

**RECEIVED**  
by OAH on July 13, 2014

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 40.06 ACRES OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 106 NORTH, RANGE 14 WEST, OLMSTED COUNTY, MINNESOTA, AND APPROXIMATELY 40.07 ACRES OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 33, 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 applicant 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 Southeast Quarter of the Southeast Quarter of Section 28, Township 106 North, Range 14 West, Olmsted County, Minnesota, containing 40.06 acres, subject to township road easement along the north side and subject to any other easements of record,

And

The Northeast Quarter of the Northeast Quarter of Section 33, Township 106 North, Range 14 West, Olmsted County, Minnesota, containing 40.07 acres, subject to any easements of record.

Containing 80.13 acres, more or less.

Section 2. The total quantity of land included in the petition is approximately 80.13 acres in size.

Section 3. On July 6, 2016, 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 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 Township the equivalent of three years' taxes in two years.

Section 7. As provided in Minn. Stat. §414.033, subd. 13, the City has provided notice to the petitioner as to the potential electric utility service rate changes.

Section 8. 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 9. 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 10. Upon annexation the land described in Section 1 above will be zoned R-1x.

Section 11. 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 Office of Administrative Hearings – 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 6th DAY OF July, 2016.

ATTEST: Aaron S. Reever  
CITY CLERK

Randy Staver  
PRESIDENT OF SAID COMMON COUNCIL

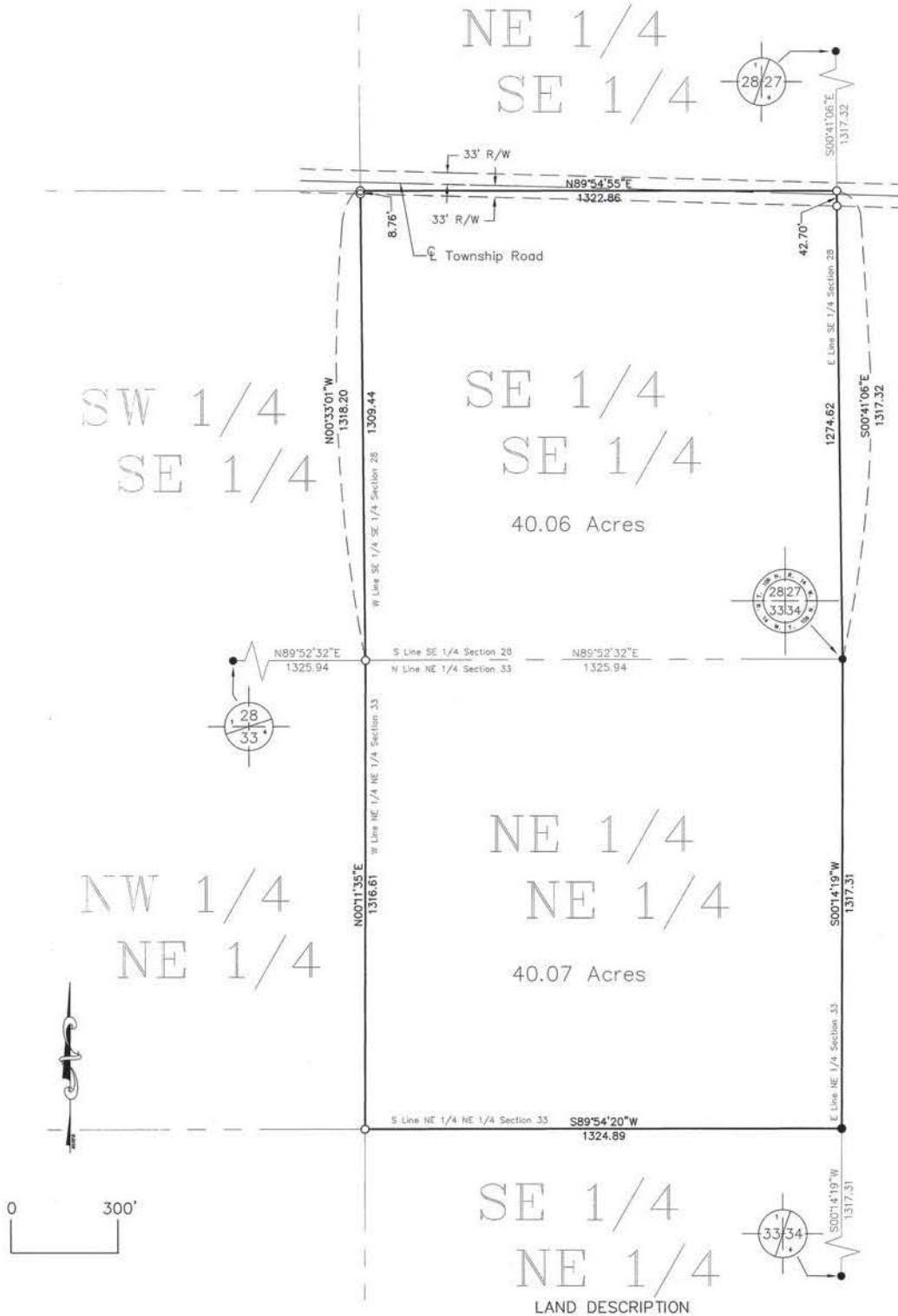
APPROVED THIS 13th DAY OF July, 2016.

Walter F. Bieda  
MAYOR OF SAID CITY



# CERTIFICATE OF SURVEY

SECTIONS 28 & 33  
T. 106 N., R. 14 W.



**LAND DESCRIPTION**  
The Southeast Quarter of the Southeast Quarter of Section 28, Township 106 North, Range 14 West, Olmsted County, Minnesota, containing 40.06 acres, subject to township road easement along the north side and subject to any other easements of record.

And  
The Northeast Quarter of the Northeast Quarter of Section 33, Township 106 North, Range 14 West, Olmsted County, Minnesota, containing 40.07 acres, subject to any easements of record.

- IRON PIPE WITH PLASTIC CAP STAMPED LS21940 SET
- FOUND MONUMENT

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

*M*  
Geoffrey G. Griffin  
DATE 3/22/11 REG. NO. 21940

**G G G INC.**  
14070 Hwy 52 SE  
Chatfield, MN 55923

**Engineering Surveying Planning**  
Ph. 507-867-1666  
Fax 507-867-1665  
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DATE OF SURVEY: 03-31-2016
Prepared For: MARK HANSON DEV.
2314 Scenic Park Place SW
Rochester, MN 55902
SHEET 1 OF 1 FILE NO.: 04-068

Scenic View DR

Scenic Oaks DR

City Limits 48th Street SW Urban Arterial

Scenic Point DR

80.13 ACRES

Urban Growth Boundary

31 AVE SW Future Primary Urban Collector

City Limits

Reservoir DR

Scenic Oaks Lakeview 67 Lots

