

DEC 12 1994

ORDINANCE NO.

2959

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 3.64 ACRES OF LAND LOCATED ON THE EAST SIDE OF 36TH AVENUE S.E., WEST OF STRATHMORE LANE S.E., AND NORTH OF SHEFFIELD LANE S.E., IMMEDIATELY NORTH OF THE VICTORY BAPTIST CHURCH PROPERTY, IN THE SW 1/4 OF THE NE 1/4 OF SECTION 5, MARION TOWNSHIP, OLNSTED COUNTY, MINNESOTA.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. A petition has been filed with the Common Council of the City of Rochester, signed by the owners of land described herein, requesting the Common Council to annex said land to the City of Rochester. The land described in said petition for annexation is located in Marion Township, Olmsted County, Minnesota, and is described as follows:

Lot 23, Lot 24, and Lot 26, Block 2, Sunnydale Subdivision, Blocks One, Two, and Three, Olmsted County, Minnesota; AND ALSO That part of Lot 25, Block 2, Sunnydale Subdivision, Blocks One, Two, and Three described as follows:

Beginning at the Northwest corner of said Lot 25; thence South 00°59'30" East, assumed bearing, along the West line of said Lot 25, a distance of 251.50 feet to the South line of Sheffield Lane S.E.; thence North 89°55'50" East, along said South line, 271.99 feet; thence northeasterly, 56.07 feet, along said South line, along a curve concave to the North, central angle of 06°39'04", radius of 483.00 feet and chord of said curve bears North 86°36'18" East, 56.04 feet to the easterly line of said Lot 25; thence North 18°16'31" West, along said easterly line, 260.98 feet to the Northeast corner of said Lot 25; thence West, along the North line of said Lot 25, a distance of 250.44 feet to the point of beginning; AND ALSO That part of Lot 27, Block 2, Sunnydale Subdivision, Blocks One, Two, and Three described as follows: Beginning at the Northwest corner of said Lot 27; thence South 18°16'31" East, along the West line of said Lot 27, a distance of 81.15 feet to the South line of Sheffield Lane S.E.; thence easterly, along said South line, along a non-tangential curve concave northerly, (curve data: delta angle = 20°22'56", radius = 483.00 feet, chord bearing and distance = North 73°05'18" East, 170.92 feet), an arc distance of 171.82 feet; thence North 62°53'50" East, along said South line, 40.70 feet to the West line of 37th Avenue S.E.; thence northerly, along said West line, along a non-tangential curve concave easterly, (curve data: delta angle = 03°09'00", radius = 1670.02 feet, chord bearing and distance = North 23°16'33" West, 91.80 feet), an arc distance of 91.81 feet to the Northeast corner of said Lot 27; thence South 68°12'34" West, along the North line of said Lot, 203.47 feet to the point of beginning; subject to right of way for Sheffield Lane S.E. over the

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southerly 66.00 feet thereof; containing 3.60 acres, more or less, including said right of way and containing 2.80 acres, more or less, excluding said right of way.

Section 2. The total quantity of land included in said petition is approximately 3.64 acres in size.

Section 3. On November 7, 1994, the Common Council held a public hearing to consider this annexation petition after providing written notice of the hearing, by registered mail, to the property owner, the Marion Township officers, and the adjacent property owners.

Section 4. Following the public hearing, the Common Council of the City of Rochester determined that the land abuts the municipal limits, is less than 60 acres in area, the annexation petition is signed by all property owners of the land described in Section 1, and the land is or will soon become urban or suburban in character.

Section 5. Therefore, pursuant to Minn. Stat. §414.033, subd. 2, the land described in Section 1 above is hereby annexed, added to and made a part of the City of Rochester, Minnesota, as effectually as if it had originally been a part thereof.

Section 6. Present and future owners of the lands annexed by this ordinance are hereby notified that in addition to the usual assessments, it is the intention of the Common Council to assess against benefitted property all or a portion of the cost of any storm sewer, water tower, pumping station, and trunk line sanitary sewer construction, heretofore or hereafter undertaken to serve the area annexed.

Section 7. 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 Marion Town Clerk, the County Auditor, and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 5 DAY OF December, 1994.

ATTEST:

Carole A. Dumm
CITY CLERK

John Thunzler
PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS 6 DAY OF December, 1994.

Charles H. Heston
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

REC'D BY DEC 12 1994

NORTH
1-100

COLLEGEVIEW RD SE

36TH AV SE

SHERWOOD

SUNNYDALE

SUB

SUNNYDALE

SUNNYDALE

2

STRATHMORE

LOCATION OF
PROPERTY

109

TH 14 EAST

F COURSE

ORD 1991

E HEIGHTS DRIVE