereby annexed, added to and made a part of the City of Rochester, Minnesota, as if it had originally been a part thereof.

Section 7. 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 benefited 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 8. 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 State Planning Commission, the High Forest Town Clerk, the County Auditor, and the Secretary of State.

REC'D BY  
MMB

JUL 12 2001

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF  
ROCHESTER, MINNESOTA, THIS 2ND DAY OF July, 2001.

John Nemzika  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Judy Kay Chapel  
CITY CLERK

APPROVED THIS 3rd DAY OF July, 2001.

G. J. Campbell  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)  
Ord2000\Annex.airport

REC'D BY  
MAB

JUL 27 2001

ORDINANCE NO. 3407

AN ORDINANCE AMENDING THE PROVISIONS OF ORDINANCE NO. 3402 WHICH PROVIDED FOR THE ANNEXATION TO THE CITY OF ROCHESTER OF APPROXIMATELY 165 ACRES OF LAND LOCATED IN A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, AND THE EAST HALF OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 105 NORTH, RANGE 14 WEST, OLMSTED COUNTY, MINNESOTA.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. The Common Council of the City of Rochester initiated the annexation of the land described in Section 1 of Ordinance No. 3402 on basis that the land is owned by the City of Rochester.

Section 2. On June 4, 2001, as part of the annexation proceedings, the Common Council enacted Ordinance No. 3402 annexing the land to the City of Rochester. However, Sections 3 and 5 of Ordinance No. 3402 inaccurately stated that there was a public hearing when, in fact, no such hearing occurred since Minn. Stat. §414.033, subd. 2(1) does not require any public hearing when the land annexed is owned by the annexing city.

Section 3. Accordingly, the Common Council amends Ordinance No. 3402 so that Section 3 thereof reads as follows:

Section 3. On June 4, 2001, the Common Council considered this annexation.

Section 4. The Common Council also amends Ordinance No. 3402 so that Section 5 thereof reads as follows:

Section 5. The Common Council of the City of Rochester determined that the land is owned by the City of Rochester and is or will soon become urban or suburban in character.

Section 5. The remainder of Ordinance No. 3402 remains in effect and is not affected by this Ordinance.

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 or its successor, the High Forest Town Clerk, the County Auditor, and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF  
ROCHESTER, MINNESOTA, THIS 16TH DAY OF July, 2001.

John Hanzlik  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Judy Kay Stenow  
CITY CLERK

APPROVED THIS 17TH DAY OF July, 2001.

Ed Benfield  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

# 28 ANNEXATION EXHIBIT

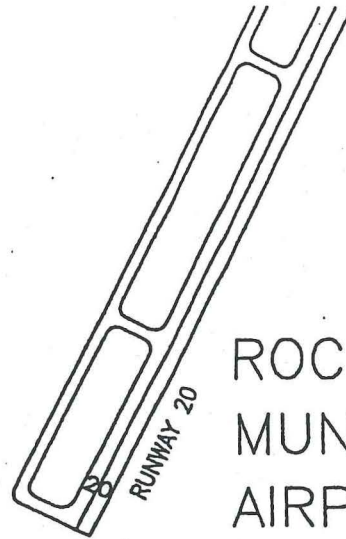


DESCRIPTION:  
SEE ATTACHED:

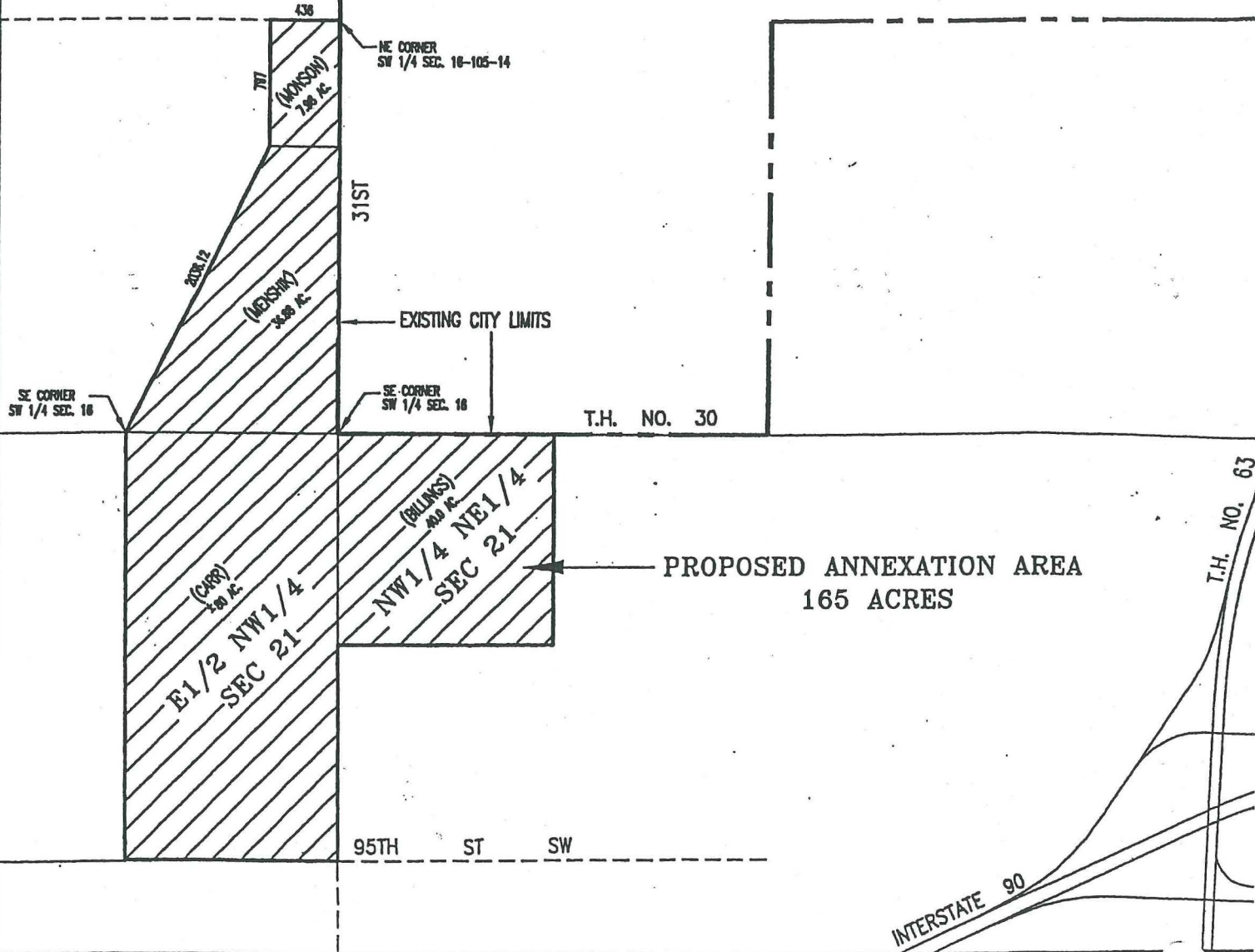
REC'D BY  
MMB

JUL 12 2001 RUNWAY 13

SCALE 1" = 1000'



ROCHESTER  
MUNICIPAL  
AIRPORT

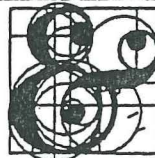


PROPOSED ANNEXATION AREA  
165 ACRES

FOR :

ACSG, INC.  
800 WEST 5TH AVENUE  
SUITE 102A  
NAPERVILLE, IL 60563

McGhie  
Consulting Engineers



Betts, Inc.  
Land Surveyors

1848 3rd AVE. S.E. Rochester, MN. 55904 507-289-3919

SCALE: 1" = 1000'

DRAWN BY: MES

DATE : 4/2/01

ACCT. NO. : 4096/9664C

CADD NO. : 9664ANEX