

ORDINANCE NO. 4093

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 3.96 ACRES OF LAND LOCATED IN A PART OF THE SOUTHWEST QUARTER OF SECTION 17 AND A PART OF THE NORTHWEST QUARTER OF SECTION 20, 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:

(Across Alpha Realty of Rochester Property)

That part of the Southwest Quarter of Section 17, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 17; thence North 88 degrees 26 minutes 10 seconds East, assumed bearing, along the south line of said Southwest Quarter, to a line which is 33.00 feet easterly of, as measured at right angle to and parallel with, the west line of said Southwest Quarter, 33.01 feet for the point of beginning; thence continue North 88 degrees 26 minutes 10 seconds East, along said south line, 291.14 feet; thence westerly 129.31 feet along a non-tangential curve, concave southerly, central angle of 09 degrees 24 minutes 51 seconds, radius of 787.00 feet and a chord which bears North 85 degrees 08 minutes 02 seconds West, 129.16 feet; thence westerly 85.97 feet along a compound curve, concave southerly, central angle of 07 degrees 40 minutes 21 seconds, radius of 642.00 feet and a chord which bears South 86 degrees 19 minutes 22 seconds West, 85.91 feet; thence northwesterly 85.14 feet along a reverse curve, concave northeasterly, central angle of 55 degrees 25 minutes 51 seconds, radius of 88.00 feet and a chord which bears North 69 degrees 47 minutes 53 second West, 81.85 feet to a line which is 33.00

feet easterly of, as measured at right angel to and parallel with, the west line of said Southwest Quarter; thence South 00 degrees 17 minutes 49 seconds East, along said parallel line and not tangent to said curve, 41.66 feet to the point of beginning.

Containing 0.09 acres, more or less

ALSO:

That part of the Southwest Quarter of Section 17, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 17; thence North 88 degrees 26 minutes 10 seconds East, assumed bearing, along the south line of said Southwest Quarter 584.60 feet for the point of beginning; thence continue North 88 degrees 26 minutes 10 seconds East, along said south line, 117.14; thence North 29 degrees 49 minutes 10 seconds East, 29.20 feet; thence North 60 degrees 10 minutes 50 seconds West, 100.00 feet; thence South 29 degrees 49 minutes 10 seconds West, 90.20 feet to the point of beginning.

Containing 0.14 acres, more or less.

(Across Darlo Property)

That part of the Northwest Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 20; thence North 88 degrees 26 minutes 10 seconds East, assumed bearing, along the north line of said Northwest Quarter, 33.01 feet to a line which is 33.00 feet easterly of, as measured at right angles to and parallel with, the west line of said Northwest Quarter for the point of beginning; thence continue North 88 degrees 26 minutes 10 seconds East, along said north line, 291.14 feet; thence southeasterly 89.76 feet along a non-tangential curve, concave southerly, central angle of 06 degrees 32 minutes 06 seconds, radius of 787.00 feet and a chord which bears South 77 degrees 09 minutes 33 seconds East, 89.72 feet; thence southeasterly 62.95 feet along a reverse curve, concave northerly, central angle of 06 degrees 30 minutes 37 seconds, radius of 554.00 feet and a chord which bears South 77 degrees 08 minutes 49 seconds East, 62.92 feet; thence easterly 30.66 feet along a compound curve, concave northerly, central angle of 06 degrees 27 minutes 27 seconds, radius of 272.00 feet and a chord which bears South 83 degrees 37 minutes 51 seconds East, 30.64 feet; thence northeasterly 40.77 feet along a compound curve, concave northerly, central angle of 37 degrees 04 minutes 54 seconds, radius of 63.00 feet and a chord which bears north 74 degrees 35 minutes 59 seconds East, 40.07 feet; thence North 56 degrees 03 minutes 32 seconds East, tangent to said curve, 45.31 feet; thence North 29 degrees 49

minutes 10 seconds East, 9.80 feet to the north line of said Northwest Quarter; thence North 88 degrees 26 minutes 10 seconds East, along said north line, 117.14 feet; thence South 29 degrees 49 minutes 10 seconds West, 91.66 feet; thence Southerly 69.73 feet along a non-tangential curve, concave easterly, central angle of 17 degrees 22 minutes 13 seconds, radius of 230.00 feet and a chord which bears South 04 degrees 25 minutes 15 seconds West, 69.46 feet; thence southeasterly 30.93 feet along a compound curve, concave northeasterly, central angle of 39 degrees 22 minutes 42 seconds, radius of 45.00 feet and a chord which bears South 23 degrees 57 minutes 13 seconds East, 30.32 feet; thence southeasterly 15.67 feet along a compound curve, concave northeasterly, central angle of 14 degrees 28 minutes 58 seconds, radius of 62.00 feet and a chord which bears South 50 degrees 53 minutes 02 seconds East, 15.63 feet; thence southeasterly 123.84 feet along a reverse curve, concave southwesterly, central angle of 13 degrees 20 minutes 15 seconds, radius of 532.00 feet and a chord which bears South 51 degrees 27 minutes 24 seconds East, 123.56 feet; thence southeasterly 376.34 feet along a reverse curve, concave northeasterly, central angle of 34 degrees 43 minutes 22 seconds, radius of 621.00 feet and a chord which bears South 62 degrees 08 minutes 57 seconds East, 370.61 feet; thence easterly 222.31 feet along a compound curve, concave northerly, central angle of 17 degrees 16 minutes 57 seconds, radius of 737.00 feet and a chord which bears South 88 degrees 09 minutes 07 seconds East, 221.47 feet to the east line of said Northwest Quarter; thence South 00 degrees 18 minutes 40 seconds East, along said east line, 90.96 feet; thence westerly 104.79 feet along a non-tangential curve, concave northerly, central angle of 04 degrees 00 minutes 10 seconds, radius of 1500.00 feet and a chord which bears South 87 degrees 40 minutes 08 seconds West, 104.77 feet; thence northwesterly 590.39 feet along a compound curve, concave northeasterly, central angle of 47 degrees 26 minutes 35 seconds, radius of 713.00 feet and a chord which bears North 66 degrees 36 minutes 30 seconds West, 573.67 feet; thence northwesterly 119.48 feet along a reverse curve, concave southwesterly, central angle of 36 degrees 36 minutes 32 seconds, radius of 187.00 feet and a chord which bears North 61 degrees 11 minutes 29 seconds West, 117.46 feet; thence North 79 degrees 29 minutes 44 seconds West, tangent to said curve, 20.39 feet; thence southwesterly 34.18 feet along a tangential curve, concave southeasterly, central angle of 62 degrees 30 minutes 00 seconds, radius of 31.33 feet and a chord which bears South 69 degrees 15 minutes 16 seconds West, 32.51 feet; thence South 38 degrees 00 minutes 16 seconds West, tangent to said curve, 33.79 feet; thence southwesterly 35.71 feet along a tangential curve, concave southeasterly, central angle of 08 degrees 11 minutes 06 seconds, radius of 250.00 feet and a chord which bears South 33 degrees 54 minutes 43 seconds West, 35.68 feet; thence South 29 degrees 49 minutes 10 seconds West, tangent to said curve, 46.83 feet; thence North 60 degrees 10 minutes 50 seconds West, 60.00 feet; thence North 29 degrees 49 minutes 10 seconds East, 34.50 feet; thence northerly 52.68 feet along a tangential curve, concave westerly, central angle of 20 degrees 07 degrees 27 seconds, radius of 150.00 feet and a chord which bears North 19 degrees 45 minutes 27 seconds East, 52.41 feet; thence North 09 degrees 41

minutes 43 seconds East, tangent to said curve, 47.52 feet; thence northerly 21.38 feet along a tangential curve, concave westerly, central angle of 39 degrees 06 minutes 23 seconds, radius of 31.33 feet and a chord which bears North 09 degrees 51 minutes 28 seconds West, 20.97 feet; thence northwesterly 88.42 feet along a compound curve, concave southwesterly, central angle of 44 degrees 03 minutes 12 seconds, radius of 115.00 feet and a chord which bears 51 degrees 26 minutes 16 West, 86.26 feet; thence westerly 133.82 feet along a compound curve, concave southerly, central angle of 09 degrees 27 minutes 58 seconds, radius of 810.00 feet and a chord which bears North 78 degrees 11 minutes 50 seconds West, 133.67 feet; thence South 89 degrees 46 minutes 54 seconds West, not tangent to said curve, 189.54 feet; thence southwesterly 39.36 feet along a non-tangential curve, concave southeasterly, central angle of 29 degrees 40 minutes 22 seconds, radius of 76.00 feet and a chord which bears South 57 degrees 54 minutes 23 seconds West, 38.92 feet; thence South 29 degrees 46 minutes 54 seconds West, not tangent to said curve, 11.19 feet to a line which is 33.00 feet easterly of, as measured at right angles to and parallel with, the west line of said Northwest Quarter; thence North 00 degrees 13 minutes 06 seconds West, along said parallel line, 114.31 feet to the point of beginning.

Containing 3.73 acres, more or less.

Said tract contains 3.96 acres more or less.

Section 2. The total quantity of land included in the petition is approximately 3.96 acres in size.

Section 3. On November 19, 2012, 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.

Section 6. As provided in Minn. Stat. §414.036, the City shall pay the Townships the equivalent of three years' taxes in two years. In this case, the City shall annually pay \$115.58 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 19TH DAY OF NOVEMBER, 2012.



ACTING PRESIDENT OF SAID
COMMON COUNCIL

ATTEST: 

CITY CLERK

APPROVED THIS 20TH DAY OF NOVEMBER, 2012.



MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

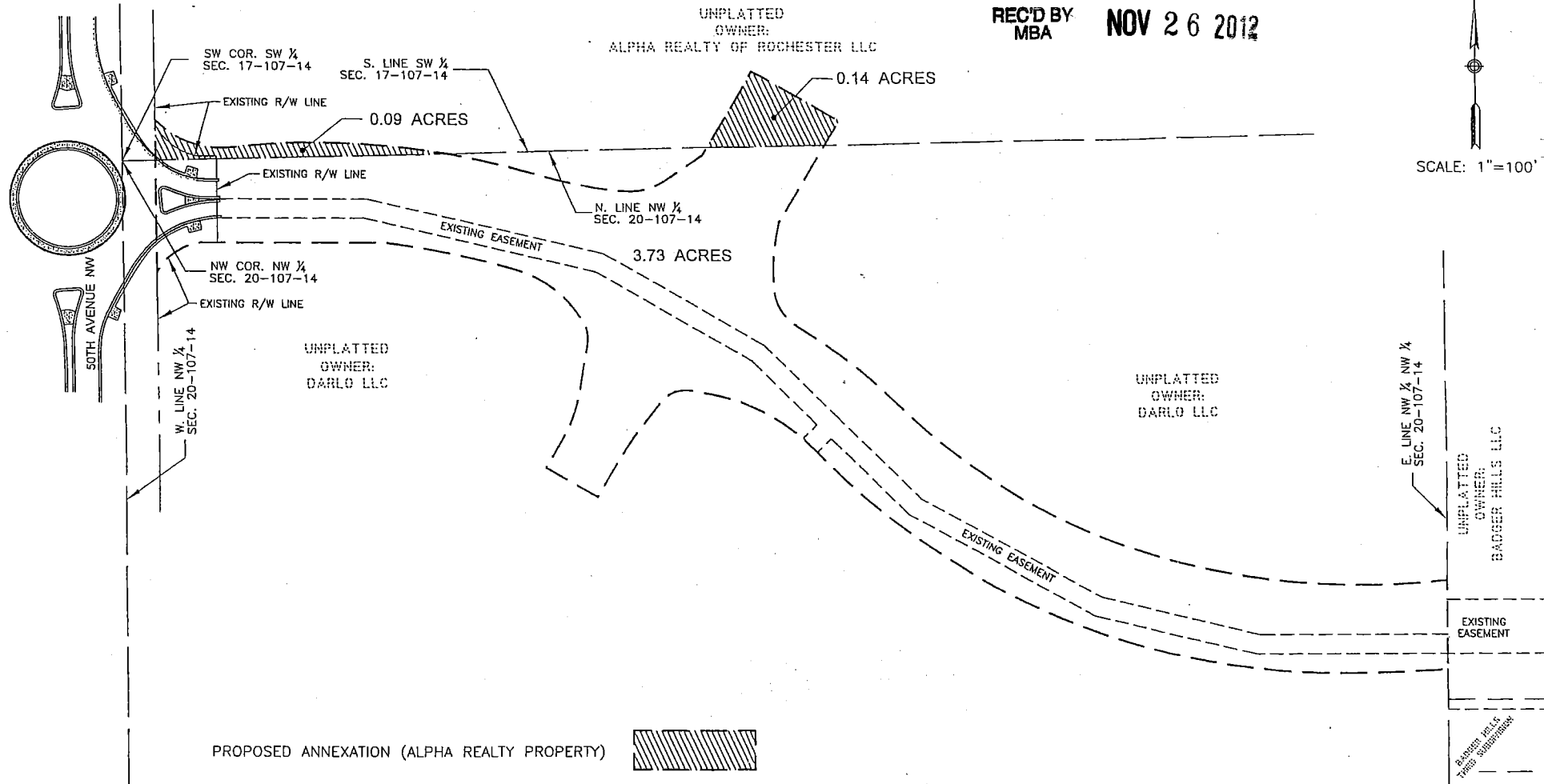
ANNEXATION EXHIBIT

REC'D BY
MBA

NOV 26 2012



SCALE: 1"=100'



PROPOSED ANNEXATION (ALPHA REALTY PROPERTY)

PROPOSED ANNEXATION (DARLO PROPERTY)

Land Surveying
Urban-Land
Planning
Consulting - Civil
Engineering

1648 Third Avenue S.E.
Rochester, MN 55904
Telephone 507.289.3919
Facsimile 507.289.7333

McGhie



Betts, Inc.

Geotechnical
Engineering
Construction Material
Testing
Landscape
Architecture

email:
mbi@mcghiebetts.com

CLIENT: CITY OF ROCHESTER

SCALE: 1" = 100'

DRAWN BY: JJR

DATE : 09/20/12

ACCT. NO. : 0001/12063

DWG: 12063ANNE

FILE NUMBER:

BK.

PG.

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Notification Area of proposed Annexation
 Petition R2012-002ANX by Alpha Realty of Rochester
 and Darlo to annex approximately 3.96 acres of land in a part of
 the SW 1/4 of Section 17 and a part of the NW 1/4 of Section
 20 Cascade Township. The annexation is to provide right-of-way
 for the future Badger Hills Drive. The property is located east of
 50th Avenue NW, west of 46th Avenue NW and north of
 Valleyhigh Road NW.

