

REC'D BY
MMB

OCT 24 2008

ORDINANCE NO. 3885

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 87.09 ACRES OF LAND LOCATED IN A PART OF THE NORTH HALF AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36 AND A PART OF THE SOUTHEAST QUARTER OF SECTION 25, 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 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:

Tract 1

That part of the North Half of Section 36, Township 106 North, Range 14 West, Olmsted County, Minnesota described as follows: Commencing at the northeast corner of said section 36; thence south 89 degrees 40 minutes 56 seconds west, assumed bearing, along the north line of the northeast quarter of said section 36 a distance of 810.00 feet to the point of beginning; thence south 02 degrees 04 minutes 05 seconds west, 480.42 feet; thence south 89 degrees 40 minutes 56 seconds west 1,090.00 feet; thence south 00 degrees 19 minutes 04 seconds east 470.00 feet; thence south 89 degrees 40 minutes 56 seconds west, 500.00 feet; thence south 20 degrees 17 minutes 26 seconds west, 113.62 feet; thence south 89 degrees 40 minutes 56 seconds west, 1482.93 feet to the west line of the east half of the northwest quarter of said section 36; thence north 00 degrees 14 minutes 09 seconds east along said west line, 1,070.70 feet to the north line of the northwest quarter of said section 36; thence south 89 degrees 41 minutes 34 seconds east along the north line of said northwest quarter, 1,310.71 feet to the northeast corner of said northwest quarter; thence north 89 degrees 40 minutes 56 seconds east along the north line of the northeast quarter of said section 36, a distance of 1811.94 feet to the point of beginning. Containing 60.00 acres more or less.

Tract 2

A part of the Southeast Quarter of Section 25, Township 106 North, Range 14 West, Olmsted County, Minnesota, described as follows: Commencing at the southeast corner of said southeast quarter; thence south 89 degree 40 minutes 56 seconds West, assumed bearing, along the south line of said southeast quarter, 200.00 feet for the point of beginning; thence north 00 degrees 20 minutes 43 seconds West, parallel with the east line of said southeast quarter, 200.00 feet; thence north 89 degrees 40 minutes 56 seconds East, 200.00 feet to the east line of said southeast quarter; thence north 00 degrees 20 minutes 43 seconds west along said eastline, 460.00 feet; thence south 89 degree 40 minutes 56 seconds west, 1,650.00 feet; thence south 00 degrees 19 minutes 04 seconds east, 660.00 feet to the south line of said southeast quarter; thence north 89 degrees 40 minutes 56 seconds east, along said south line, 1,450.32 feet to the point of beginning. Containing 24.08 acres more or less.

All of Grantor's rights in that certain ingress and egress easement over the northerly 66 feet of the NW ¼ NW ¼ of section 36, Township 106 North, Range 14 West, in Olmsted County.

And:

Property in Olmsted County, Minnesota, described as follows: The North 100 feet of the NW ¼, NW 1/4 , Section 36, Township 106 North, Range 14 West together with all the hereditaments and appurtenances belonging thereto, subject to the following exceptions:

- 1) Building and zoning laws, ordinances, state and federal regulations, and
- 2) Public utility and drainage easements of record.

Said tract contains 87.09 acres more or less.

Section 2. The total quantity of land included in the petition is approximately 87.09 acres in size.

Section 3. On September 15, 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 Rochester 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

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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.

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 \$3,825.33 to the Rochester 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 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 15TH DAY OF SEPTEMBER, 2008.

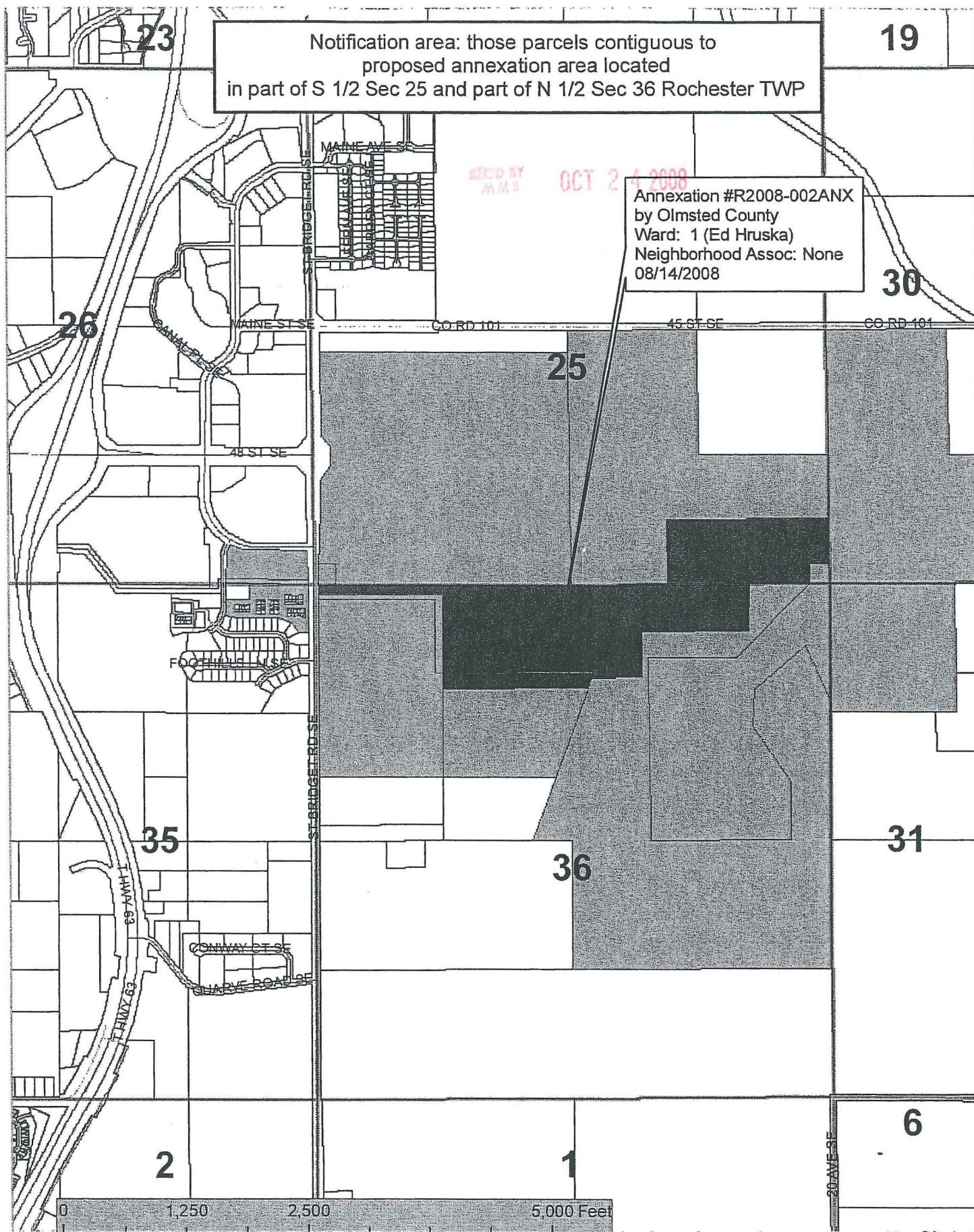
ATTEST: 
CITY CLERK


PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS 16TH DAY OF SEPTEMBER, 2008.


MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)



Olmsted County is not responsible for omissions or errors contained herein. If discrepancies are found within this map, please notify the GIS Division, Rochester-Olmsted County Planning Department, 2122 Campus Drive SE, Rochester, MN 55904, (507) 328-7100.