

ORDINANCE NO. 3794

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 42.09 ACRES OF LAND LOCATED IN A PART OF THE WEST HALF OF 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 STATE HIGHWAY RIGHT OF WAY PLAT NO. 55-4 (recorded as Document No. 361714) and westerly of the following described line:

Commencing at the northeast corner of said Northeast Quarter; thence South 89 degrees 01 minute 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.

Said tract contains 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 October 2, 2006, 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 120 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. As provided in Minn. Stat. §414.033, subd. 12, the City shall pay the Township the equivalent of three (3) years' taxes in two years; i.e.,  $\$299.40 \times 3 \text{ years} = \$898.20 \div 2 \text{ years} = \$449.10$  per year.

Section 7. 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 8. 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 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 Department of Administration – Municipal Boundary Adjustments, 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 6TH DAY OF NOVEMBER, 2006.

ATTEST: Andy Kay  
CITY CLERK

Dennis L. Hansen  
PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS 7TH DAY OF November, 2006.

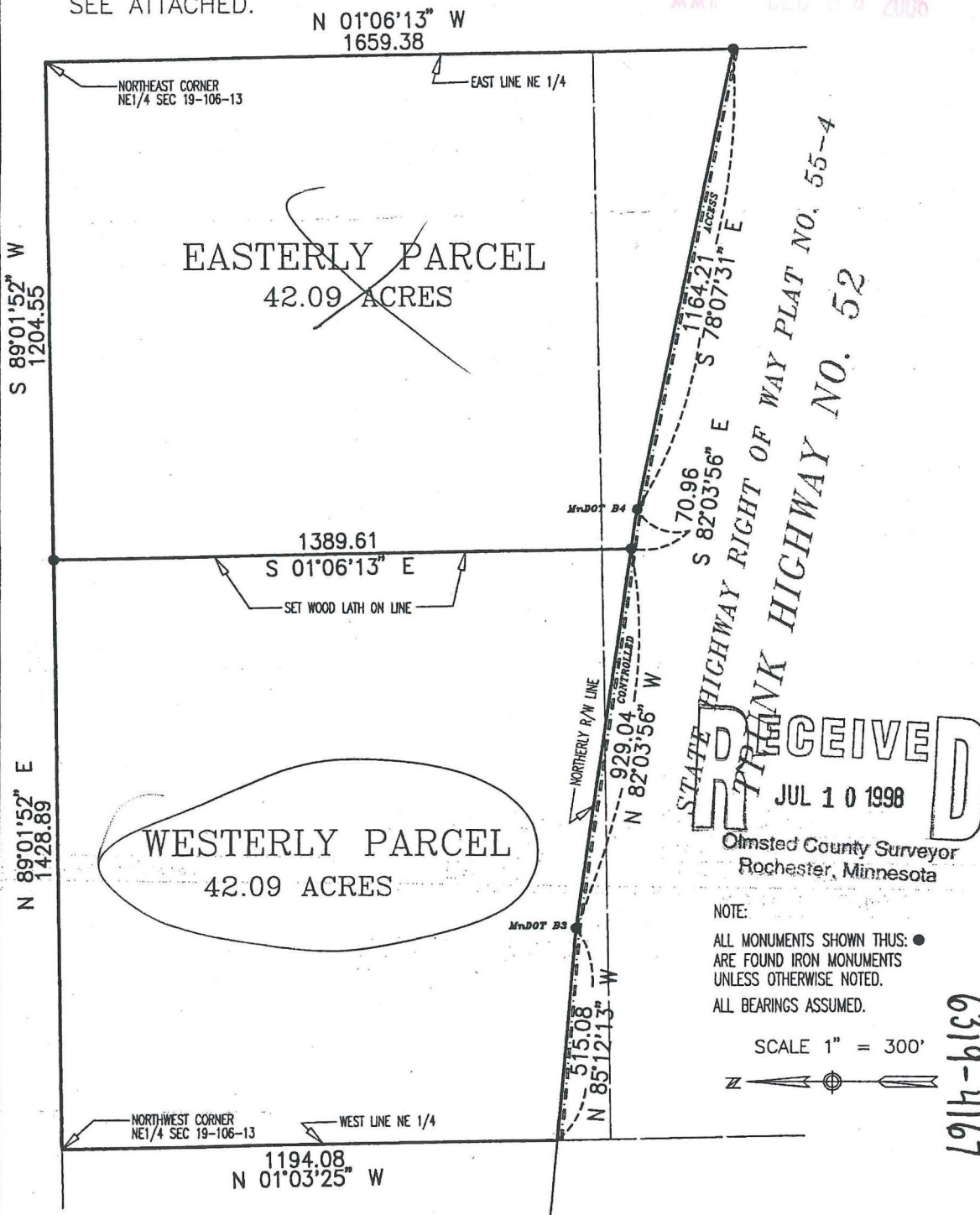
Andrew F. Bieda  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)  
Ord05Annex.0606

# CERTIFICATE OF SURVEY

DESCRIPTION:  
SEE ATTACHED.

REC'D BY  
MMI DEC 05 2006



RECEIVED  
JUL 10 1998  
Olmsted County Surveyor  
Rochester, Minnesota

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

SCALE 1" = 300'



6319-4167

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.

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
FILE NO.:	BK. PG.
Cadd No.	7499



