

REC'D BY
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FEB 26 2008

ORDINANCE NO. 3858

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 40 ACRES OF LAND LOCATED IN A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 107 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 City of Rochester requesting the Common Council to annex said land to the City of Rochester. The land described in the petition for annexation is described as follows:

The Northeast Quarter of the Southeast Quarter of Section 19, Township 107 North, Range 14 West, Olmsted County, Minnesota.

Said tract contains 40 acres more or less.

Section 2. The total quantity of land included in the petition is approximately 40 acres in size.

Section 3. On January 23, 2008, 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 Cascade Township officers, and the adjacent property owners.

Section 4. The City provided notification to the petitioners pursuant to Minn. Stat. §414.033, subd. 2b, 11, 12 and 13 if applicable to this petitioned annexation.

Section 5. Following the public hearing, the Common Council of the City of Rochester determined that the land abuts the municipality and the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available, and the municipality has received a petition for annexation from all the property owners of the land and, as such, the land is or will soon become urban or suburban in character.

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Section 6. As provided in Minn. Stat. §414.033, subd. 12, the City shall pay the Townships the equivalent of three years' taxes in two years. In this case, the City shall annually pay \$930.00 to the Cascade Township for two years. There are no township special assessments assigned to or portion of township debt attributable to the land described in Section 1.

Section 7. 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 if it had originally been a part thereof.

Section 8. 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 9. 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 Department of Administration – Municipal Boundary Adjustments, the Cascade Town Clerk, the County Auditor and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 20TH DAY OF FEBRUARY, 2008.

James L. Hansen
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: *Teddy Kay Shrew*
CITY CLERK

APPROVED THIS 21st DAY OF FEBRUARY, 2008.

Arnell F. Breda
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

