

BEFORE THE
MINNESOTA MUNICIPAL BOARD

REC'D. BY JUL 19 1993
MAIL

IN THE MATTER OF THE DESCRIPTION OF)	
AN UNINCORPORATED AREA IN CASCADE)	
TOWNSHIP AS IN NEED OF ORDERLY)	JOINT RESOLUTION FOR
ANNEXATION AND CONFERRING JURISDICTION)	ORDERLY ANNEXATION
OVER SAID AREA IN THE MINNESOTA)	
MUNICIPAL BOARD PURSUANT TO MINNESOTA)	
STATUTES §414.0325.)	

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 designated as in need of orderly annexation pursuant to Minnesota Statutes §414.0325, as it may be amended from time to time.

2. The Town of Cascade hereby withdraws any objections filed and agrees to not file any objections with the Minnesota Municipal Board concerning the City of Rochester's desire or request to annex any of the property described on the attached Exhibit A and hereby consents to the immediate annexation by ordinance to the City of Rochester of all said property, subject to the terms and conditions of this resolution. The annexation of said property may be accomplished by more than one ordinance adopted in sequence at the discretion of the City. The Town of Cascade further agrees that if it has filed any objections with the Minnesota Municipal Board to the annexation to the City of any of the property described in attached Exhibit A, the filing of this Joint Resolution with the Minnesota Municipal Board shall constitute sufficient notice of the withdrawal of the objections.

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 all property designated for orderly annexation.

4. Pursuant to the provisions of Minnesota Statutes §414.036, the City of Rochester agrees to reimburse the Town of Cascade for all of the taxes levied upon the property annexed as part of this Joint Resolution during the levy years of 1994, 1995, and 1996.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 21 DAY OF June, 1993.

Darcey B. Selby
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Darcey B. Selby
CITY CLERK

APPROVED THIS 22 DAY OF June, 1993.

Chuck Hertz
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

PASSED AND ADOPTED BY THE TOWN OF CASCADE, MINNESOTA, THIS 6 DAY OF July, 1993.

Albert Wiers
CHAIRMAN OF TOWN BOARD

ATTEST: Joseph L. Vroman
TOWN CLERK

REC'D BY JUL 19 1993
M M D

EXHIBIT A

Parcel 1

That part of the Southeast Quarter of the Southeast Quarter of Section 8, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southeast corner of the Southeast Quarter of said Section 8; thence WEST, assumed bearing, along the south line thereof, 986.33 feet to the southwest corner of NORTH PARK for the point of beginning (the next 2 courses are along the westerly line of said NORTH PARK); thence North 01 degree 14 minutes 00 seconds East, 590.64 feet; thence WEST, 297.00 feet to the northeast corner of Outlot "A", NORTH PARK THIRD SUBDIVISION; thence South 01 degree 14 minutes 00 seconds West, along the east line of said Outlot "A" and the southerly prolongation thereof, 590.64 feet to the south line of said Southeast Quarter; thence EAST, 297.00 feet to the point of beginning.

ALSO:

A part of the North Half of the Northeast Quarter of Section 17, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northwest corner of said Northeast Quarter; thence EAST, assumed bearing, along the north line thereof, 887.08 feet for the point of beginning; thence continue EAST, along said north line, 512.50 feet; thence South 01 degree 04 minutes 00 seconds West, 260.00 feet; thence South 36 degrees 16 minutes 00 seconds West, 48.95 feet; thence North 88 degrees 56 minutes 00 seconds West, 141.78 feet; thence North 57 degrees 15 minutes 00 seconds West, 400.65 feet; thence NORTH, 80.00 feet to the point of beginning.

Containing in all 6.6 acres, more or less.

Parcel 2

That part of the Northeast Quarter of the Northeast Quarter of Section 25, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Beginning at the northeast corner of said Northeast Quarter of the Northeast Quarter; thence southerly on a Minnesota State Plane Grid Azimuth from north of 179 degrees 42 minutes 20 seconds along the east line of said Northeast Quarter of the Northeast Quarter 640.29 feet to the northerly corner of Lot 12, Block 1 of Northern Heights East Sixth Subdivision; thence southwesterly 238 degrees 00 minutes 03 seconds azimuth along the northwesterly line of said Northern Heights East Sixth Subdivision 225.01 feet to the westerly corner of Lot 13, Block 1 of said Northern Heights East Sixth Subdivision; thence westerly 285 degrees 59 minutes 33 seconds azimuth

along the northerly line of said Northern Heights East Sixth Subdivision 515.00 feet to the northwesterly corner of Lot 30, Block 1 of said Northern Heights East Sixth Subdivision; thence southerly 195 degrees 59 minutes 33 seconds azimuth along the westerly line of said Lot 30, a distance of 220.00 feet to the westerly corner of said Lot 30; thence southeasterly 153 degrees 34 minutes 51 seconds azimuth along the southwesterly line of Lots 30 and 31, Block 1 of said Northern Heights East Subdivision 200.92 feet to the northerly corner of Lot 51, Block 1 of Northern Heights East Sixth Subdivision; thence southwesterly 212 degrees 29 minutes 33 seconds azimuth along the northwesterly line of said Lot 51 and a southwesterly extension thereof 205.97 feet to the northerly corner of Northern Heights East Fifth Subdivision, according to the plat thereof on file at the County Recorder's Office, Olmsted County, Minnesota; thence northwesterly 393.26 feet on a nontangential curve concave northeasterly, with a radius of 437.50 feet and a central angle of 51 degrees 30 minutes 07 seconds and a chord azimuth of 328 degrees 14 minutes 40 seconds; thence westerly 263 degrees 59 minutes 40 seconds azimuth 150.00 feet; thence northerly 353 degrees 59 minutes 40 seconds azimuth 293.40 feet; thence northwesterly 320 degrees 53 minutes 29 seconds azimuth 122.88 feet; thence westerly 287 degrees 47 minutes 18 seconds azimuth 82.42 feet to the west line of said Northeast Quarter of the Northeast Quarter; thence northerly 359 degrees 42 minutes 12 seconds azimuth along said west line 457.61 feet to the northwest corner of said Northeast Quarter of the Northeast Quarter; thence easterly 89 degrees 46 minutes 01 seconds azimuth along the north line of said Northeast Quarter of the Northeast Quarter 1302.79 feet to the point of beginning.

Said tract contains 22.95 acres more or less.

Parcel 3

A part of the Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) of Section Seventeen (17), Township One Hundred Seven (107) North, Range Fourteen (14) West, described as follows: Beginning at the Northeast corner of said Northeast Quarter of Section 17; thence West, along the North line of said Northeast Quarter (bearings assumed) a distance of 530.00 feet; thence South, 349.82 feet to the North line of lands previously conveyed to the City of Rochester; thence South 75 degrees 56 minutes 30 seconds East along said North line, 535.43 feet to the East line of the Northeast Quarter of Section 17; thence North 1 degree 16 minutes 00 seconds East along the East line of said Section 17, a distance of 480.00 feet to the point of beginning, EXCEPT that part of the above described property which lies south and east of the southerly right of way line of County State Aid Highway No. 22 as shown on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 77 recorded in the office of the County Recorder as Document No. 624144, Book J-5 of Misc. on Page 366.

Containing 4.13 acres, more or less.

PREPARED BY:
MCGHIE & BETTS, INC.
CONSULTING ENGINEERS
PLANNERS
LAND SURVEYORS

**WATER
RETENTION**

DRIVE

24 19

PARK
6.14 AL

'PARK'

PROPOSED SEWER EXTENSION

PARCEL 2
22.95 AC.

PARK

REC'D BY
M.M.B.
JUL 19 1993

35

NORTHERN VALLEY
EAST GEBORO
9050

VIOLA ROAD

REPORTS
DESC
OPC

PREPARED BY:
McGHEE & BETTS, INC.
CONSULTING ENGINEERS
PLANNERS
LAND SURVEYORS

REC'D BY JUL 19 1993
MMB

RESOLUTION

WHEREAS, the City of Rochester has initiated an orderly annexation agreement for portions of Sections 8, 17, and 25 in the Cascade Township.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Rochester that the City enter into a joint resolution with the Cascade Township for the orderly annexation of portions of Sections 8, 17, and 25 in the Cascade Township.

BE IT FURTHER RESOLVED, that pursuant to said joint resolution the Common Council hereby requests that the Minnesota Municipal Board undertake proceedings pursuant to Minn. Stat. §414.0325 for the annexation to the City of Rochester of the lands described in the joint resolution which are located in Cascade Township, County of Olmsted, State of Minnesota.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to forward a certified copy of the joint resolution to the Secretary of the Minnesota Municipal Board, the Cascade Town Clerk, the Olmsted County Planning and Zoning Commission, and the Rochester Planning and Zoning Department.

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

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 21 DAY OF June, 1993.

Nancy B. Selby
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

Candace A. Simon
CITY CLERK

APPROVED THIS 22 DAY OF June, 1993.

Chuck Hansen
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)