

RESOLUTION

REC'D. BY FEB 09 1999  
MMB

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 approximately 3.0 acres of land located in a part of the southwest quarter of the northeast quarter of Section 28, Cascade Township if the Cascade Township Board is also willing to execute the document.

BE IT FURTHER RESOLVED that this resolution is subject to the condition that the parties amicably and satisfactorily resolve the issue of dedication of public roadways.

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 19TH DAY OF OCTOBER, 1998.

John Hamzich  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Tracy Kay Schow  
CITY CLERK

APPROVED THIS 20TH DAY OF OCTOBER, 1998.

Ed Gersfeld  
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 19TH DAY OF OCTOBER, 1998.

John N. Nantz  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Judy Kay Schaefer  
CITY CLERK

APPROVED THIS 20TH DAY OF OCTOBER, 1998.

Ed Hanfield  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

PASSED AND ADOPTED BY THE TOWN OF CASCADE, MINNESOTA, THIS 5TH DAY OF OCTOBER, 1998.

D. V. Hedlin  
CHAIRMAN OF TOWN BOARD

ATTEST: R. Helen Gustafson  
TOWN CLERK

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## EXHIBIT A

That part of the Northeast Quarter of Section 28, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southwest corner of said Northeast Quarter; thence North, assumed bearing, along the west line of said Northeast Quarter and along the east line of HENDRICKS' SUBDIVISION, 539.64 feet, to the southeast corner of Lot 3, Block 2, in said HENDRICKS' SUBDIVISION for the point of beginning; thence continue North, along said west line of said Northeast Quarter, 457.66 feet to the southerly line of 22<sup>nd</sup> STREET NW as dedicated in TILL'S FIRST SUBDIVISION; thence North 70 degrees 45 minutes 43 seconds East, along said southerly line and along the southerly line of Lot 1, Block 1 in said TILL'S FIRST SUBDIVISION, 289.70 feet; thence South, parallel with the west line of said Northeast Quarter, 497.87 feet; thence South 78 degrees 34 minutes 51 seconds West, 279.05 feet to the point of beginning.

Containing 3.00 acres, more or less.



REC'D. BY  
MAB FEB 09 1998

LOCATION MAP  
ANNEXATION  
#98-13



22 ND ST. NW

22 ND ST. NW

32 ND AVE NW

VALLEYHIGH DR. NW

30 AVE

LOCATION

19 TH ST NW

