

REC'D BY
MMB

APR 27 2004

RESOLUTION

BE IT RESOLVED by the Common Council of the City of Rochester that the City execute a Joint Resolution/Orderly Annexation Agreement between the Town of Cascade and the City of Rochester for the Bandel Reservoir Property, Lofgren Property, Peterson Property, Jenson Property, Stow Away Mini Storage and the 37th Street Baptist Church as needed for the Overland Drive N.W., Project (Bandel Road to 18th Avenue N.W.).

The Mayor and the City Clerk are authorized and directed to execute this Joint Resolution/Orderly Annexation Agreement on behalf of the City.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 21st DAY OF JANUARY, 2004.

John Hunziker
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

Stephan E. Smith
CITY CLERK

APPROVED THIS 22nd DAY OF JANUARY, 2004.

Wesley F. Bieda
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

Bandel Reservoir 1.06 ACRES

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

Commencing at the North Quarter corner of said Section 9; thence southerly on a Minnesota State Plane Grid Azimuth from North 178 degrees 57 minutes 31 seconds, along the west line of said Northwest Quarter a distance of 711.83 feet to the beginning; thence easterly 88 degrees 57 minutes 31 seconds azimuth 90.00 feet; thence southerly 178 degrees 57 minutes 31 seconds azimuth 77.00 feet; thence easterly 88 degrees 57 minutes 31 seconds azimuth, 170.00 feet; thence southerly 178 degrees 57 minutes 31 seconds azimuth, 200.00 feet; thence westerly 268 degrees 57 minutes 31 seconds azimuth, 260.00 feet; thence northerly 358 degrees 57 minutes 31 seconds azimuth, along the west line of said Northwest Quarter 277.00 feet to the point of beginning. Said tract contains 1.10 acres more or less, plus 0.26 acres of highway right of way.

together with

the abutting Bandel Road right of way

And

Lofgren 3.92 ACRES

That part of the SE ¼ of the NW ¼ of Section 10, Township 107 North Range 14 West lying 60 feet either side of the following described roadway centerline.

Commencing at the SW corner of the SE ¼ of the NW ¼ of Section 10; thence North 00 degrees 20 minutes 45 seconds West, assumed bearing along the west line of said quarter line, 977.77 feet to the point of beginning; thence South 59 degrees 02 minutes 32 seconds East; thence along a tangential curve concave to the south having a radius of 700.00 feet, with a chord bearing South 74 degrees 38 minutes 34 seconds East, a chord length of 376.50 feet, an delta angle of 30 degrees 42 minutes 52 seconds, and a curve length of 381.19 feet; thence North 89 degrees 45 minutes 24 seconds East, 174.67 feet to the east line of the NW ¼ of Section 10 lying and there terminating. The right of way lines shall prolonged or shortened as needed to match the East and West points of the roadway centerline.

And

S & S .31 ACRES

That part of the Southeast Quarter of the Northwest Quarter of Section 9, Township 107 North Range 14 West lying East of the following described line:

Commencing at the southeast corner of the Northwest Quarter; thence North along the east line thereof a distance of 629 feet; thence West parallel with the South line thereof 71.76 feet to the point of beginning; thence North 01 degrees 39 minutes 10 seconds East 190.66 feet along the right of way line of Bandel Road (Old TH No. 52) and there terminating.

Peterson 1.80 ACRES

Commencing at the NW corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Township 107, Range 14; thence East along the North line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 9 a distance of 240 feet to the point of beginning; thence on a line deflecting 90 degrees right a distance of 343.3 feet; thence on a line deflecting 79 degrees 30' left a distance of 220 feet; thence on a line deflecting 100 degrees 30' left a distance of 383.39 feet to said North line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 9; thence West along said North line on a deflection of 90 degrees left a distance of 216.32 feet to the point of beginning, less the North 33 feet thereof.

And

Jenson .30 ACRES

That part of the Southeast Quarter of the Northwest Quarter of Section 9, Township 107 North Range 14 West lying East of the following Described line:

Commencing at the southeast corner of the Northwest Quarter; thence North along the east line thereof a distance of 629 feet; thence West parallel with the South line thereof 71.76 feet; thence North 01 degrees 39 minutes 10 seconds East 190.66 feet along the right of way line of Bandel Road (Old TH No. 52) to the South line of Jenson's First Subdivision and the point of beginning; thence continue along said right of way line to the North line of Jenson's First Subdivision and there terminating

And

37th Street Baptist Church

The West 63.0 feet of the North 200.0 feet of the Southeast Quarter of Section 9, Township 107, Range 14, Olmsted County, Minnesota .29 ACRES

And

The West 33.0 feet of the following described property:

That part of the South Half of the Northeast Quarter of Section 9, Township 107, Range 14, Olmsted County, Minnesota, described as beginning at the southwest corner of said Northeast Quarter; thence North 88 degrees 19 minutes 26 seconds East, assumed bearing, along the south line of said Northeast Quarter, 653.40 feet; thence North 01 degrees 02 minutes 17 seconds West, parallel with the west line of said Northeast Quarter 488.66 feet; thence South 88 degrees 19 minutes 26 seconds west, parallel with the south line of said Northeast Quarter, 653.40 feet to the west line of said Northeast Quarter; thence South 01 degrees 02 minutes 17 seconds East along said west line to the point of beginning. .37 ACRES

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 Planning Agency
165 Metro Square Building
St. Paul, Minnesota 55101

The Town of Cascade and the City of Rochester hereby jointly agree to this Joint Resolution Between the Town of Cascade and the City of Rochester Designating an Area for Annexation including the property described in the attached 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, 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 consideration by the Agency is necessary.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 21ST DAY OF JANUARY, 2004.

John Hunziker
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Mindy Kay Schenck
CITY CLERK

APPROVED THIS 22ND DAY OF JANUARY, 2004.

Ardele F. Breda
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

PASSED AND ADOPTED BY THE TOWN OF CASCADE, MINNESOTA, THIS _____
DAY OF 2-2 -, 2004.

James J. Jansen
CHAIRMAN OF TOWN BOARD

ATTEST: Joseph Kroman
TOWN CLERK

RECD BY
M.M.B. APR 27 2004

Peterson

1.8

BANDEL Bandel tower

1.06

BANDEL DR NW

28 AVE NW

Jenson

30 AVE NW

BOULDER RIDGE DR NW

S & S

Church

QUARTZ PL NW

SLATE CT NW

62 ST NW

62 ST NW

GRANITE DR NW

GRANITE DR NW

GRANITE PL NW

FLAGSTONE LN NW

23 AVE NW

Lofgren

3.92

18 AVE NW

CRESTVIEW LN NW

OVERLAND DR NW

BANDEL LN NW

1.31 1.30 BANDEL RD NW

1.294.37

HEIDELBERG LN NW