

ORDINANCE NO. 3633

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 19.44 ACRES OF LAND LOCATED IN THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, 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:

The Northeast Quarter of the Northwest Quarter of Section 29, Township 107 North, Range 14 West, Olmsted County, Minnesota. Excepting therefrom the south 640.00 feet and the east 50.00 feet of the Northeast Quarter of the Northwest Quarter of said Section 29.

Containing 19.44 acres more or less.

Section 2. The total quantity of land included in the petition is approximately 19.44 acres in size.

Section 3. On March 1, 2004, 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 land described in Section 1 above will be assigned to the R-1 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.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 5th DAY OF April, 2004.

John Hinzler
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Judy Kay Sporn
CITY CLERK

APPROVED THIS 10TH DAY OF April, 2004.

Arden F. Breda
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

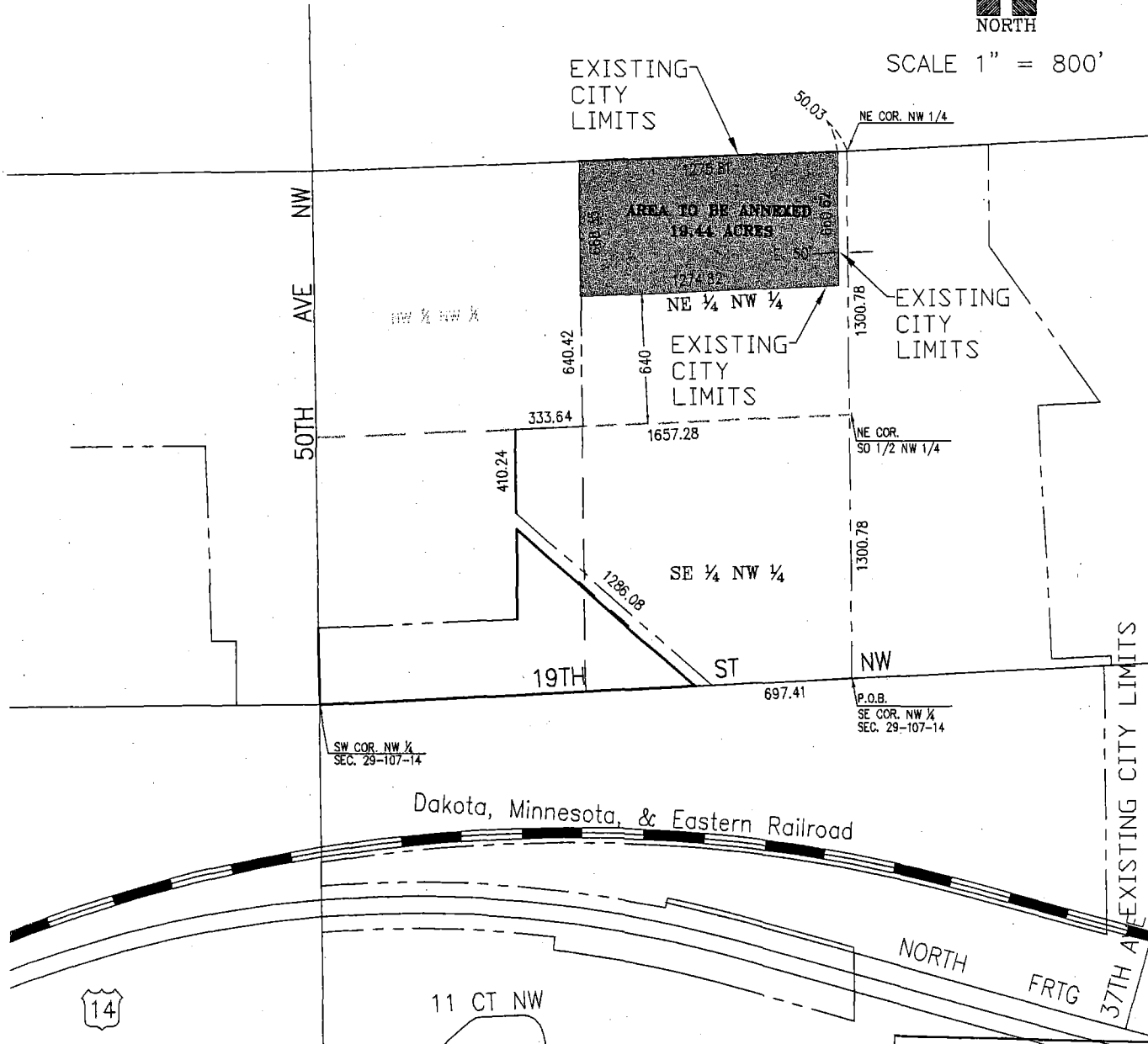
DECTD BY
MMB APR 14 2004

ANNEXATION EXHIBIT

DESCRIPTION: SEE ATTACHED



SCALE 1" = 800'



RECEIVED
JAN 14 2004
 ROCHESTER - OLMSTED
 PLANNING DEPARTMENT

FOR :
 WEST 19 DEVELOPMENT, LLC
 4410 19TH STREET N.W.
 ROCHESTER, MN
 55901

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McGhie



Betts, Inc.

Geotechnical
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SCALE: 1" = 800'
 DRAWN BY: MMM
 DATE: 01/13/04
 ACCT. NO.: 1112H/2653 Cadd No. 2653ANNE2
 FILE NO.: BK. PG.