

REC'D BY
MBA

OCT 21 2016

ORDINANCE NO. _____

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 0.09 ACRES OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 107 NORTH, RANGE 13 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:

(Parcel A)

That part of the Northwest Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Beginning at the most southerly corner of Lot 2, Block 1, VIOLA HEIGHTS, according to the recorded plat thereof, thence North 52 degrees 34 minutes 35 seconds East, assumed bearing, along the southeasterly line of said Lot 2, a distance of 95.15 feet to the southeasterly corner of said Lot 2; thence South 03 degrees 11 minutes 32 seconds East, 53.53 feet; thence South 86 degrees 48 minutes 28 seconds West, 78.67 feet to the point of beginning.

Also:

(Parcel B)

That part of the Northwest Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the most southerly corner of Outlot A, VIOLA HEIGHTS, according to the recorded plat thereof, thence North 52 degrees 34 minutes 35 seconds East,

assumed bearing, along the southeasterly plat line of said VIOLA HEIGHTS, 102.43 feet to the most easterly corner of said Outlot A for the point of beginning; thence North 76 degrees 11 minutes, 51 seconds East, 87.52 feet to the west line of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 46; thence North 03 degrees 11 minutes 32 seconds West, along said west line, 42.42 feet to the southeast corner of said VIOLA HEIGHTS; thence South 52 degrees 34 minutes 35 seconds West, along the south line of said VIOLA HEIGHTS, a distance of 104.05 feet to the point of beginning.

Containing 0.09 acres, more or less.

Section 2. The total quantity of land included in the petition is approximately 0.09 acres in size.

Section 3. On September 19, 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 Haverhill 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 to be annexed is unincorporated, abuts the municipality, consists of 120 acres or less, 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 B-4.

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 Haverhill Town Clerk, the County Auditor and the Secretary of State.

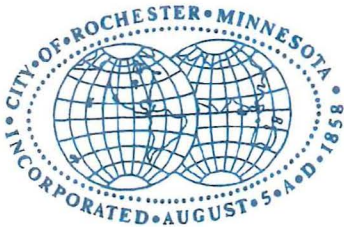
PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 17th DAY OF October, 2016.

ATTEST: Aaron S. Reever
CITY CLERK

Randy Staver
PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS 20th DAY OF October, 2016.

William F. Bieda
MAYOR OF SAID CITY

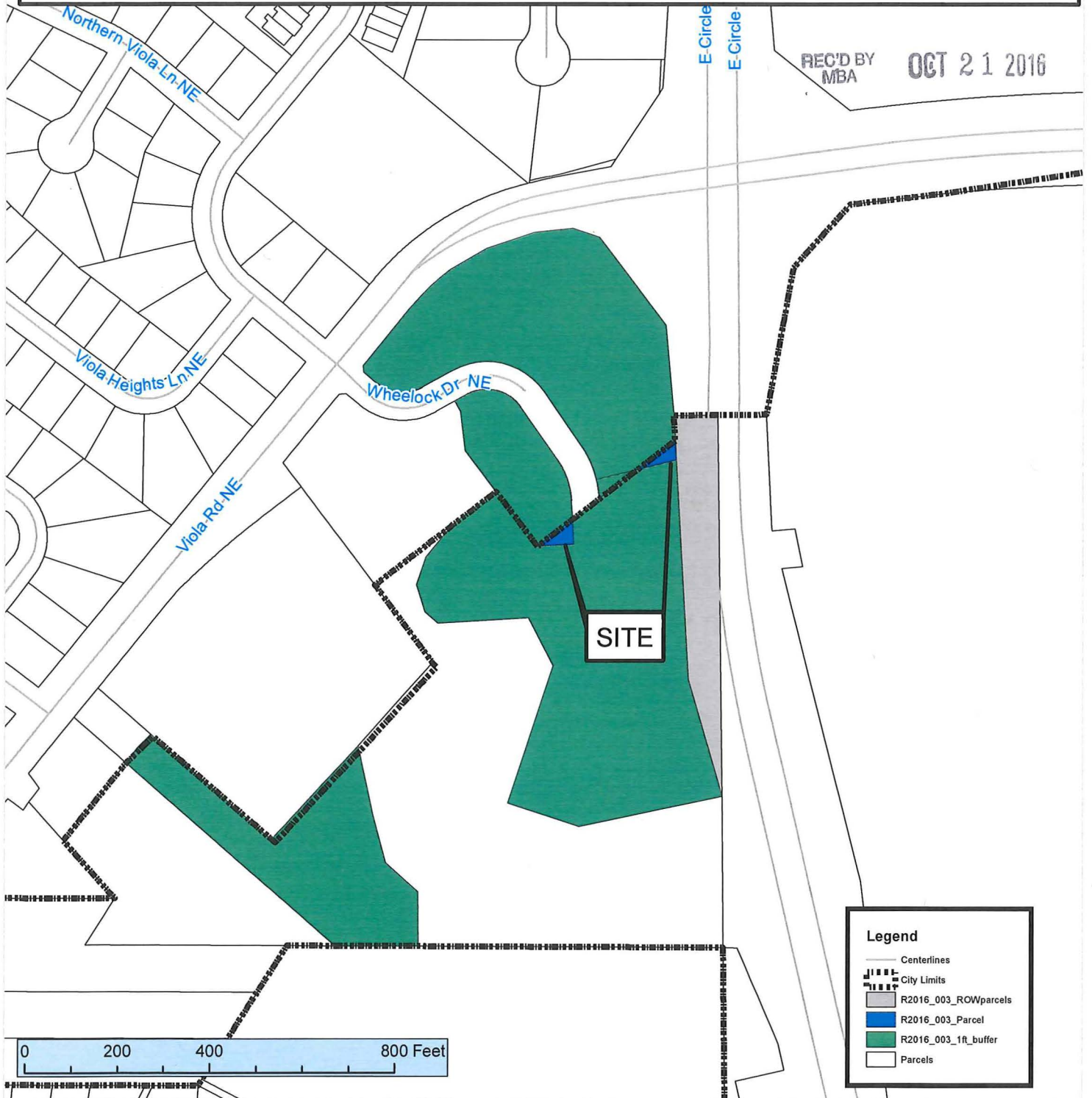


Properties within and contiguous to

Annexation by Ordinance File No. R2016-003ANX, to annex to the City of Rochester a total of 0.09 Acres of undeveloped land located in the NW One-Quarter of Section 30, Haverhill Twp. The properties to be annexed are two separate tracts of 0.05 and 0.04 acres each located in the vicinity of the present end of Wheelock Drive NE (the new Fire Station # 2 access off Viola Rd. NE). The properties are proposed to be zoned at the time of annexation to the B-4, General Commercial, Zoning District.

City Council Ward: 5 - Mark Hickey

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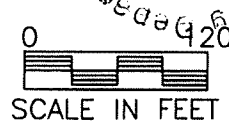
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Map Date: 7/29/2016



ANNEXATION EXHIBIT

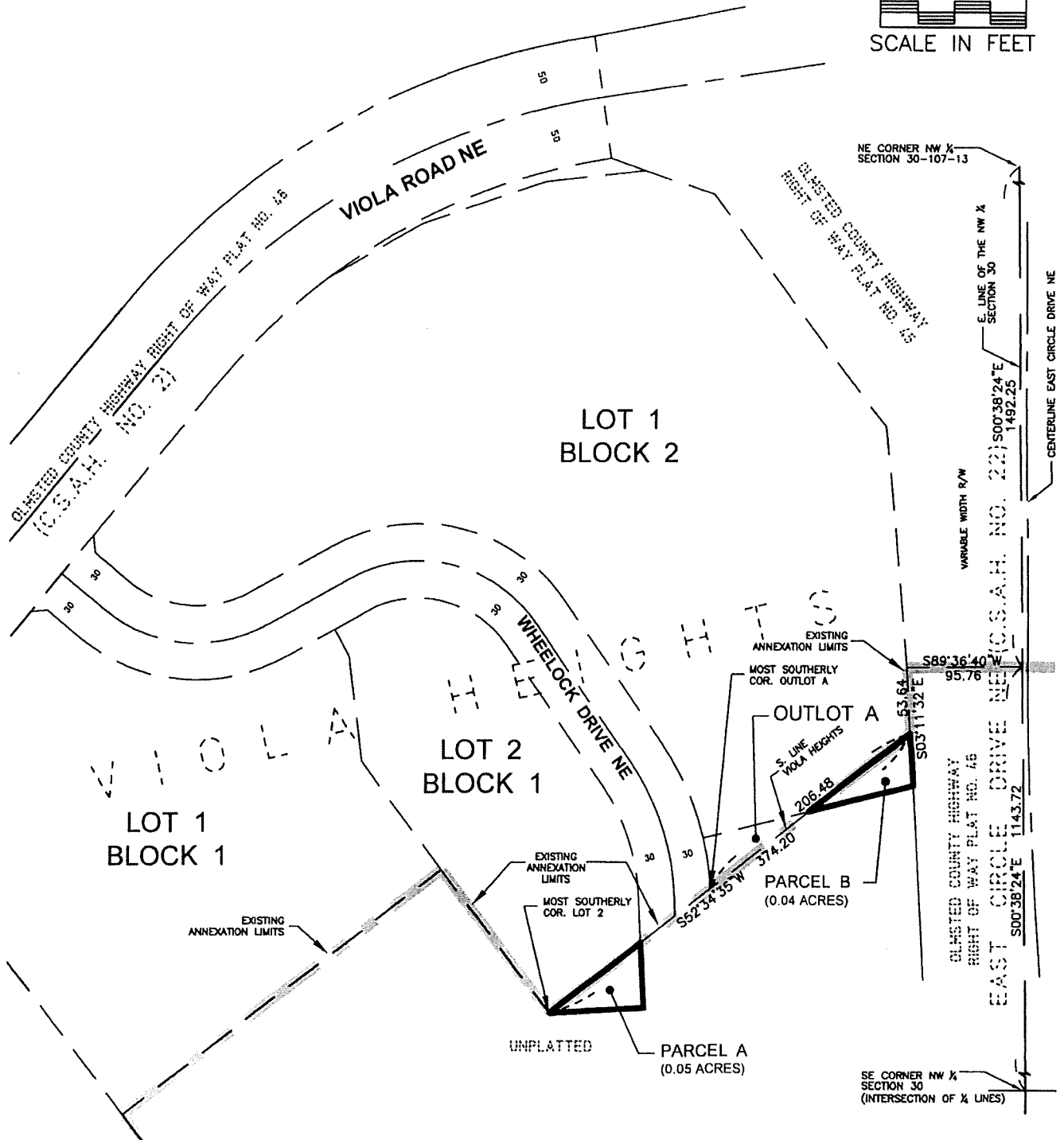
RECEIVED
Planning Department
10/21/16



SCALE IN FEET

ANNEXATION DESCRIPTIONS:

(SEE ATTACHED)

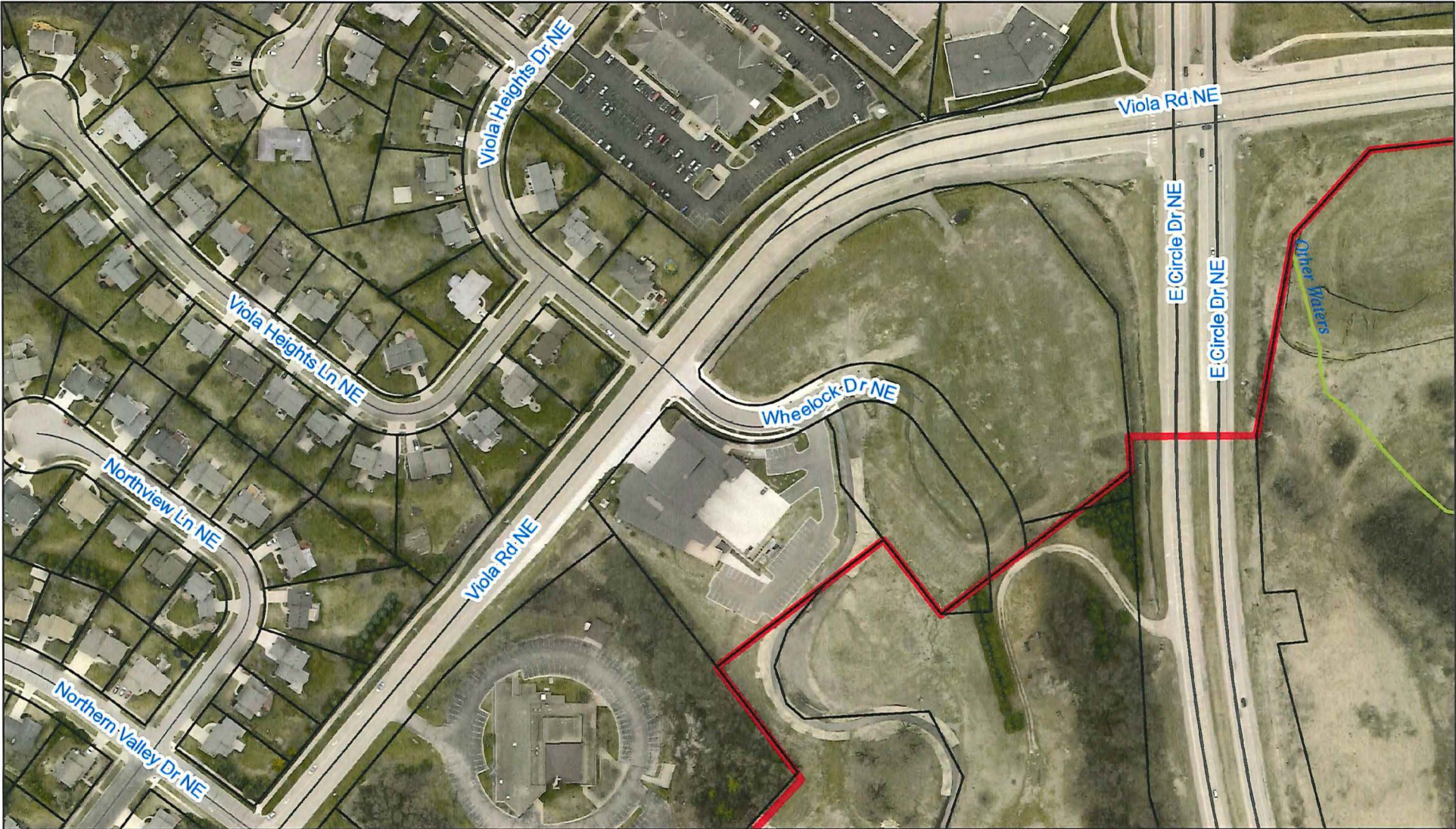


CLIENT: KWIK TRIP, INC.	
SCALE: 1" = 120'	DRAWN BY: JJR
DATE: 07/08/16	ACCT. NO.: 02365-070
DWG: 02365-070 ANNEX	

1648 Third Avenue SE
 Rochester, MN 55904
 507-289-3919
 www.wsbeng.com

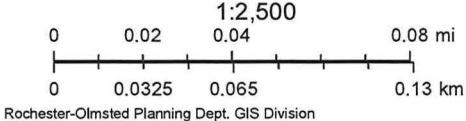


Aerial Map

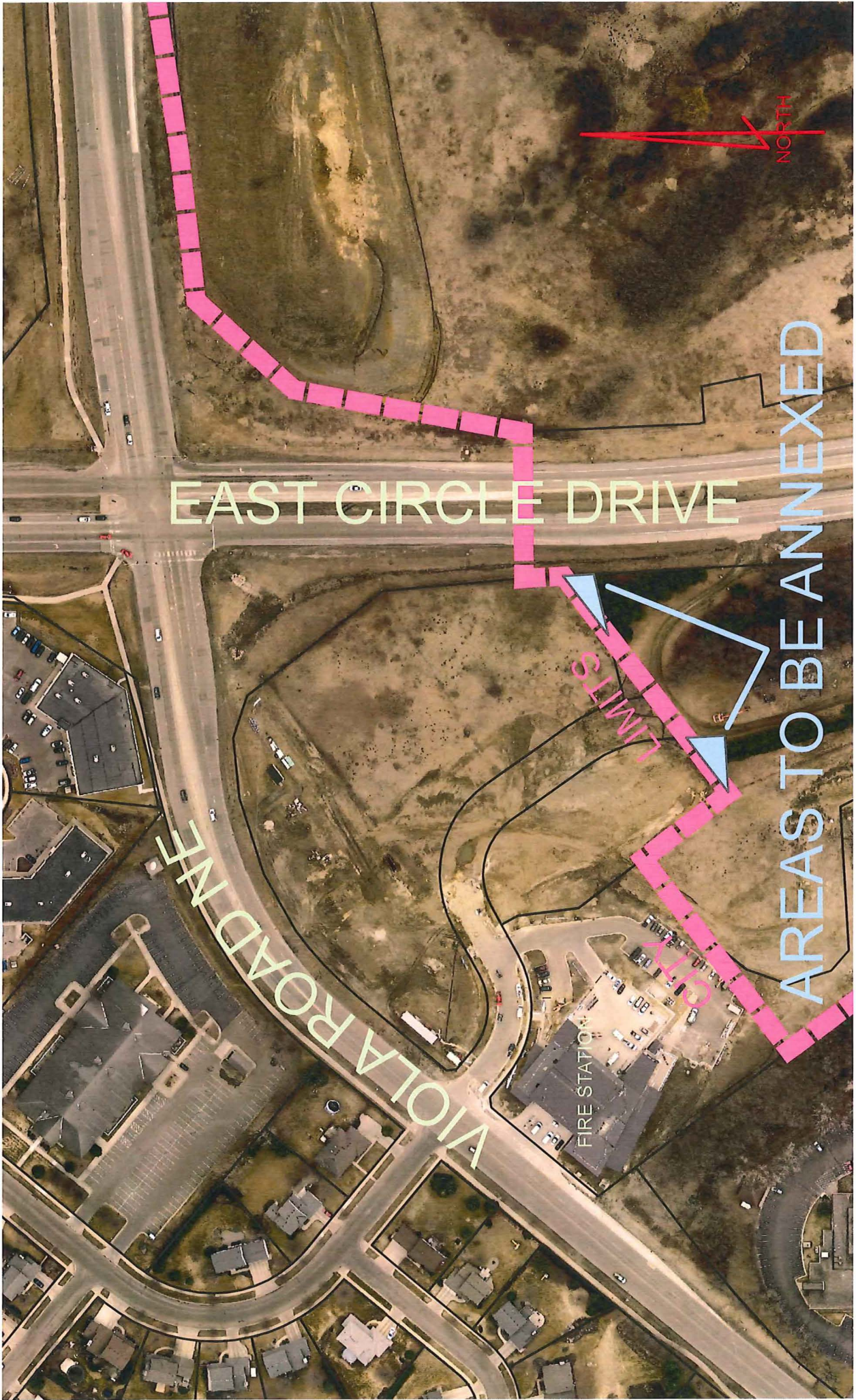


August 18, 2016

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EAST CIRCLE DRIVE

VIOLA ROAD NE

CITY LIMITS

FIRE STATION

AREAS TO BE ANNEXED

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