

506-09

RESOLUTION

REC'D BY
MBA

NOV 30 2009

WHEREAS, on September 20, 1999, the Common Council of the City of Rochester and the Town of Rochester executed a Joint Resolution for Orderly Annexation for Marion Area #5 (a copy of which is attached and incorporated herein); and

WHEREAS, paragraph 4 of the Joint Resolution allows land contained in the orderly annexation area to be annexed to the City no earlier than January 1 of the year five years after the substantial completion of a water or sewer project providing water or sewer service to the area; and,

WHEREAS, a water or sewer project providing water or sewer service to the area was substantially completed in 2004; and,

WHEREAS, the legal description for the area covered by the orderly annexation agreement is attached hereto and identified as Exhibit 1; and,

WHEREAS, January 1, 2010, will be five years after the substantial completion of the water or sewer project; and,

WHEREAS, the Council wishes to invoke the procedure described in paragraph 4 of the Joint Resolution and annex the land contained in the orderly annexation area; and;

WHEREAS, the orderly annexation agreement allows for annexation by resolution and provides that the Minnesota Municipal Board may review and comment but shall, within 30 days or receipt of said resolution, order the annexation of the area described in the resolution; and,

WHEREAS, the City's estimate of the population of the area to be annexed is 304 and the number of households contained in the area to be annexed is 124; and,

WHEREAS, the City's estimate of electrical service cost at the time of annexation is (a) .09201 per kilowatt-hour from January through May and October through December, and (b) .11134 per kilowatt-hour from June through September; and,

WHEREAS, the amount of township taxes on the property to be annexed is \$19,175.43 and, in compliance with Minn. Stat. §414.036, the City states that there are no township special assessments assigned or portion of township debt attributable to the property to be annexed.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Rochester that the petitioned property described above is hereby annexed, added to and made a part of the City of Rochester, Minnesota, as if it had originally been a part thereof.

BE IT FURTHER RESOLVED that this resolution shall take effect and be in force from and after its filing of a certified copy hereof with the Minnesota Municipal Board, or its successor,

REC'D BY
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the Town of Marion and the Olmsted County Auditor/Treasurer.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 16TH DAY OF NOVEMBER, 2009.


PRESIDENT OF SAID COMMON COUNCIL

ATTEST: 
CITY CLERK

APPROVED THIS 17TH DAY OF NOVEMBER, 2009.


MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

Zone05\OAA\Res1(Marion5)

Marion Township Orderly Annexation Areas #3 and #5

Land area to be annexed into the City of Rochester, January 1, 2010

SANDY WOOD CT

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City of Rochester

Dale Ragan property
PIN: 63.16.32.035838
(Added to OA #5)

Lot 3 and Lot 4, Auditor's Plat C
Krek Land Development LLC
PIN: 63.21.21.036296
63.21.21.036297
(Added to OA #5)

Lot 37, Auditor's Plat C
Mickel & Polly Owens
PIN: 63.21.23.036333
(Removed from OA #5)

Legend

- Annexation Ordinances
- ▬ Sections
- ▬ Original OA Boundary
- ▬ Parcel Boundaries

OA_areas

STATUS

- Annexed
- MOA #3 Jan 1 2010
- MOA #5 Jan 1 2010