

OA-661-3 Rochester  
Resolution No. 121-04

DEPARTMENT OF ADMINISTRATION

STATE OF MINNESOTA

BEFORE THE DIRECTOR OF

STRATEGIC AND LONG RANGE PLANNING

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IN THE MATTER OF THE ORDERLY ANNEXATION )  
AGREEMENT BETWEEN THE CITY OF ROCHESTER )  
AND THE TOWN OF MARION PURSUANT TO )  
MINNESOTA STATUTES 414 )

ORDER

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WHEREAS, a joint resolution for orderly annexation was adopted by the City of Rochester and the Town of Marion; and

WHEREAS, a resolution was received from the City of Rochester indicating their desire that certain property be annexed to the City of Rochester pursuant to M.S. 414.0325; and

WHEREAS, M.S. 414.0325 states that in certain circumstances the Director of Strategic and Long Range Planning may review and comment, but shall within 30 days order the annexation pursuant to said subdivisions; and

WHEREAS, on May 13, 2004, the Director has reviewed and accepted the resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the joint resolution to the City of Rochester, Minnesota, the same as if it had originally been made a part thereof:

That part of the North Half of the Southeast Quarter (N ½ of SE ¼) of Section Seventeen (17), Township One Hundred Six (106), North of Range Thirteen (13) West in Olmsted County, Minnesota, described as follows:

Commencing at the northwest corner of said Southeast Quarter (SE ¼) and running thence due east along the north line thereof a distance of 1154.85 feet to the center of Trunk Highway No. 52, thence deflect to the right along the center line of said highway on a 3° curve, delta angle 11°14', radius 1909.86 feet a distance of 374.75 feet, thence south 59°9' west a distance of

154.1 feet, thence south 30°31' east a distance of 82 feet, thence south 59°9' west a distance of 72 feet, thence south 30°51' east a distance of 166.2 feet; thence north 59°9' east a distance of 288.1 feet to the centerline of said trunk highway, thence deflect to the right along the center line of said trunk highway on a 3° curve, radius of 1909.86 feet a distance of 236.1 feet, thence tangent to said curve bearing south 33°55' east a distance of 403.4 feet, thence south 56°5' west a distance of 353.6 feet, thence south 26°26' east a distance of 218.15 feet to the point in the south line of the North Half of the Southeast Quarter (N1/2 of SE ¼), thence south 89°52' west a distance of 1800.45 feet to the southwest corner thereof, thence north along the west line thereof a distance of 1321 feet to the place of beginning. Containing 46.939 acres, more or less.

Together with a perpetual easement for ingress and egress over and across that part of the Southwest Quarter of the Southeast Quarter of Section 17, Township 106 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Beginning at the northwest corner of said Southwest Quarter of the Southeast Quarter; thence on as assumed bearing of North 89°50'5" East 66.00 feet along the north line of said Southwest Quarter of the Southeast Quarter; thence South 23°16'32" West 163.49 feet to a point on the west line of said Southwest Quarter of the Southeast Quarter; thence North 00°32'00" West 150.00 feet along said west line to the point of beginning. Said easement shall include the right to construct and maintain a road.

EXCEPTING the following two tracts:

#### TRACT 1

That part of the Southeast Quarter of Section 17, Township 106, Range 13, described as follows: Beginning at the Northwest corner of said Southeast Quarter of Section 17; thence North 89°54'22" East, along the North line of said Southeast Quarter (for purposes of this description bearing of said North line is assumed), a distance of 1154.34 feet to the Southwesterly right of way of Trunk Highway 52; thence Southeasterly along said right of way, on a curve, concave Southwesterly (curve data: radius = 1909.86 feet; delta angle = 11°14'33"; chord bearing a distance = South 54°25'41" East 374.15 feet), an arc distance of 374.51 feet; thence South 59°03'22" West, 154.10 feet; thence South 30°56'38" East, 33.86 feet; thence South 89°54'22" West, parallel with the North line of said Southeast Quarter, 1340.43 feet to the West line of said Southeast Quarter; thence North 0°36'42" West, 326.26 feet to the point of beginning; said tract containing 10.0 acres, more or less.

#### TRACT 2

That part of the Southeast Quarter of Section 17, Township 106, Range 13, Olmsted County, Minnesota, described as follows:

Commencing at the Northwest corner of said Southeast Quarter of Section 17; thence North 89°54'22" East, along the North line of said Southeast Quarter (for purposes of this description bearings are assumed and based on the North line being North 89°54'22" East), a distance of 1154.34 feet to the centerline of County State Aid Highway 36; thence southeasterly along said centerline, on a nontangential curve concave southwesterly (curve data: delta angle = 18°55'23"; radius = 1909.86 feet; chord bearing and distance = South 50°35'16" East, 627.90 feet), an arc distance of 630.77 feet to the point of beginning; thence South 59°03'22" West, 191.83 feet;

thence South 30°56'38" East, 100.00 feet; thence North 59°03'22" East, 207.07 feet to the centerline of County State Aid Highway 36; thence northwesterly along said centerline, on a nontangential curve concave southwesterly (curve data: delta =3°02'06"; radius=1909.86 feet; chord bearing and distance = North 39°36'31" West, 101.15 feet), an arc distance of 101.17 feet to the point of beginning; subject to right of way for County State Aid Highway 36 over the northeasterly side thereof; said tract contains 0.46 acres more or less including said right of way and 0.24 acres more or less excluding said right of way.

Subject to the following described driveway easement:

That part of the Southeast Quarter of Section 17, Township 106, Range 13, Olmsted County, Minnesota, described as follows:

Commencing at the Northwest corner of said Southeast Quarter of Section 17; thence North 89°54'22" East, along the North line of said Southeast Quarter (for purposes of this description bearing are assumed and based on said North line being North 89°54'22" East), a distance of 1154.34 feet to the centerline of County State Aid Highway 36; thence southeasterly along said centerline on a nontangential curve concave southwesterly (curve data: delta angle = 21°57'29"; radius = 1909.86 feet; chord bearing and distance = South 49°04'13" East, 727.46 feet), an arc distance of 731.94 feet to the point of beginning; thence South 59°03'22" West, 147.72 feet; thence South 30°56'38" East, 66.00 feet; thence North 59°03'22" East, to the centerline of County State Aid Highway 36; thence northwesterly along said centerline to the point of beginning; subject to the right of way for County State Aid Highway 36 over the northeasterly side thereof.

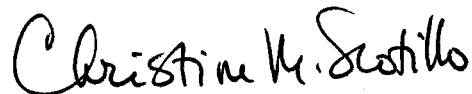
ALSO

Subject to the right the State of Minnesota in that part taken for right of way for Trunk Highway. Subject to any other easements, restrictions, and covenants of record.

Containing 39.54 acres more or less.

Dated this 13<sup>th</sup> day of May, 2004.

For the Director  
658 Cedar Street, Room 300  
St. Paul, Minnesota 55155



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments