REC'D BY MMB AUG 09 2002

ORDINANCE NO. 3501

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 33.39 ACRES OF LAND LOCATED IN A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 107 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 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:

That part of the Southeast Quarter of the Southwest Quarter of Section 13, Township 107 North, Range 14 West, Olmsted County, Minnesota, which lies westerly of Trunk Highway No. 63 as defined on Minnesota Department of Transportation Right of Way Plat No. 55-28.

That part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 13, Township 107 North, Range 14 West in Olmsted County, Minnesota described as follows: Commencing at the Southeast corner of said Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) and running thence west along the south line thereof a distance of 710 feet for a place of beginning, running thence west along said south line a distance of 616.95 feet to the southwest corner thereof, thence north along the west line thereof a distance of 450 feet, thence east parallel with the south line thereof a distance of 396.95 feet, thence south parallel with the east line thereof a distance of 47.65 feet, thence east parallel with said south line a distance of 100.38 feet, thence

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south parallel with the east line thereof a distance of 94.35 feet, thence east parallel with the south line a distance of 120.22 feet, thence south a distance of 308 feet to the place of beginning .

Containing 5.85 Acres more or less.

Section 2. The total quantity of land included in the petition is approximately 33.39 acres in size.

Section 3. On June 17, 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 Cascade 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. Upon annexation, the property described in Section 1 shall be assigned to the "I" Interim Zoning District.

Section 9. 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 Cascade Town Clerk, the County Auditor, and the Secretary of State.

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PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 15th DAY OF July, 2002.

John Hunziker
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Judy Kay Schrew
CITY CLERK

APPROVED THIS 16th DAY OF July, 2002.

Ed Hanfield
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

Ord2000\Annex.0214