

ORDINANCE NO. 3475

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 22.5 ACRES OF LAND LOCATED IN A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, AND A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 107 NORTH, RANGE 13 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 owner of land described herein, requesting the Common Council to annex said land to the City of Rochester. The land described in the petition for annexation is described as follows:

## South Tract

A part of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 30, Township 107, Range 13, Olmsted County, Minnesota, described as follows: Beginning at the southeast corner of the SW  $\frac{1}{4}$  of said SE  $\frac{1}{4}$ ; thence North  $01^{\circ}12'40''$  west, assumed bearing, along the east line of said quarter quarter section, 705.66 feet; thence South  $76^{\circ}20'51''$  west, 589.06 feet to the easterly right-of-way line of C.S.A.H. No. 22 as shown on the Olmsted County Highway Right of Way Plat No. 47 (the next two courses are along said line); thence South  $13^{\circ}39'09''$  east, 151.85 feet; thence southeasterly 439.65 feet along a tangential curve concave northeasterly, central angle of  $05^{\circ}38'36''$ , radius 4463.66 feet, and the chord of said curve bears South  $16^{\circ}28'27''$  east, 439.47 feet to the south line of said SE  $\frac{1}{4}$ ; thence North  $89^{\circ}39'39''$  east, 426.86 feet point of beginning;

Together with that part of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 31, Township 107,

Range 13, Olmsted County, Minnesota, which lies easterly of the easterly right-of-way line of C.S.A.H. No. 22 as defined on Olmsted County Highway Right of Way Plat No. 47, except the south 825.00 feet thereof;

EXCEPT, the following described tract: That part of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 30, Township 107, Range 13, Olmsted County, Minnesota, described as follows: Commencing at the southeast corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; thence North  $01^{\circ}12'40''$  west, assumed bearing, along the east line of said quarter quarter section, 613.20 feet for the point of beginning; thence continuing North  $01^{\circ}12'40''$  west along said east line, 88.39 feet; thence South  $63^{\circ}36'54''$  west, 203.65 feet; thence westerly 191.11 feet along a tangential curve concave northerly, central angle of  $12^{\circ}43'57''$ , and radius of 860.00 feet; thence South  $76^{\circ}20'51''$  west, 200.00 feet to the easterly right of way line of C.S.A.H. No. 22 as shown on Olmsted County Highway Right-of-Way Plat No. 47; thence South  $13^{\circ}39'09''$  east along said easterly right of way line, 80.00 feet; thence North  $76^{\circ}20'51''$  east, 200.00 feet; thence easterly 208.89 feet along a tangential curve concave northerly, central angle of  $12^{\circ}43'57''$  and radius of 940.00 feet; thence North  $63^{\circ}36'54''$  east, 166.05 feet to the point of beginning, containing 1.07 acres more or less; and

EXCEPT all lands lying to the north of the immediately preceding Exception.

#### North Tract

That part of the Southwest Quarter of the Southeast Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota described as follows: Commencing at the southeast corner of the Southwest Quarter of said Southeast Quarter; thence North  $01^{\circ}12'40''$  West, assumed bearing, along the east line of said Quarter Quarter Section, 613.20 feet; thence continuing North  $01^{\circ}12'40''$  West along said east line 88.39 feet for the point of beginning; thence South  $63^{\circ}36'54''$  West, 203.65 feet; thence westerly 191.11 feet along a tangential curve concave northerly, central angle of  $12^{\circ}43'57''$  and radius of 860.00 feet; thence South  $76^{\circ}20'51''$  West, 200.00 feet to the easterly right-of-way line of C.S.A.H. No. 22 as shown on Olmsted County Highway Right-of-Way Plat No. 47; thence North  $13^{\circ}39'09''$  West along said easterly right-of-way line to a point which is located on the east right-of-way line of C.S.A.H. No.22 which is 511.75 feet southeast along said east right-of-way line from the intersection of said right-of-way line and the north line of the Southwest Quarter of the Southeast quarter, thence North  $76^{\circ}39'09''$  East 50.00 feet; thence North  $13^{\circ}39'09''$  West for 500.00 feet to the north line of the Southwest Quarter of said Southeast Quarter; thence North  $89^{\circ}34'29''$  East along said north line, 687.16 feet to the northeast corner of said Quarter Quarter Section; thence South  $01^{\circ}12'40''$  East along the east line of said Quarter Quarter Section, 520.93 feet to the point of beginning.

Said tract contains 22.5 acres more or less.

Section 2. The total quantity of land included in the petition is approximately 22.5 acres in size.

Section 3. On April 1, 2002, the Common Council held a public hearing to consider this annexation petition after providing written notice of the hearing, by certified mail, to the property owners, the Haverhill Township officers, and the adjacent property owners.

Section 4. The City provided notification to the petitioners pursuant to Minn. Stat. §414.033, subd. 2b, 11, 12 and 13 if applicable to this petitioned annexation.

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 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 benefited 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 State Planning Commission, the Haverhill Town Clerk, the County Auditor, and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF

ROCHESTER, MINNESOTA, THIS 14th DAY OF May, 2002.

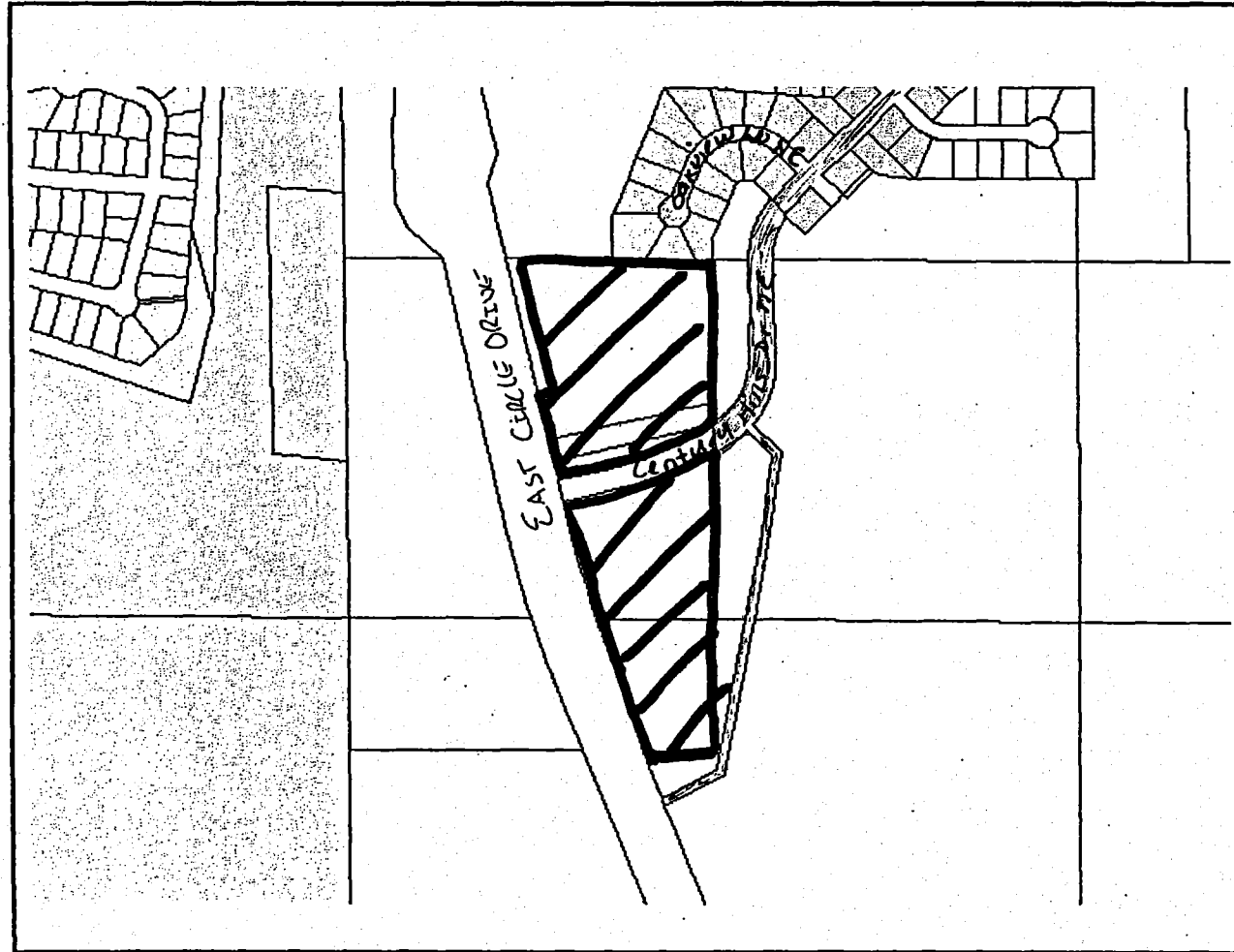
John Hunziker  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Valori Langseth  
Deputy CITY CLERK

APPROVED THIS 14th DAY OF May, 2002.

Ed Confield  
MAYOR OF SAID CITY

Map Title



Friday, Feb 22 2002

FEB 22 2002

REC'D BY  
MMB  
MAY 09 2002