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REC'D. BY MMB JUN 28 1999

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 11 acres of land owned by Jean Osman located in a part of the south half of the northeast quarter of Section 29, 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 19th DAY OF APRIL, 1999.

John Hunszter
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Mindy Kay Stevens
CITY CLERK

APPROVED THIS 20th DAY OF APRIL, 1999.

Ed Confield
MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)

REC'D. BY
MMB JUN 28 1999

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 of 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

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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 APRIL, 1999.

John Hunsicker
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Judy Kay Sherrill
CITY CLERK

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M/M/B

APPROVED THIS 20TH DAY OF APRIL, 1999.

E. J. Confield
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

PASSED AND ADOPTED BY THE TOWN OF CASCADE, MINNESOTA, THIS 5th
DAY OF APRIL, 1999.

D. N. Hedrick
CHAIRMAN OF TOWN BOARD

ATTEST: Joseph L. Vroman
TOWN CLERK

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EXHIBIT A

That part of the South One-Half of the Northeast Quarter of Section 29, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southwest corner of the Northeast Quarter of said Section 29; thence West, assumed bearing, along the south line of said Northeast Quarter, 647.37 feet to the southeast corner of the West One-Half of the East One-Half of said Northeast Quarter for a point of beginning; thence continue West, along the south line of said Northeast quarter, 390.00 feet; thence North 620.00 feet; thence West, 220.00 feet; thence North 354.75 feet; thence East, 653.11 feet to the east line of the West One-Half of the East One-Half of said Northeast quarter; thence South 02 degrees 31 minutes 57 seconds West, along said east line, 975.70 feet to the point of beginning. Being subject to a 33.00 foot easement for the 19th Street N.W. right of way over the southerly boundary thereof.

Containing 11.00 acres, more or less.

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ANNEXATION
99-6

West Circle Drive

19th St. NW

T.H. 14

