

REC'D. BY JUN 25 1997
MMB

ORDINANCE NO. 3105

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 31.9 ACRES OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 106 NORTH, RANGE 14 WEST, OLMSTED 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 the Rochester Township, Olmsted County, Minnesota, and is described as follows:

That part of the East 89.25 acres of the Northwest Quarter of Section 9, Township 106 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southwest corner of the Northwest Quarter of Section 9; thence North 89 degrees 49 minutes 01 second East, assumed bearing, along the south line of said Northwest Quarter, 1155.00 feet, thence North 01 degree 08 minutes 51 seconds West, along a straight line drawn between the last described point and a point on the north line of the Northwest Quarter of said Section 9, being 1155.00 feet east of the northwest corner thereof, as measured along said north line, a distance of 87.86 feet; thence North 85 degrees 04 minutes 29 seconds East, 15.37 feet to the west line of the East 89.25 acres of said Northwest Quarter for the point of beginning; thence continue North 85 degrees 04 minutes 29 seconds East, 302.31 feet; thence North 89 degrees 24 minutes 18 seconds East, 128.86 feet; thence South 67 degrees 21 minutes 18 seconds East, 113.74 feet; thence South 76 degrees 42 minutes 20 seconds East, 217.95 feet; thence North 89 degrees 49 minutes 43 seconds East, 211.68 feet; thence South 89 degrees 11 minutes 56 seconds East, 119.13 feet to the southwest corner of SALEM SOUND FOURTH; thence North 01 degree 19 minutes 04 seconds West, along the west line of said SALEM SOUND FOURTH and the northerly prolongation thereof, 940.02 feet; thence South 84 degrees 06 minutes 14 seconds East, 110.00 feet; thence North 05 degrees 53 minutes 46 seconds East, 309.97 feet to the centerline of former State Aid Road No. 3 (now known as C.S.A.H. No. 25); thence westerly along said centerline 1231 feet more or less to the west line of said East 89.25 acres, thence South 01 degree 19 minutes 04 seconds East, 1251 feet more or less to the point of beginning.

Section 2. The total quantity of land included in said petition is approximately 31.9 acres in size.

Section 3. On May 19, 1997, 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 Rochester Township officers, and the adjacent property owners.

Section 4. Pursuant to Minn. Stat. §414.033, subd. 13, the City notified the petitioners that the cost of electric service may change if the land is annexed to the City of Rochester.

Section 5. 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 6. Therefore, pursuant to Minn. Stat. §414.033, subd. 2(3), 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 7. 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 8. 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 16TH DAY OF JUNE, 1997.

John Amundson
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Nancy Kay Green
CITY CLERK

APPROVED THIS 17TH DAY OF JUNE, 1997.

Ed Bonfield
MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)

