

ORDINANCE NO. 3608

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 7.94 ACRES OF LAND LOCATED IN THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, 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:

All that part of the West  $\frac{1}{2}$  NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 4, Township 106, Range 13, which lies South of the State Trunk Highway, less:

Commencing at the SW corner of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 4; thence east along the south line of said quarter quarter section, a distance of 33 feet for a point of beginning; thence north parallel with the west line of said quarter quarter section a distance of 46.1 feet; thence east parallel with the south line of said quarter quarter section a distance of 17 feet; thence north parallel with the west line of said quarter quarter section a distance of 3.5 feet; thence east parallel with the south line of said quarter quarter section a distance of 33.0 feet; thence south parallel with the west line of said quarter quarter section a distance of 50.0 feet; thence west along the southline of said quarter quarter section a distance of 50.0 feet to the point of beginning.

Containing 7.94 acres more or less.

Section 2. The total quantity of land included in the petition is approximately 7.94 acres in size.

Section 3. On November 17, 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. Upon annexation, the land described in Section 1 above will be assigned to the H 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 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 15th DAY OF DECEMBER, 2003.

John Hunziker  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Judy Kay Shaw  
CITY CLERK

APPROVED THIS 16th DAY OF DECEMBER, 2003.

Arnell F. Biede  
MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)

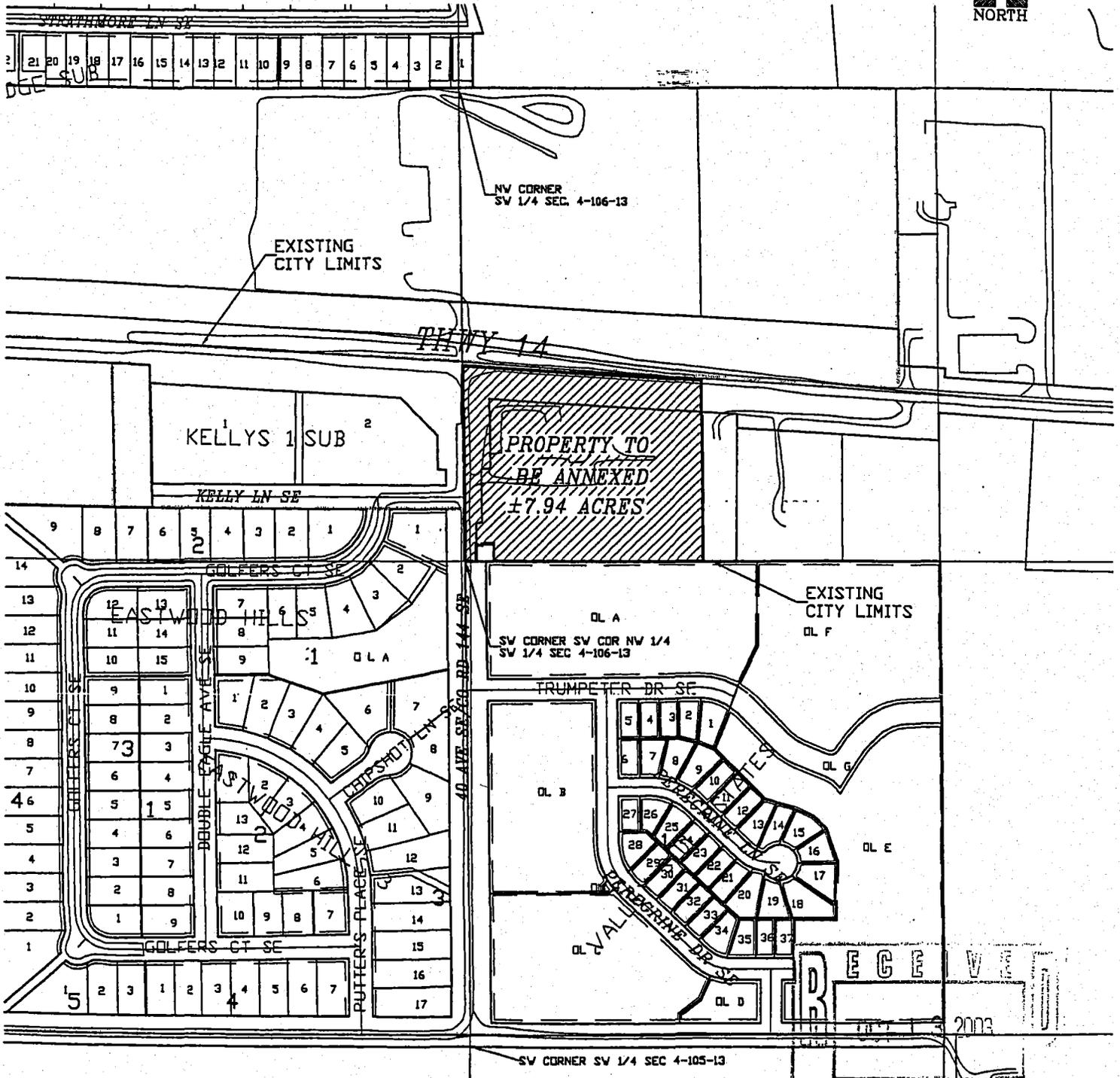
# ANNEXATION EXHIBIT

DESCRIPTION:  
SEE ATTACHED

REC'D BY  
MMB

DEC 29 2003

SCALE 1" = 400'



FDR :

**BOB'S CONSTRUCTION**  
**KELLY & KRISTI MADSON**  
 4006 HWY 14 EAST  
 ROCHESTER, MN 55904

Land Surveying  
 Urban-Land  
 Planning  
 Consulting - Civil  
 Engineering

**McGhie**



Geotechnical  
 Engineering  
 Construction Material  
 Testing  
 Landscape  
 Architecture

1648 Third Avenue S.E.  
 Rochester, MN 55904  
 Telephone 507.288.3819

**Betts Inc** email:

SCALE:	PLAN 2003	
DRAWN BY:	JJJ	
DATE :	10/09/03	
ACCT. NO. :	7338/3422	Cadd No. 3422ANNE
FILE NO. :	RK	PG