

442-98

REC'D. BY
MMB JUL 24 1998

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RESOLUTION

BE IT RESOLVED by the Common Council of the City of Rochester that the City enter into an amendment of the Cascade Township Orderly Annexation Agreement so as to annex to the City the 159.94 acres of land owned by numerous parties and located south of 65th Street N.W., west of Highway 52 and north of 55th Street Estates Subdivision in Cascade Township if the Cascade Township Board is also willing to execute the document.

The Mayor and the City Clerk are authorized and directed to execute said amendment on behalf of the City.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 20TH DAY OF JULY, 1998.

John Kuntz
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Judy Kay Straw
CITY CLERK

APPROVED THIS 21ST DAY OF JULY, 1998.

Ed Confeild
MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)

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IN THE MATTER OF THE AMENDMENT TO THE JOINT RESOLUTION
FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF CASCADE
AND THE CITY OF ROCHESTER, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.0325, SUBD. 1

TO: Minnesota Municipal Board
165 Metro Square Building
St. Paul, Minnesota 55101

The Town of Cascade and the City of Rochester hereby jointly agree that the Joint Resolution Between the Town of Cascade and the City of Rochester Designating an Area for Orderly Annexation dated May 5, 1976, be amended to include the properties as described in Exhibit A:

WHEREAS, the City of Rochester desires the immediate annexation to the City of Rochester that property described in the attached Exhibit A situated in the Town of Cascade, County of Olmsted, State of Minnesota; and

WHEREAS, the City of Rochester and the Town of Cascade, for the purpose of avoiding a dispute over the annexation of the property described in said petition, desire to enter into a joint resolution approving the immediate annexation of said property.

NOW, THEREFORE, BE IT RESOLVED by the City of Rochester and the Town of Cascade:

1. The property which is situated in the Town of Cascade, County of Olmsted, State of Minnesota and which is described on the attached Exhibit A is, following a request for annexation by the owners/petitioners, designated as in need of orderly annexation pursuant to Minnesota Statutes §414.0325, as it may be amended from time to time.

2. Both the Town and the City agree that upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order the annexation of the property described in Exhibit A, attached hereto and made a part hereof. Both the Town and the City also agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no reconsideration by the Board is necessary.

3. Pursuant to the provisions of Minnesota Statutes §414.0325, subd. 5, the parties agree that the City of Rochester may extend its planning and land use controls to the property described in Exhibit A.

4. Pursuant to the provisions of Minnesota Statutes §414.036, the City of Rochester agrees to pay the Town of Cascade the property taxes payable on the annexed land for the year in which the annexation becomes effective. Thereafter, property taxes on the annexed land shall be paid to the City of Rochester. In the first year following the year the land was annexed, the City shall make a cash payment to the Town of Cascade in an amount equal to 90% of the property taxes paid in the year the land was annexed; in the second year, an amount equal to 70% of the property taxes paid in the year the land was annexed; in the third year, an amount equal to 50% of the property taxes paid in the year the land was annexed; in the fourth year, an amount equal to 30% of the property taxes paid in the year the land was annexed; and in the fifth year, an amount equal to 10% of the property taxes paid in the year the land was annexed.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 20TH DAY OF July, 1998.

John Hanziker
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Judy Kay Egan
CITY CLERK

APPROVED THIS 21ST DAY OF July, 1998.

Ed Confeild
MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)

PASSED AND ADOPTED BY THE TOWN OF CASCADE, MINNESOTA, THIS 10TH DAY OF JULY, 1998.

DW Hedin
CHAIRMAN OF TOWN BOARD

ATTEST: Joseph L. Vroman
TOWN CLERK

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EXHIBIT A

A part of the West Half of the Northwest Quarter of Section 9, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

BEGINNING at the northwest corner of the Northwest Quarter of said Section 9; thence North 90 degrees 00 minutes 00 seconds East (NOTE: all bearings are in relationship with the bearings as given on the Plat of Westgard's First Subdivision) along the north line of said Northwest Quarter for a distance of 859.22 feet to the northwest corner of STUVE'S THIRD SUBDIVISION as said Subdivision is recorded; thence South 00 degrees 00 minutes 00 seconds West along the west line of said Subdivision for a distance of 726.00 feet to the southwest corner of said Subdivision; thence North 90 degrees 00 minutes 00 seconds East along the south line of said Subdivision for a distance of 330.00 feet to the southeast corner of said Subdivision, said point also being in the west line of CAMPER AVENUE as said Street is platted in WESTGARD'S FIRST SUBDIVISION; thence South 00 degrees 00 minutes 00 seconds West along the west line of said CAMPER AVENUE for a distance of 588.19 feet to the southwest corner of said CAMPER AVENUE; thence North 90 degrees 00 minutes 00 seconds East along the south end of said CAMPER AVENUE for a distance of 33.00 feet; thence South 00 degrees 00 minutes 00 second West for a distance of 1301.75 feet to the south line of said Northwest Quarter; thence North 89 degrees 59 minutes 30 seconds West along said south line for a distance of 1253.52 feet to the southwest corner of said Northwest Quarter; thence North 00 degrees 41 minutes 08 seconds East along the west line of said Northwest Quarter for a distance of 2615.95 feet to the POINT OF BEGINNING. Containing 67.84 Acres, more or less.

Above described parcel is subject to the right of way easement for the Township Road over the north side thereof.

ALSO:

The East Half of the Northeast Quarter of Section 8, Township 107 North, Range 14 West, Olmsted County, Minnesota, EXCEPTING THEREFROM the following described tract:

BEGINNING at the northeast corner of said Northeast Quarter; thence South 410 feet; thence West 637.5 feet; thence North 410 feet; thence East 637.5 feet to the Point of Beginning. Containing 73.24 Acres, more or less.

Said Parcel is subject to the Right of Way Easement for the Township Road (65th Street N.W.) over the north 33 feet thereof.

ALSO:

A part of the Northwest Quarter of Section 9, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southwest corner of the Northwest Quarter of said Section 9; thence South 89 degrees 59 minutes 30 seconds East (NOTE: all bearings are in relationship with the bearings as given on the Plat of Westgard's First Subdivision) along the south line of said Northwest Quarter for a distance of 1253.52 feet to the POINT OF BEGINNING; thence North 00 degrees 00 minutes 00 seconds East for a distance of 1301.75 feet to a point in the south line of Westgard's First Subdivision as said Plat is recorded, said point being at the intersection of the centerline of CAMPER AVENUE as platted; thence North 84 degrees 21 minutes 06 seconds East along the south line of said Westgard's First Subdivision and extension thereof for a distance of 557.22 feet to the westerly Right of Way Line of Trunk Highway No. 52 as shown on Minnesota Department of Transportation Right of Way Plat No. 55-38; thence South 05 degrees 15 minutes 23 seconds East along said westerly Right of Way Line for a distance of 1362.42 feet to the south line of said Northwest Quarter; thence North 89 degrees 59 minutes 30 seconds West along said south line for a distance of 679.33 feet to the POINT OF BEGINNING. Containing 18.86 Acres, more or less.

Said Parcel is subject to the existing access control along Trunk Highway No. 52 and is also subject to any other easements and restrictions of record.

REC'D. BY
MMB JUL 24 1998

ORDERLY ANNEXATION # 98-10

1005

5000

4800

4202

4201

4300

4700

4401

4402

4900

4500

5202

5401

5300

4600



POPULATION = \emptyset
ACRES = 159.94

65TH ST NW

65TH ST NW

8606

7500

7404

8604

STIVE'S
THIRD
ADD.

WESTGARD
SUB.

STIVE'S
SUB.

8203

8202

8204

8100

7401

52

86

JENSEN FIRST SUB.

8508

9301

8400

8506

8302

8802

7704

65TH
ESTATES
FIRST
SUB.

BANDEL RD

7702

55TH ST

9402