

Carol Grimm
Rochester City Clerk
Rochester City Hall
224 - 1st Avenue SW
Rochester, MN 55902

July 16, 1993

Docket Number: A-5024

Amended Ordinance Number: 2876

City of Rochester

Dear Ms. Grimm:

The Minnesota Municipal Board has now processed and approved the above ordinance in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

The law requires that a copy of the annexation ordinance must be delivered immediately by the governing body of the municipality to the appropriate county auditor or auditors, and filed with the township and the Secretary of State. We recommend that you also file the annexation ordinance with the County Recorder.

The annexation is final upon the date the ordinance is approved by the Board, which is the date of this letter.

Sincerely,

MUNICIPAL BOARD

Patricia D. Lundy
Assistant Director

PDL:ry

cc: Olmsted County Auditor
Rochester Township Clerk
Judy Kay Scherr, Deputy City Clerk
Mike Nigbur, McGhie & Betts, Inc.
Willow Development, Petitioner
Jane Kansier, Planner
Secretary of State

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ORDINANCE NO. 2876

AN ORDINANCE AMENDING ORDINANCE NO. 2853 ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 1.58 ACRES OF LANDS SITUATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 106 NORTH, RANGE 14 WEST, OLMSTED COUNTY, MINNESOTA; AND REPEALING ORDINANCES NO. 2865 AND NO. 2872.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. A petition was filed with the Common Council of the City of Rochester, signed by the owner of land described herein, requesting the Common Council to annex said land to the City of Rochester.

Section 2. In response to the petition, the Common Council enacted Ordinance No. 2853 annexing the land to the City of Rochester. However, the Ordinance's legal description of the annexed land was in error.

Section 3. The Common Council amends section 1 of Ordinance No. 2853 so that the legal description of the land to be annexed reads as follows:

That part of the South Half of the Southeast Quarter of Section 22, Township 106 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of the south Half of the Southeast Quarter of said Section 22; thence South 88 degrees 54 minutes 25 seconds West, assumed bearing, along the north line thereof, 340.00 feet to the northwest corner of Lot 8, Block 2, BAMBER RIDGE THIRD SUBDIVISION for the point of beginning; thence continue South 88 degrees 54 minutes 25 seconds West along said north line, 230.00 feet to the east line of 38th Street Southwest as dedicated in BAMBER RIDGE THIRD SUBDIVISION; thence South 01 degree 05 minutes 35 seconds East, along said east line, 28.00 feet to the northeast corner of Lot 1, Block 1, in said SUBDIVISION; thence South 00 degrees 37 minutes 36 seconds East, along the east line of said Lot 1, a distance of 272.00 feet to the southeast corner thereof; thence North 88 degrees 54 minutes 25 seconds East, 230.00 feet to the west line of Block 2 in said SUBDIVISION; thence North 00 degrees 40 minutes 12 seconds West, along said west line of said Block 2, a distance of 300.00 feet to the point of beginning.

Section 4. The remainder of Ordinance No. 2853 remains in effect and is not affected by this Ordinance.

Section 5. Ordinance No. 2865 and Ordinance No. 2872, which were previous corrections to the legal description in Ordinance No. 2853, are hereby repealed in their entirety.

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Section 6. This ordinance shall take effect and be in force from and after its official publication and from and after the filing of a certified copy hereof with the Minnesota Municipal board, the Rochester Town Clerk, the County Auditor, and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 17 DAY OF May, 1993.

David B. Selby
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Carole A. Primm
CITY CLERK

APPROVED THIS 18 DAY OF May, 1993.

Chuck Heger
MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)