

ORDINANCE NO. 3934

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 1.06 ACRES OF LAND LOCATED IN A PART OF THE NORTHEAST 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 City of Rochester 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 29, Township 107 North, Range 14 West, Olmsted County, Minnesota, being described as follows.

Beginning at the northwest corner of CIRCLE 19 PLAZA SECOND according to the official plat thereof; thence along the northerly right-of-way line of Heritage Place N.W., North 76°41'41" East, 11.07 feet; thence northerly along the existing Rochester corporate limits, North 02°05'15" West, 386.09 feet; thence continuing easterly along said corporate limits, North 87°54'45" East, 65.06 feet; thence North 29°20'57" West, 86.32 feet; thence South 60°39'03" West, 238.50 feet; thence South 29°20'57" East, 342.69 feet to the beginning of tangent curve concave to the southwest having a radius of 217.00 feet; thence southeasterly along the arc of said curve through a central angle of 14°24'03", 54.54 feet to the point of beginning, containing 46,126 square feet or 1.06 acres.

Said tract contains 1.06 acres more or less.

Section 2. The total quantity of land included in the petition is approximately 1.06 acres in size.

Section 3. On June 15, 2009, 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 municipality and the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available, and the municipality has received a petition for annexation from all the property owners of the land and, as such, the land is or will soon become urban or suburban in character.

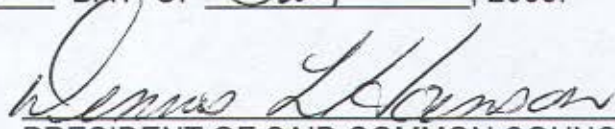
Section 6. As provided in Minn. Stat. §414.033, subd. 12, the City shall pay the Townships the equivalent of three years' taxes in two years. In this case, the City shall annually pay \$27.00 to the Cascade Township for two years. There are no township special assessments assigned to or portion of township debt attributable to the land described in Section 1.


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 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 20TH DAY OF JULY, 2009.


PRESIDENT OF SAID COMMON COUNCIL

ATTEST: 
CITY CLERK

APPROVED THIS 21st DAY OF JULY, 2009.

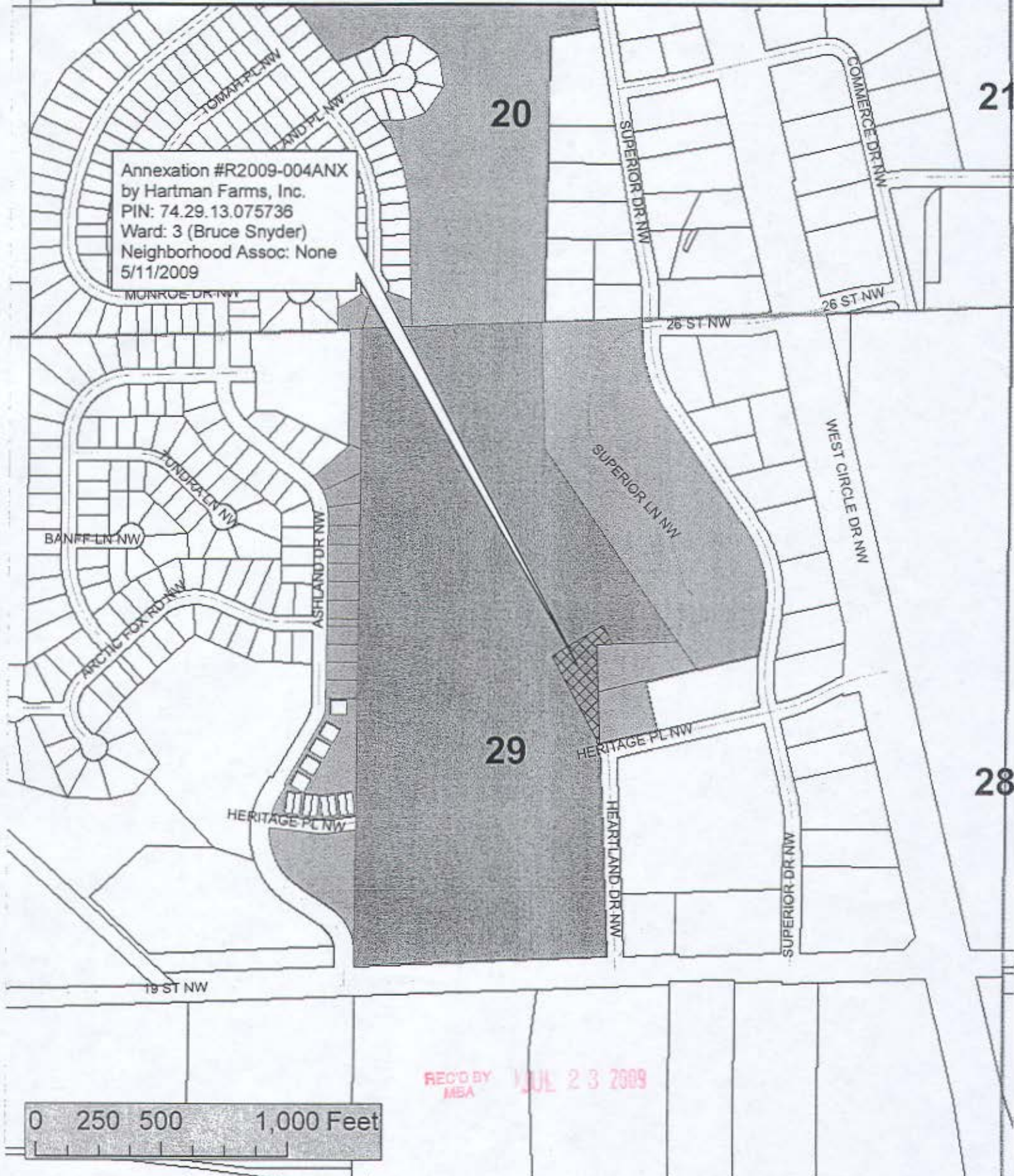
Andrew F. Breda
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

Ord05\Annex.2009-004

Notification Area. . properties within and contiguous to , proposed annexation area located in the NE 1/4 of Section 29 of Cascade Township.

Annexation #R2009-004ANX
by Hartman Farms, Inc.
PIN: 74.29.13.075736
Ward: 3 (Bruce Snyder)
Neighborhood Assoc: None
5/11/2009

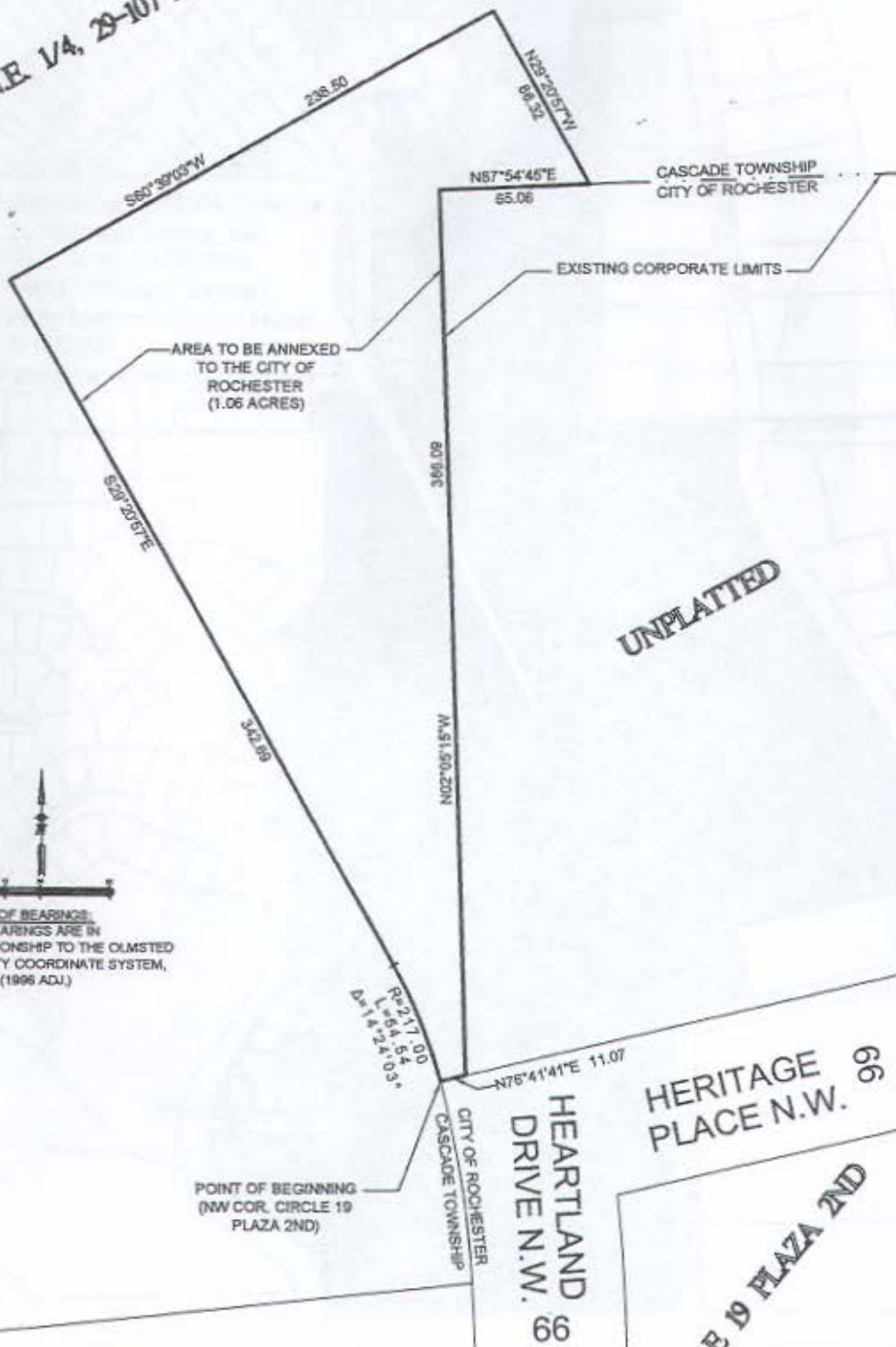


EXHIBIT

REC'D S
MBA

JUL 23 2003

NE 1/4, 29-107-14



BASIS OF BEARINGS:
ALL BEARINGS ARE IN
RELATIONSHIP TO THE OLMSDED
COUNTY COORDINATE SYSTEM,
NAD83 (1996 ADJ.)

DESCRIPTION

That part of the Northeast Quarter of Section 29, Township 107 North, Range 14 West, Olmsted County, Minnesota, more particularly described as follows:

Beginning at the northwest corner of CIRCLE 19 PLAZA SECOND according to the official plat thereof; thence along the northerly right-of-way line of Heritage Place N.W. North 76°41'41" East, 11.07 feet; thence northerly along the existing Rochester corporate limits, North 02°05'15" West, 386.09 feet; thence continuing easterly along said corporate limits, North 87°54'45" East, 65.06 feet; thence North 29°20'57" West, 86.32 feet; thence South 60°39'03" West, 238.50 feet; thence South 29°20'57" East, 342.69 feet to the beginning of tangent curve concave to the southwest having a radius of 217.00 feet; thence southeasterly along the arc of said curve through a central angle of 14°24'03", 54.54 feet to the point of beginning, containing 46,126 square feet or 1.06 acres.

Pape Engineering & Land Surveying, Inc.

1541 7-1/2 Ave. NW, Rochester, MN 55906 (507) 295-3303

PROJECT NO. 1235 SHEET 1 OF 1