

ORDINANCE NO. 3539

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 54.98 ACRES OF LAND LOCATED IN A PART OF THE NORTHEAST QUARTER OF SECTION 24, 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 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 Northeast Quarter of Section 24, Township 106, Range 14, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said Northeast Quarter; thence South 89 degrees 50 minutes 44 seconds West (assumed bearing), along the north line of said Northeast Quarter, 1054.84 feet to the point of beginning; thence South 00 degrees 09 minutes 16 seconds East, 499.57 feet; thence North 80 degrees 53 minutes 50 seconds East, 700.24 feet to the westerly right of way of County State Aid Highway 1 as platted on State Highway Right of Way Plat No. 55-3; thence southerly along said right of way, to the northerly right of way of Trunk Highway No. 52 as platted on State Highway Right of Way Plat No. 55-2; thence westerly along said right of way, to the west line of said Northeast Quarter; thence North 00 degrees 29 minutes 08 seconds West, along said west line, 1299.81 feet to the northwest corner of said Northeast Quarter; thence North 89 degrees 50 minutes 44 seconds East, along the north line of said Northeast Quarter, 1564.04 feet to the point of beginning .

Containing 54.98 acres more or less.

Section 2. The total quantity of land included in the petition is approximately 54.98

acres in size.

Section 3. On January 22, 2003, 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 Rochester 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 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 19TH DAY OF February, 2003.

ATTEST: *Tudley Key Smith*
CITY CLERK

John Hinziker
PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS 20TH DAY OF February, 2003.

Arnell F. Breda
MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)

