

360-00

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REC'D. BY MMB JUL 27 2000

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 approximately 109.84 acres of land owned by Larry Goodman, the land located north of 62nd Street and east of Bandel Road NW, being a part of the south one-half of the northeast quarter of Section 9, 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 the joint resolution on behalf of the City.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 5th DAY OF JUNE, 2000.

John Hanzel
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Judy Kay Egan
CITY CLERK

APPROVED THIS 6th DAY OF JUNE, 2000.

Charles Confield
MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)

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 Minnesota Planning Agency or other successor to the Minnesota 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 Agency 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 5th DAY OF JUNE, 2000.

John Hennrich
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Nicholas Snow
CITY CLERK

APPROVED THIS 6th DAY OF JUNE, 2000.

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 June, 2000.

Fredrick Paul
CHAIRMAN OF TOWN BOARD

ATTEST: Joseph Liberman
TOWN CLERK

EXHIBIT A

The Northwest Quarter of the Northwest Quarter of Section 10, Township 107 North, Range 14 West, Olmsted County, Minnesota, together with that part of the Southwest Quarter of the Northwest Quarter of said Section 10, described as follows:

Beginning at the northwest corner of said Southwest Quarter; thence east along the north line of said Southwest Quarter 20.00 feet; thence southwesterly to a point on the west line of said Southwest Quarter 20.00 feet southerly of the northwest corner of said Southwest Quarter; thence north along said west line 20.00 feet to the point of beginning.

TOGETHER with the South Half of the Northeast Quarter of Section 9, Township 107 North, Range 14 West, Olmsted County, Minnesota, EXCEPT the following tracts described as follows:

1. Beginning at the southwest corner of said South Half; thence east along the south line of said South Half 653.40 feet; thence north along a line parallel with the west line of said Northeast Quarter 488.66 feet; thence west along a line parallel with the south line of said South Half 653.40 feet; thence south along the west line 488.66 feet to the point of beginning. Exception contains 7.33 acres, more or less.

2. Also excepting a tract BEGINNING at the southeast corner of the Northeast Quarter of said Section 9; thence westerly along the south line of said Northeast Quarter for a distance of 297.00 feet; thence northeasterly to a point in the east line of said Northeast Quarter which is 297.00 feet northerly of the Southeast corner of said Northeast Quarter; thence southerly along said east line for a distance of 297.00 feet to the POINT OF BEGINNING. Said exception contains 1.01 acres, more or less.

65th St NW

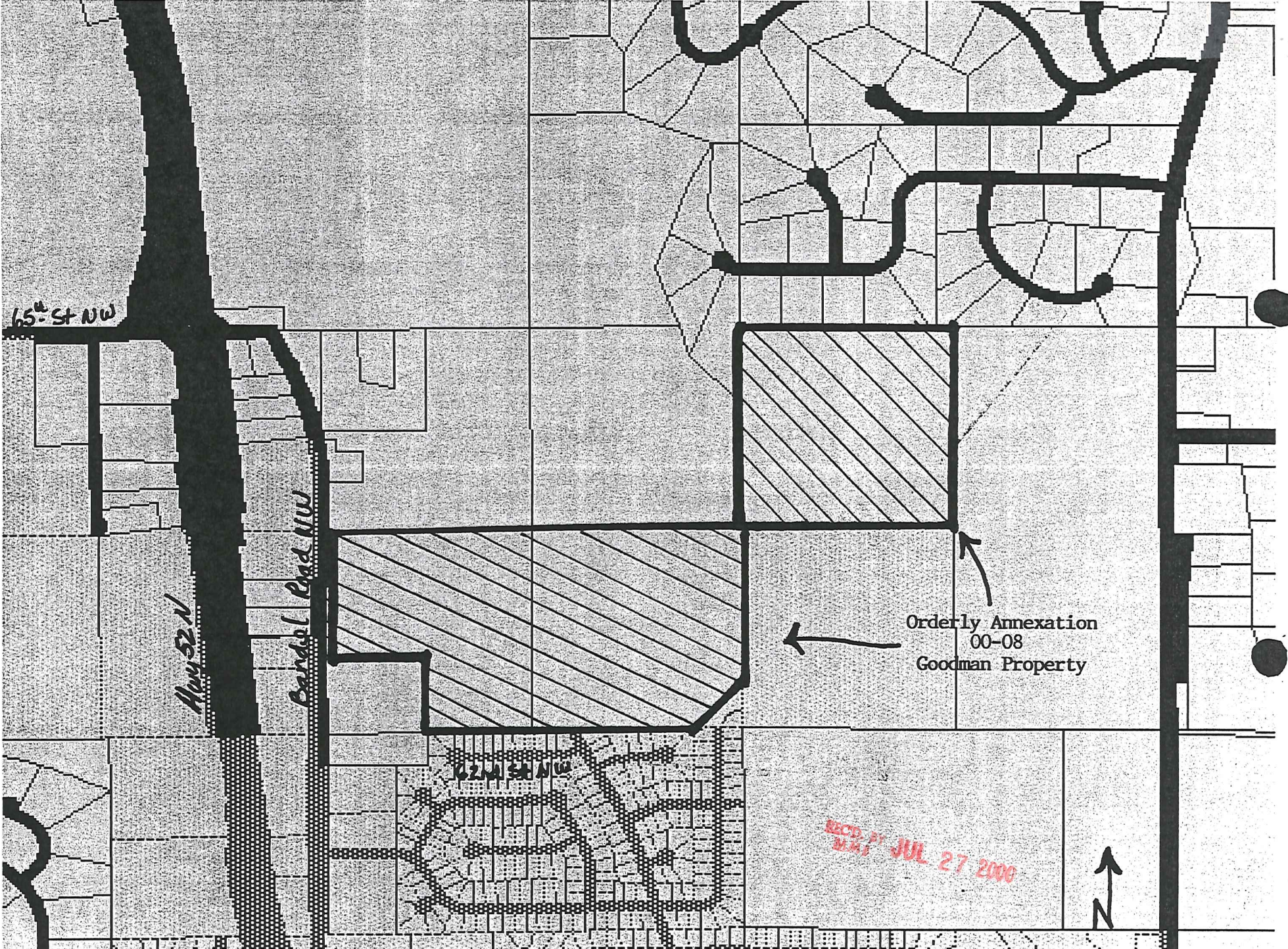
Avoy 52ⁿ

Bandal Road NW

62nd St NW

Orderly Annexation
00-08
Goodman Property

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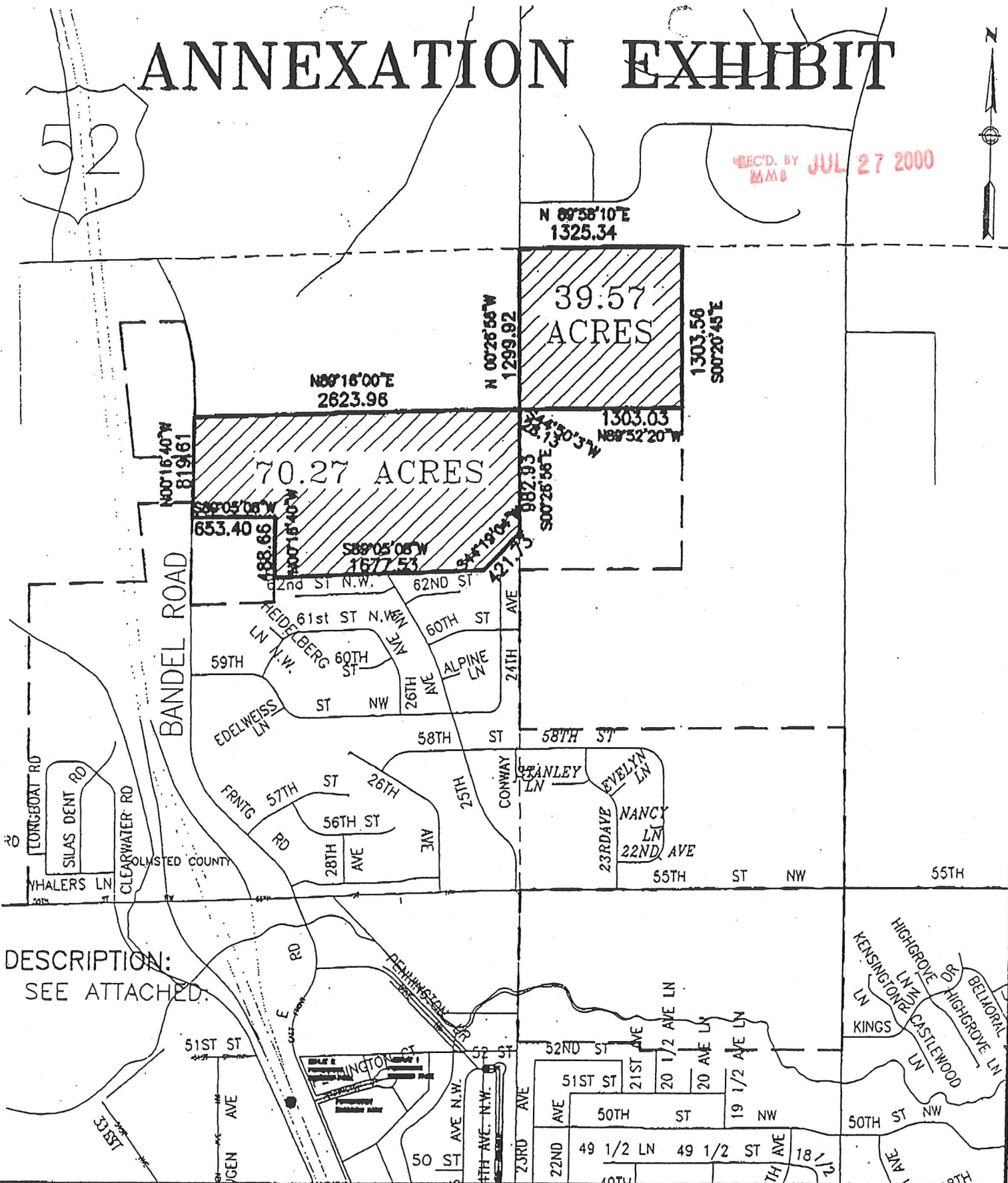


ANNEXATION EXHIBIT

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LAMB



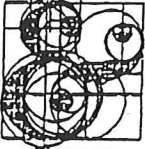
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DESCRIPTION:
SEE ATTACHED.

FOR :
ARCON DEVELOPMENT, INC.
7625 METRO BLVD. SUITE 350
EDINA, MINNESOTA
55439

McGhie
Consulting Engineers



Betts, Inc.
Land Surveyors

1648 3rd Ave. S.E. Rochester, MN, 55904 507-289-3919

SCALE:	1" = 1000'
DRAWN BY:	MB
DATE :	10/27/99
ACCT. NO. :	1204/9561
CADD NO. :	