

MAY 18 2004

ORDINANCE NO. 3642

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 43.34 ACRES OF LAND LOCATED IN A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 31 AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, ALL IN TOWNSHIP 107 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 Southwest Quarter of the Southwest Quarter of Section 29, the Southeast Quarter of the Southeast Quarter of Section 30, the Northeast Quarter of the Northeast Quarter of Section 31 and the Northwest Quarter of the Northwest Quarter of Section 32, all in Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the northwest corner of said Northwest Quarter of Section 32; thence southerly on a Minnesota State Plane Grid Azimuth from north of 179 degrees 15 minutes 32 seconds along the west line of said Northwest Quarter 200.00 feet to the point of beginning; thence westerly 269 degrees 39 minutes 30 seconds azimuth 450.00 feet; thence northerly 359 degrees 15 minutes 32 seconds azimuth 200.00 feet to the north line of said Northeast Quarter of Section 31; thence northerly 358 degrees 58 minutes 31 seconds azimuth 609.75 feet; thence westerly 269 degrees 34 minutes 24 seconds azimuth 268.00 feet; thence northerly 358 degrees 58 minutes 31 seconds azimuth 658.29 feet; to the south line of Century Hills Fifth Subdivision, according to the plat thereof on file at the County Recorder's office, Olmsted County, Minnesota; thence westerly 269 degrees 34 minutes 24 seconds azimuth said Century Hills Fifth Subdivision 249.29 feet; thence southerly 178 degrees 47 minutes 12 seconds azimuth along said Century

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Hills Fifth Subdivision 131.43 feet; thence westerly 268 degrees 47 degrees 12 seconds azimuth along said Century Hills Fifth Subdivision 140.00 feet; thence southerly 56.81 feet on a nontangential curve concave easterly, having a radius of 167.00 feet, a central angle of 19 degrees 29 minutes 28 seconds, and a chord azimuth of 169 degrees 02 minutes 28 seconds along said Century Hills Fifth Subdivision; thence westerly 249 degrees 14 minutes 21 seconds along said Century Hills Fifth Subdivision 228.75 feet; thence northerly 358 degrees 47 minutes 12 seconds azimuth 310.13 feet along said Century Hills Fifth Subdivision to the north line of the said Southeast Quarter of the Southeast Quarter of section 30; thence westerly 269 degrees 34 minutes 24 seconds azimuth along said north line 6.86 feet to the west line of the Southeast Quarter of the Southeast Quarter of section 30; thence southerly along the said line 178 degrees 47 minutes 20 seconds azimuth 1308.50 feet to the south line of Section 30; thence southerly 179 degrees 15 minutes 56 seconds azimuth 557.30 feet, along the west line of the Northeast Quarter of the Northeast Quarter of Section 31; thence easterly 89 degrees 39 minutes 30 seconds azimuth 866.14 feet; thence southerly 179 degrees 15 minutes 32 seconds azimuth 200.24 feet; thence easterly 89 degrees 39 minutes 30 seconds azimuth 450.00 feet, to the east line of the Northeast Quarter of Section 31; thence easterly 89 degrees 39 minutes 30 seconds azimuth 61.65 feet; thence northeasterly 65 degrees 03 minutes 22 seconds azimuth 601.25 feet; thence northwesterly 337 degrees 43 minutes 23 seconds azimuth 550.83 feet, to the north line of said Northwest Quarter of Section 32; thence northwesterly 337 degrees 43 minutes 23 seconds azimuth 670.16 feet; thence southwesterly 229 degrees 52 minutes 15 seconds azimuth 115.90 feet; thence southerly 178 degrees 58 minutes 31 seconds azimuth 330.00 feet; thence easterly 89 degrees 07 minutes 54 seconds azimuth 175.00 feet; thence southerly 178 degrees 58 minutes 31 seconds azimuth 220.57 feet, to the south line of said Southwest Quarter of Section 29; thence southerly 179 degrees 15 minutes 32 seconds azimuth 200.00 feet; thence 269 degrees 07 minutes 54 seconds azimuth 250.00 feet to the point of beginning.

Containing 43.34 acres more or less.

Section 2. The total quantity of land included in the petition is approximately 43.34 acres in size.

Section 3. On April 5, 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 Haverhill 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.

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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 Haverhill Town Clerk, the County Auditor, and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 3rd DAY OF MAY, 2004.

John H. Hinzler
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Neddy Kay Sherr
CITY CLERK

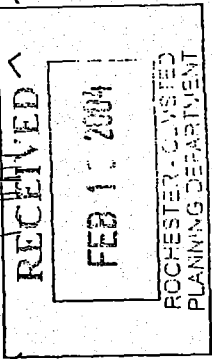
APPROVED THIS 4th DAY OF MAY, 2004.

Leidell F. Brade
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

Ord2000Annex.0406b

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A scale bar in feet, with markings at 0, 100, 200, and 400 feet. The bar is divided into segments of 100 feet each. The text "SCALE IN FEET" is printed below the bar.

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DONALD R. BO
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 NUMBER