

ORDINANCE NO. 3704

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 51.94 ACRES OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, 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 Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{2}$  SW  $\frac{1}{4}$ ) of Section 34, Township 106, Range 14, Olmsted County, Minnesota, described as follows:

Beginning at the Southwest corner of said Section 34; thence on an assumed bearing of South 89°24'22" East along the south line of said Section 34 a distance of 542.02 feet; thence North 00°55'50" East 770.84 feet; thence North 77°15'51" East 346.18 feet; thence South 05°33'24" East 855.56 feet to the south line of said Section 34; thence South 89°24'22" East along said south line of 339.34 feet to the southeast corner of the Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) of said Section 34; thence North 00°51'44" East along the east line of said Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) 1317.92 feet to the northeast corner of said Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ); thence North 89°27'43" West 1312.79 feet to the northwest corner of said Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ); thence South 00°55'59" West 1316.65 feet along the west line of said Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) to the point of beginning.

AND

That part of the Southeast Quarter of the Southwest Quarter (SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) of Section 34, Township 106, Range 14, Olmsted County, Minnesota, described as follows:

Beginning at the southeast corner of the Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) of said Section 34; thence North  $00^{\circ}51'44''$  East along the east line of said Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) 1317.92 feet to the northeast corner of said Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ); thence South  $89^{\circ}27'43''$  East along the south line of the Northeast Quarter of the Southwest Quarter (NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) 330.00 feet; thence South  $27^{\circ}09'54''$  East 991.20 feet; thence South  $00^{\circ}00'00''$  West 440.00 feet to the south line of said Section 34; thence West along the south line of said Section 34 to the point of beginning.

Said tract contains 51.94 acres more or less.

Section 2. The total quantity of land included in the petition is approximately 51.94 acres in size.

Section 3. On April 4, 2005, 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

MAY 11 2005

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 2nd DAY OF MAY, 2005.

*Dennis L. Johnson*  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: *Judy Kay Sherwin*  
CITY CLERK

APPROVED THIS 3rd DAY OF MAY, 2005.

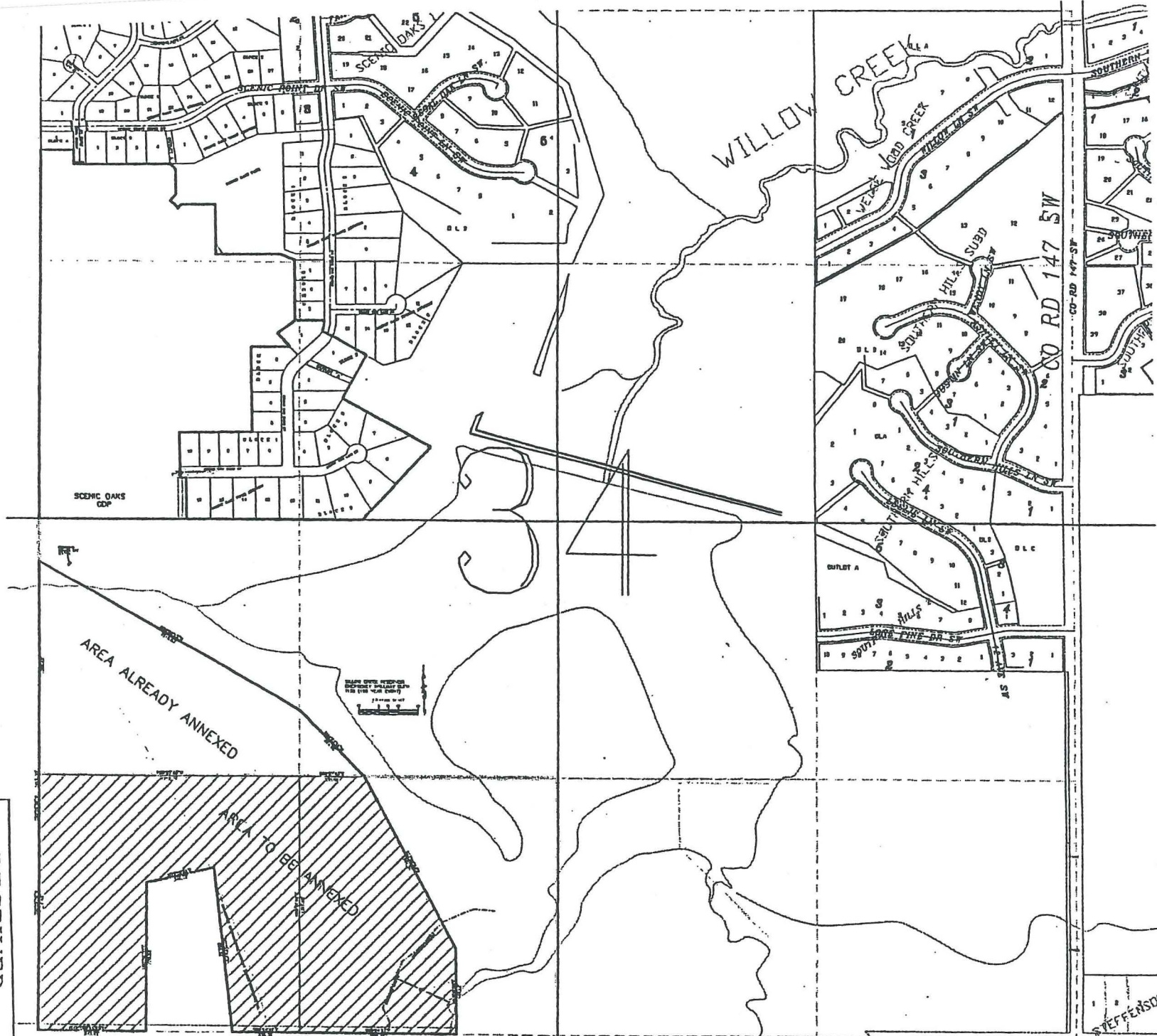
*Andrew F. Buede*  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

Ord05\Annex.0502



RECEIVED  
 FEB 23 2005  
 ROCHESTER - OLIVET  
 PLANNING DEPARTMENT



REC'D BY  
 M.M.B.  
 MAY 11 2005

Sec 34-106-14

Scenic Oaks Lakeview Annexation