

RECEIVED

by OAH on July 3, 2017

ORDINANCE NO. _____

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 17.44 ACRES OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 107 NORTH, RANGE 13 WEST, OLMSTED COUNTY, MINNESOTA, AND 7.31 ACRES OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 31 AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, 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:

Area 1

That part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence easterly on an assumed azimuth from north of 89 degrees 07 minutes 48 seconds along the southerly line of said Southwest Quarter 407.88 feet to the easterly line of lands previously annexed; thence continue easterly 89 degrees 07 minutes 48 seconds azimuth along the southerly line of said Southwest Quarter 699.80 feet; thence northerly 06 degrees 01 minute 24 seconds azimuth 481.08 feet; thence northwesterly 318 degrees 59 minutes 24 seconds azimuth 675.04 feet; thence northwesterly 313 degrees 04 minutes 22 seconds azimuth 160.33 feet; thence westerly 268 degrees 55 minutes 35 seconds azimuth 217.56 feet to the east line of lands previously annexed, said line also being the east line of CENTURY

HILLS EIGHTH SUBDIVISION, according to the plat thereof, on file and of record in the office of the County Recorder, Olmsted County, Minnesota; thence southerly 178 degrees 58 minutes 31 seconds azimuth along the easterly line of said lands previously annexed 288.50 feet; thence southwesterly 229 degrees 52 minutes 15 seconds azimuth along said easterly line 303.13 feet; thence southerly 157 degrees 43 minutes 23 seconds azimuth along said easterly line 670.04 feet to the point of beginning.

Said tract contains 17.44 acres, more or less.

Area 2

That part of the Northeast Quarter of the Northeast Quarter, Section 31, and that part of the Northwest Quarter of the Northwest Quarter, Section 32, all in Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said Northeast Quarter of the Northeast Quarter; thence southerly on an assumed azimuth from north of 179 degrees 15 minutes 25 seconds, along the east line of said Northeast Quarter 1305.94 feet to the southeast corner of said Northeast Quarter of the Northeast Quarter and point of beginning; thence westerly 269 degrees 35 minutes 56 seconds azimuth along the south line of said Northeast Quarter of the Northeast Quarter 506.78 feet; thence northerly 07 degrees 10 minutes 32 seconds azimuth 187.81 feet; thence northeasterly 33 degrees 21 minutes 20 seconds azimuth 436.02 feet to the southerly line of lands previously annexed; thence easterly 89 degrees 39 minutes 30 seconds azimuth along said southerly line 236.46 feet to the east line of said Northeast Quarter of the Northeast Quarter; thence continue easterly 89 degrees 39 minutes 30 seconds azimuth along said southerly line 61.65 feet; thence northeasterly 65 degrees 04 minutes 36 seconds azimuth along said southerly line 247.07 feet; thence southerly 196 degrees 35 minutes 45 seconds azimuth 518.51 feet; thence southwesterly 219 degrees 55 minutes 08 seconds azimuth 203.37 feet to the point of beginning.

Said tract contains 7.31 acres, more or less.

Section 2. The total quantity of land included in the petition is approximately 24.75 acres in size.

Section 3. On May 15, 2017, 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 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 Haverhill Town Clerk, the County Auditor and the Secretary of State.

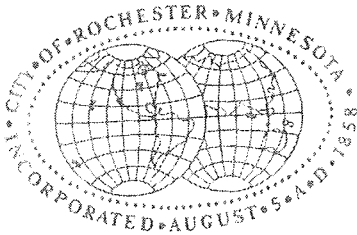
PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 19th DAY OF June, 2017.

ATTEST: *Cassidy K. Bergstrom*
CITY CLERK

Randy Staver
PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS 21st DAY OF June, 2017.

David F. Bieda
MAYOR OF SAID CITY



Ord15Annex.2017-001

EXISTING R-1

CENTURY VALLEY ROAD NE

CENTURY RIDGE RD NE

UNPLATTED

EXISTING CITY LIMITS

FUTURE PHASE

FUTURE PHASES

EX. SAN. S. TRUNKLINE

R-1 RESIDENTIAL

AREA 1

EXISTING R-1

FUTURE PHASES

UNPLATTED

EXISTING CITY LIMITS

AREA 2

FUTURE PARK

UNPLATTED

FUTURE PHASES

SILVER CREEK RD NE