

ORDINANCE NO. 3601

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 42.09 ACRES OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 106 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:

That part of the Northeast Quarter of Section 19, Township 106 North, Range 13 West, Olmsted County, Minnesota which lies northerly of the northerly right-of-way line of Trunk Highway No. 52 as defined on the STATE HIGHWAY RIGHT OF WAY PLAT NO. 55-4 (recorded as Document No. 361714) and easterly of the following described line:

Commencing at the northeast corner of said Northeast Quarter; thence South 89 degrees 01 minutes 52 seconds West, assumed bearing, along the north line thereof, 1204.55 feet for the point of beginning of the line to be described; thence South 01 degree 06 minutes 13 seconds East, parallel with the east line of said Northeast Quarter, 1389.61 feet to the northerly right-of-way line of said PLAT NO. 55-4 and there terminating.

Containing 42.09 acres more or less.

Section 2. The total quantity of land included in the petition is approximately 42.09 acres in size.

Section 3. On September 15, 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 Marion 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 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 20TH DAY OF OCTOBER, 2003.

John Thunzler  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Judy Kay Stewart  
CITY CLERK

APPROVED THIS 21st DAY OF OCTOBER, 2003.

Orville F. Buede  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

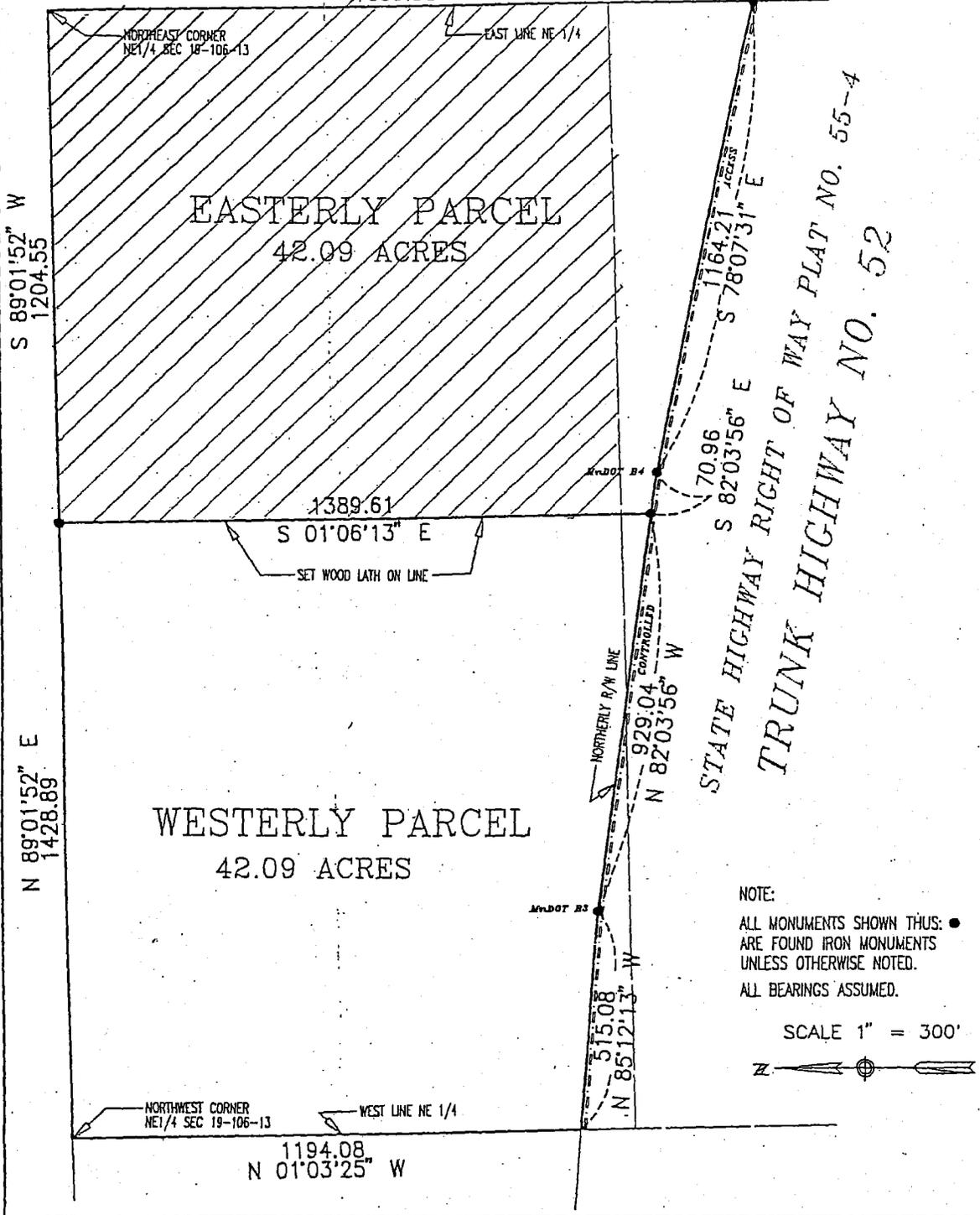
# CERTIFICATE OF SURVEY

DESCRIPTION:  
SEE ATTACHED.

REC'D BY  
AMB

OCT 24 2003

N 01°06'13" W  
1659.38



NOTE:  
ALL MONUMENTS SHOWN THUS: ●  
ARE FOUND IRON MONUMENTS  
UNLESS OTHERWISE NOTED.  
ALL BEARINGS ASSUMED.

SCALE 1" = 300'

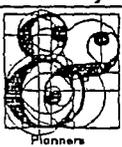
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

*James E. Swanson*

DATE: 6-22-98  
REG NO.: 11622

DATE SURVEYED: 06/19/98  
FOR:  
MR. CARLTON PENZ  
1333 ARTHUR LANE N.W.  
ROCHESTER, MINNESOTA  
55901

McGhie  
Consulting Engineers



Betts, Inc.  
Land Surveyors

1648 3rd AVE. S.E. Rochester, MN, 55904 507-289-3919

SCALE: 1" = 300'  
DRAWN BY: BWC  
DATE: 06-22-98  
ACCT. NO.: 1012/7499 Cadd No. 7499  
FILE NO.: BK. PG.