

**RECEIVED**

by OAH on June 29, 2018

ORDINANCE NO. 4338

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 90.32 ACRES OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 17, 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 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:

Commencing at the northeast corner of the Southwest Quarter of said Section 17; thence South 00 degrees 23 minutes 48 seconds East, assumed bearing, along the east line of said Southwest Quarter, 755.05 feet for the point of beginning; thence South 88 degrees 21 minutes 12 seconds West, 316.47 feet; thence South 44 degrees 51 minutes 12 seconds West, 697.84 feet; thence South 87 degrees 38 minutes 12 seconds West, 535.00 feet; thence North 00 degrees 21 minutes 48 seconds West, 197.00 feet; thence North 37 degrees 08 minutes 12 seconds East, 409.90 feet; thence North 52 degrees 51 minutes 48 seconds West, 172.40 feet; thence North 00 degrees 21 minutes 48 seconds West, 290.32 feet; thence South 89 degrees 38 minutes 12 seconds West, 265.00 feet; thence North 84 degrees 04 minutes 48 seconds West, 651.66 feet; thence South 08 degrees 38 minutes 12 seconds West, 491.89 feet; thence South 89 degrees 40 minutes 12 seconds West, 350.05 feet to a line which is 60.00 feet easterly of, as measured at right angles to and parallel with, the west line of said Southwest Quarter; thence South 00 degrees 17 minutes 49 seconds East, along said parallel line, 1906.65 feet to the northerly right of way line of Badger Hills Drive NW (the next 3 courses are along said northerly right of way line); thence easterly 51.06 feet along a nontangential curve, concave northerly, central angle of 33 degrees 14 minutes 43 seconds, radius of 88.00 feet and a chord which bears South 80 degrees 53 minutes 27 seconds East, 50.35 feet; thence easterly 85.97 feet along a reverse curve, concave southerly, central angle of 07 degrees 40 minutes 21 seconds, radius of 642.00 feet and a chord which bears North 86 degrees 19 minutes 22 seconds East, 85.91 feet; thence easterly 129.31 feet along a compound curve, concave southerly, central angle

of 09 degrees 24 minutes 51 seconds and a chord which bears South 85 degrees 08 minutes 02 seconds East, 129.16 feet to the south line of the Southwest Quarter of said Section 17; thence North 88 degrees 26 minutes 10 seconds East, not tangent to said curve and along said south line, 260.45 feet to the westerly and northerly right of way line of Alpha Parkway NW (the next 2 courses are along said westerly and northerly right of way line); thence North 29 degrees 49 minutes 10 seconds East, 90.20 feet; thence South 60 degrees 10 minutes 50 seconds East, 10.00 feet to the most westerly corner of said Alpha Parkway NW, as dedicated on ALPHA SUBDIVISION, according to the recorded plat thereof; (the next 11 courses are along the northerly line of said ALPHA SUBDIVISION); thence North 29 degrees 49 minutes 10 seconds East, 78.56 feet; thence northeasterly 396.97 feet along a tangential curve, concave southeasterly, central angle of 51 degrees 41 minutes 35 seconds and a radius of 440.00 feet; thence North 81 degrees 30 minutes 45 seconds East, tangent to said curve, 320.74 feet; thence northeasterly 155.49 feet along a tangential curve, concave northerly, central angle of 19 degrees 22 minutes 00 seconds and a radius of 460.00 feet; thence North 62 degrees 08 minutes 45 seconds East, tangent to said curve, 300.94 feet; thence northeasterly 97.38 feet along a tangential curve, concave southeasterly, central angle of 10 degrees 19 minutes 55 seconds and a radius of 540.00 feet; thence North 72 degrees 28 minutes 40 seconds East, tangent to said curve, 181.78 feet; thence northeasterly 423.96 feet along a tangential curve, concave northwesterly, central angle of 39 degrees 49 minutes 18 seconds and a radius of 610.00 feet; thence North 32 degrees 39 minutes 22 seconds East, tangent to said curve, 70.47 feet; thence easterly 302.64 feet along a tangential curve, concave southerly, central angle of 66 degrees 41 minutes 35 seconds and a radius of 260.00 feet; thence South 80 degrees 39 minutes 03 seconds East, tangent to said curve, 117.10 feet to the southwest corner of Outlot B, NORTHERN HILLS COMMERCIAL PARK, according to the recorded plat thereof (the next 2 courses are along the westerly line of said Outlot B); thence North 00 degrees 23 minutes 48 seconds West, 851.03 feet; thence South 88 degrees 21 minutes 12 seconds West, 33.35 feet; thence continue South 88 degrees 21 minutes 12 seconds West, 69.36 feet to the point of beginning.

Containing 90.32 acres, more or less.

Section 2. The total quantity of land included in the petition is approximately 90.32 acres in size.

Section 3. On April 2, 2018, 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 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 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 16th DAY OF April, 2018.

ATTEST:   
CITY CLERK

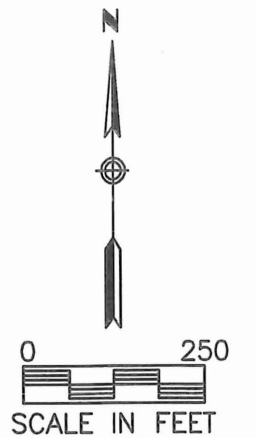
  
PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS 23rd DAY OF April, 2018.

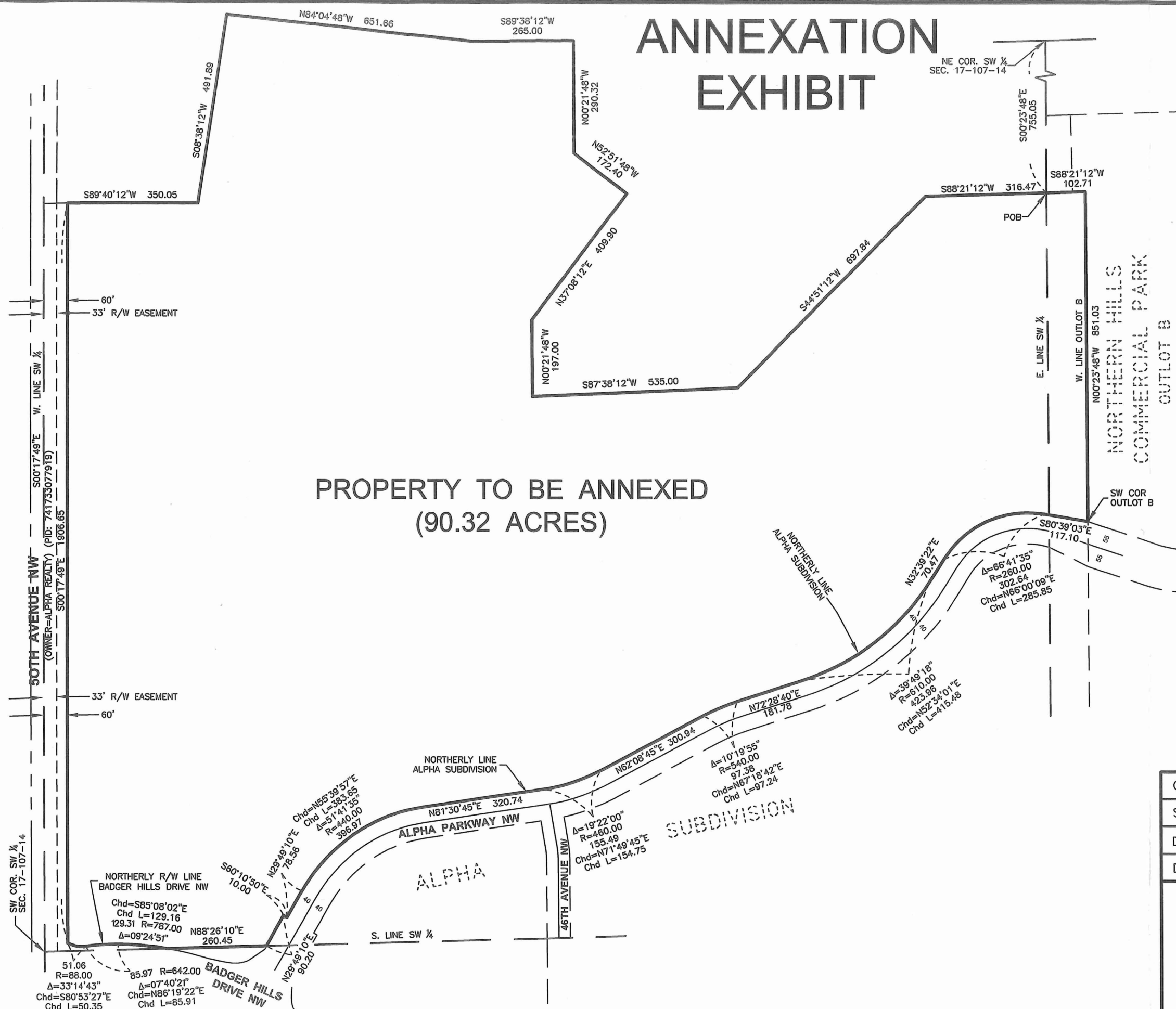


  
MAYOR OF SAID CITY

# ANNEXATION EXHIBIT



PROPERTY TO BE ANNEXED  
(90.32 ACRES)



**PROPERTY DESCRIPTION:**  
(SEE ATTACHED)



CLIENT: <b>ALPHA REALTY OF ROCHESTER</b>	
SCALE: <b>1" = 250'</b>	DRAWN BY: <b>JJR</b>
DATE : <b>02/08/18</b>	ACCT. NO. : <b>011276</b>
DWG: <b>011276 ANNEX</b>	

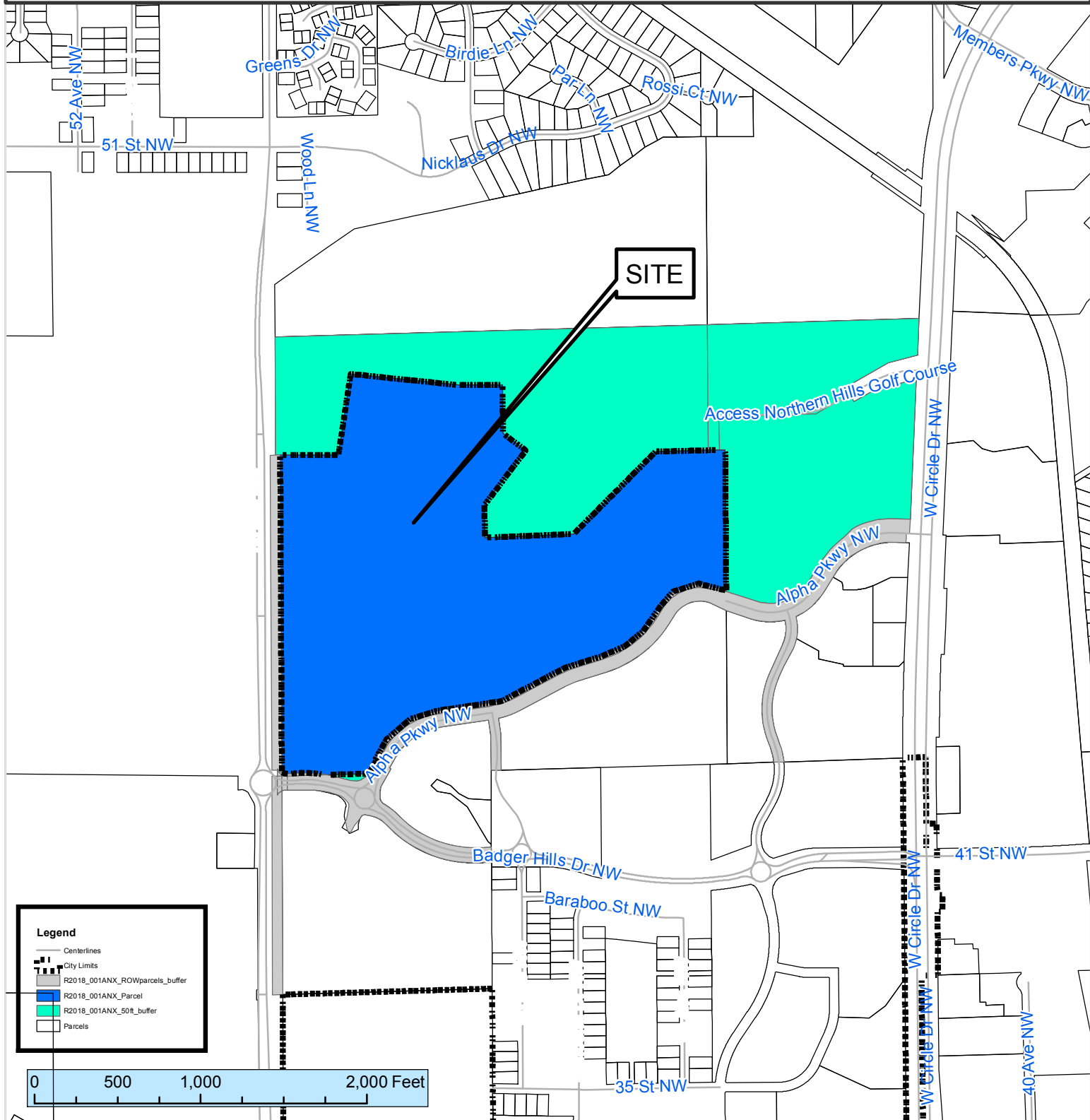
1648 Third Avenue SE  
Rochester, MN 55904  
507-289-3919  
www.wsbeng.com



### 50 ft. Notification Area of

Annexation by Ordinance R2018-001ANX, by Alpha Realty of Rochester, LLC, for 90.32 acres of land in the southwest quadrant of Section 17 of Cascade Township, north of Alpha Parkway NW, and east of 50th Avenue NW.

**City Council Ward: 3 - Nick Campion (effective when annexed)**



This map prepared by the GIS Division, Rochester-Olmsted County Planning Department. 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.

Map Date: 02/20/2018

