

TO THE MINNESOTA MUNICIPAL COMMISSION  
304 Capitol Square Building  
St. Paul, Minnesota 55101

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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 COMMISSION PURSUANT TO	)	
MINNESOTA STATUTES, §414.032	)	

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WHEREAS, the owners of certain property situated in the Town of Cascade, County of Olmsted, State of Minnesota, have filed petitions asking for the immediate annexation by ordinance to the City of Rochester of said property; and

WHEREAS, the City of Rochester and Town of Cascade for the purpose of avoiding a dispute over the annexation of the property described in said petitions desire to enter into a joint resolution approving the immediate annexation of said property and designating other property in the Town of Cascade for orderly annexation to the City of Rochester.

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 as Parcel A is designated as in need of orderly annexation pursuant to Minnesota Statutes 1974, §414.032, and as the same may hereafter be amended or supplemented from time to time.

2. The Town of Cascade hereby withdraws any objections it may have filed with the Minnesota Municipal Commission to the annexation of any of the property described on the attached Exhibit A as Parcel B and hereby consents to the immediate annexation by ordinance to the City of Rochester of all the property in Parcel B, 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 Commission to the annexation to the City of any of the property described in Parcel B, a filing of a certified copy of this joint resolution with the Municipal Commission shall constitute sufficient notice of the withdrawal of the objections.

3. When the property described on the attached Exhibit A as Parcel B is annexed to the City of Rochester, the property platted and known as Tongen Subdivision will become sixty per cent or more surrounded by the City of Rochester and under Minnesota Statutes, §414.033, such property will then be subject to annexation by city ordinance, subject to the procedures contained in said §414.033. The present owners of property in Tongen Subdivision desire that no part thereof be annexed to the City unless approved by a majority of owners of property being annexed. The City and Town desire to honor the request of the owners but do not have any statutory authority to do so. As an alternative, Tongen Subdivision is designated for orderly annexation in order to vest jurisdiction over annexations of such property in the Minnesota Municipal Commission. While no future action of the City initiating annexation by order of the Commission of any property in Tongen Subdivision shall constitute a breach of the terms of this joint resolution, it is the desire of the City and Town that the Commission not order such an annexation for a period of five (5) years from the date of this resolution is approved by the Town unless approved in some manner by a majority of the owners of the property being annexed.

4. Pursuant to the provisions of Minnesota Statutes 1974, §414.068, the subdivision regulations of the City of Rochester shall apply to the property described on the attached Exhibit A as Parcel A prior to its annexation to the City of Rochester, effective on the date that this resolution is approved by the City and the Town of Cascade, whichever date is latest.

5. Pursuant to the provisions of Minnesota Statutes 1974, §414.068, the zoning regulations of the City of Rochester shall apply to the property described on the attached Exhibit A as Parcel A prior to its annexation to the City of Rochester, effective on the date that such extension of the City's zoning regulations is approved by the County of Olmsted.

Passed and adopted by the Common Council of the City of Rochester, Minnesota, this 17th day of May, 1976

  
\_\_\_\_\_  
President of said Common Council

Attest:   
Deputy City Clerk

Approved this 20th day of May, 1976.

  
\_\_\_\_\_  
Mayor of said City

(Seal of the City of  
Rochester, Minnesota)

Passed and adopted by the Town of Cascade, Minnesota, this  
5 day of May, 1976.

Stuart W. Hunter  
Chairman of Town Board

Attest: [Signature]  
Town Clerk

Pursuant to Minnesota Statutes 1974, §414.068, subd. 2, the  
County of Olmsted hereby agrees that the property described on the  
attached Exhibit A as Parcel A shall be excluded from the County  
of Olmsted zoning ordinance commencing on the following date.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_.

\_\_\_\_\_  
Chairman of the County Board

Attest: \_\_\_\_\_  
County Auditor

## EXHIBIT A

For attachment to the joint resolution of the City of Rochester and Town of Cascade for orderly annexation.

The following described property is situated in the County of Olmsted, State of Minnesota;

### PARCEL A

Commencing at the SW Corner of the SE 1/4 of Section 32, Cascade Township, thence East approximately 100 feet to City Limits of Rochester, for a point of beginning; thence northerly following the City Limits of Rochester to a point on the centerline of 19th St. N.W. that is the SW Corner of the East 1/2 of the NE 1/4 of Section 29, T107N, R14W, thence North along the West line of the East 1/2 of the NE 1/4 of Section 29, T107N, R14W and along the West line of the E 1/2 of Sections 20 and 17, T107N, R14W to the centerline of 55th St. N.W., thence West along the centerline of 55th St. N.W. to its intersection with the S.E. corner of the SW 1/4 of the SW 1/4 of Section 8, thence North to the NE corner of the NW 1/4 of the SW 1/4 of said Section 8, thence East to the center of said Section 8, thence North to the NW corner of the SW 1/4 of the NE 1/4, Section 8, thence East to the SE Corner of the NW 1/4 of the NE 1/4 of Section 8, thence North to the NW Corner of the NE 1/4 of the NE 1/4 of Section 8, which is the center of 65th St. N.W., thence East along the North line of Sections 8, 9 and 10 to its intersection with the centerline of 18th Ave. N.W., thence South along the centerline of 18th Ave. N.W. to its intersection with the centerline of 55th St. N.W., thence East along 55th St. N.W. a distance of 1,647.09 feet, thence South to City Limits of Rochester, thence generally easterly along the City Limits of Rochester to its intersection with the centerline of 37th St. N.W., thence southeasterly along the centerline of 37th St. N.W., to its intersection with the centerline of Highway 63 North, thence southerly along the centerline of U.S. Highway 63 North to its intersection with the City Limits of Rochester, thence easterly and southerly along the City Limits of Rochester to the NE Corner of Section 36, thence South to the SE Corner of Section 36, thence West along the South line of Cascade Township to the Point of Beginning, less the areas designated in this Exhibit A as Parcel B and less the City of Rochester as of September 12, 1975. Containing 3,856 acres, more or less.

PARCEL B

1. Hoffman Property. *Q-2795*

Those parts of the North half of Northeast Quarter of Section 16, Township 107 North, Range 14 West of the Fifth Principal Meridian, Olmsted County, Minnesota, as described in the following descriptions:

Beginning at the Northeast corner of Block 1 in "Pennington's Business Park" (said line being also the South line of said North half of Northeast Quarter, and for purposes of this description has an assumed bearing of North 90°00'00"West); thence North 90°00'00" West, 158.97 feet; thence northwesterly 500.00 feet to the Northeast corner of Lot 1, Block 1, "Program Park First Subdivision"; thence South 36°16'35" East, 577.36 feet to the point of beginning.

A parcel of land bounded on the West by the westerly right-of-way line of Minnesota Trunk Highway 52; bounded on the South by the North line of "Program Land First Subdivision"; if extended to the West, bounded on the East by the East line of said North half of Northeast Quarter; and bounded on the North by the North line of said North half of Northeast Quarter.

All containing 58.6 acres more or less.

ALSO

2. Hoffman Property

*Q-2795*  
A parcel of land being in the Northwest Quarter of Section 16, Township 107 North, Range 14 West of the Fifth Principal Meridian, Olmsted County, Minnesota, described as follows: beginning at the Northeast corner of said Northwest Quarter, thence westerly along the North line of said Northwest Quarter to its intersection with the line parallel with and 1211 feet westerly from the East line of said Northwest Quarter; thence southerly through said Northwest Quarter of Section 16 on said line parallel with and 1211 feet westerly from said East line of the Northwest Quarter to its intersection with the South line of said Northwest Quarter; thence easterly along said South line 1211 feet to the Southeast corner of said Northwest Quarter of Section 16; thence northerly along the East line of said Northwest Quarter of Section 16 to the point of beginning. Also a parcel of land bounded on the West by the West line of the North One-Half of the Northeast Quarter of Section 16, Township 107 North, Range 14 West, of the Fifth Principal Meridian, and bounded on the South by the North line of Tongan's First Subdivision and bounded on the North and East side by the westerly right of way line of Minnesota Trunk Highway 52.  
Containing 93.5 acres more or less.

PARCEL B continued

ALSO

3. Schroeder Property

*a-2194*

A parcel of land being in the Southwest Quarter of Section 16, the Northeast Quarter of Section 20 and the Northwest Quarter of Section 21, all being in Township 107 North, Range 14 West of the Fifth Principal Meridian, Olmsted County, Minnesota, described as follows: Beginning at the Northeast Corner of the Southwest Quarter of said Section 16; thence westerly along the North line of said Southwest Quarter to its intersection with a line parallel with 1211 feet westerly from the East line of said Southwest Quarter; thence southerly through said Southwest Quarter of said Section 16, 1211 feet westerly from said East line of said Southwest Quarter to its intersection with a line which is 800 feet northwesterly from and parallel with a line which begins in the East line of said Southwest Quarter of Section 16 at a point 450 feet northerly from the Southeast corner of said Southwest Quarter and ends in the South line of North One-Half of North One-Half of Northwest Quarter of said Section 21 at a distance of 1700 feet westerly from the Southeast corner of said North one-half of North one-half of Northwest Quarter of Section 21, which line will be hereinafter referred to as "Line A"; thence southwestwardly along said line which is 800 feet northwesterly from and parallel with said "Line A" to its intersection with the North line of said Northwest Quarter of Section 21; thence westerly along said North line of Northwest Quarter of Section 21 and along the North line of Northeast Quarter of Section 20 to its intersection with the former Chicago and Northwestern Transportation Company westerly right of way line; thence southerly along said westerly Transportation Company right of way line to its intersection with the northerly right of way line of County State Aid Highway 4; thence easterly along said Northerly right of way line of County State Aid Highway 4 to its intersection with a line parallel with and 200 feet easterly from said westerly Transportation Company right of way line; thence northerly along said line parallel with and 200 feet easterly from said Transportation Company right of way line to its intersection with a line westerly from and at right angles to the East line of Northeast Quarter of said Section 20 at the Southwest corner of said North one-half of North one-half of Northwest Quarter of Section 21; thence easterly to said Southwest corner; thence continue easterly along said South line of said North one-half of North one-half of Northwest Quarter to its intersection with said "Line A"; thence northeasterly along said "Line A" to its intersection with the East line of said Southwest Quarter of Section 16 at a point 450 feet northerly from the Southeast corner of said Southwest Quarter of Section 16; thence northerly along the East line of Southwest Quarter of Section 16 to the point of beginning. Containing 111.5 acres more or less.

PARCEL B conti

ALSO

4. Pennington Property *A-2796*

That part of the Northeast Quarter and the Southeast Quarter of Section 15, Township 107 North, Range 14 West of the Fifth Principal Meridian, Olmsted County, Minnesota, described as follows: Beginning at the Northwest corner of said Northeast Quarter; thence easterly along the North line of said Northeast Quarter 1647.09 feet; thence southerly through said Northeast Quarter and Southeast Quarter 5271.50 feet to a point in the South line of said Southeast Quarter at a distance of 1649.02 feet easterly from the Southwest corner of said Southeast Quarter; thence westerly along said South line of Southeast Quarter 1649.02 feet to the Southwest corner of said Southeast Quarter; thence northerly along the West line of said Northeast Quarter and Southeast Quarter 5258.30 feet to the place of beginning; excepting therefrom the plat of "Candlewood Subdivision"; containing 184.83 acres, more or less, including right of way for 18th Avenue Northwest over the westerly side thereof.

ALSO

5. IBM Property *A-2918*

The West 400 feet of the Southeast Quarter of the Northwest Quarter and the West 400 feet of the Northeast Quarter of the Southwest Quarter of Section 21, Township 107 North, Range 14 West, Containing 24.24 acres more or less,