

MAY 21 2012

ORDINANCE NO. 4065

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 2.68 ACRES OF LAND LOCATED IN A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, 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 Northwest Quarter of the Northwest Quarter of Section 24, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southeast corner of said Northwest Quarter of the Northwest Quarter; thence northerly on a Minnesota State Plane Grid Azimuth from north of 359 degrees 18 minutes 49 seconds along the east line of said Northwest Quarter of the Northwest Quarter 66.42 feet to the point of beginning; thence westerly 268 degrees 26 minutes 55 seconds azimuth 368.51 feet; thence northerly 359 degrees 21 minutes 55 seconds azimuth 355.30 feet; thence easterly 88 degrees 26 minutes 55 seconds azimuth 368.19 feet to the east line of said Northwest Quarter of the Northwest Quarter; thence southerly 179 degrees 18 minutes 49 seconds azimuth along said east line 355.30 feet to the point of beginning.

EXCEPT the easterly 40.00 feet thereof.

Said tract contains 2.68 acres more or less.

Section 2. The total quantity of land included in the petition is approximately 2.68 acres in size.

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Section 3. On April 2, 2012, 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. §414.036, the City shall pay the Townships the equivalent of three years' taxes in two years. In this case, the City shall annually pay \$0 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 14th DAY OF May, 2012.

  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Valari Langseth  
DEPUTY CITY CLERK

REC'D BY  
MBA

MAY 21 2012

APPROVED THIS 8th DAY OF May, 2012.

*David F. Biese*

MAYOR OF SAID CITY

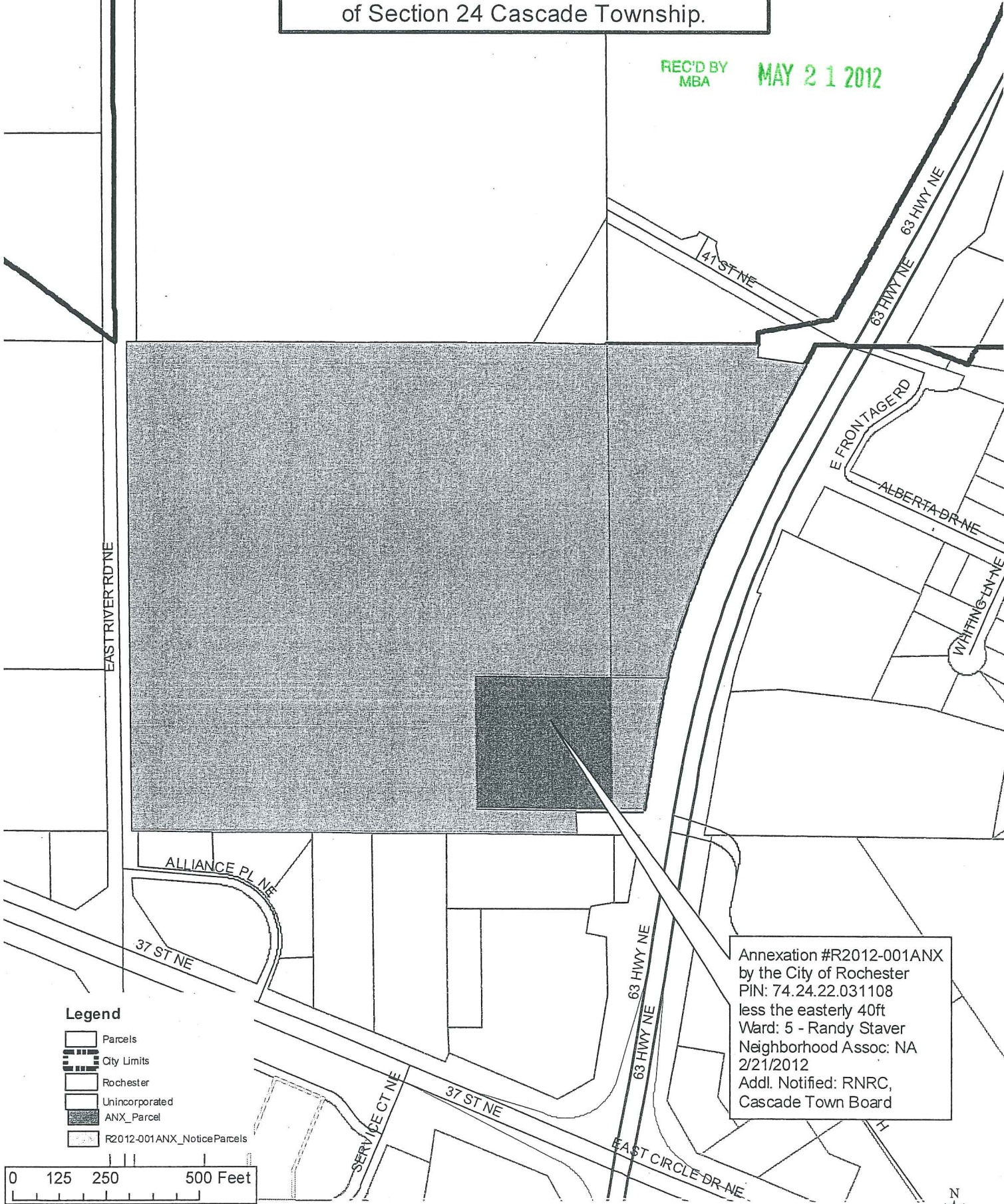
(Seal of the City of  
Rochester, Minnesota)

Ord10\Annex.2012-001



Notification Area of proposed Annexation  
of land located in the NW 1/2 of the NW 1/4  
of Section 24 Cascade Township.

REC'D BY  
MBA      MAY 21 2012



Annexation #R2012-001ANX  
by the City of Rochester  
PIN: 74.24.22.031108  
less the easterly 40ft  
Ward: 5 - Randy Staver  
Neighborhood Assoc: NA  
2/21/2012  
Addl. Notified: RNRC,  
Cascade Town Board





## REQUEST FOR COUNCIL ACTION

MEETING

DATE: 4-2-12

AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO.
ITEM DESCRIPTION: Annexation Petition R2012-001ANX by the City of Rochester to annex approximately 2.68 acres of land in that part of the NW ¼ of the NW ¼ of Section 24 Cascade Township. The property is located south and east of the RPU Service Center and west of Rochester Lapidary Jewelers.		PREPARED BY: Brent Svenby, Senior Planner

March 29, 2012

REC'D BY  
MBA

MAY 21 2012

### **City Planning and Zoning Commission Recommendation:**

The City Planning and Zoning Commission reviewed this annexation request on March 28, 2012 as a Consent Agenda item.

Mr. Dallmann moved to recommend approval of Annexation Petition R2012-001ANX by the City of Rochester to annex approximately 2.68 acres of land in that part of the NW ¼ of the NW ¼ of Section 24 Cascade Township located south and east of the RPU Service Center and west of Rochester Lapidary Jewelers. Ms. Moe seconded the motion. The motion carried unanimously.

### **Planning Department Recommendation:**

See attached staff report dated March 22, 2012.

Minnesota Statutes now specify that the property taxes payable, special assessment and debt incurred by the Township in the year an annexation is effective shall be paid to the Township. The City shall make cash payment to the Township for a three year period of equal payments over a two year period of the Townships share in the year the property was annexed. The Township Taxes due on this property are **\$0**. Land is owned by City of Rochester Municipality. The Township Special Assessments / Debt incurred due: **\$0**.

### **Council Action Needed:**

1. *Following the public hearing, if the Council wishes to proceed as petitioned, it should instruct the City Attorney to prepare an ordinance to be adopted and transmitted to the MN Department of Administration – Municipal Boundary Adjustments.*
2. *The Council should initiate the rezoning of this property from the H (holding) to the M-2 (mixed commercial – industrial) zoning district.*

### **Attachments**

1. Staff report dated March 22, 2012

### **Distribution:**

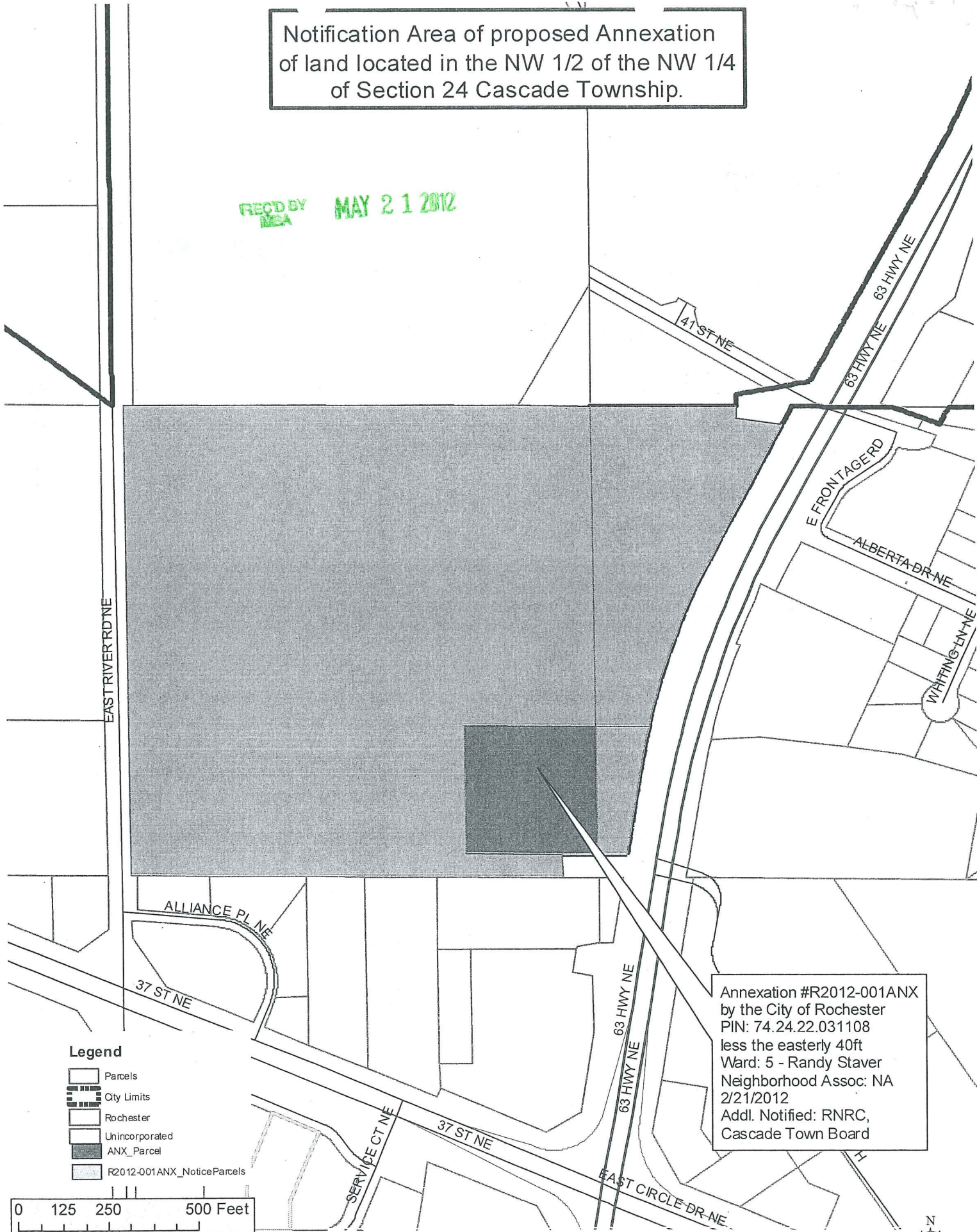
1. City Administrator
2. City Clerk: Filing Fee
3. City Attorney
4. City Finance Director
5. Planning Department File
6. Applicant: This item will be considered sometime after 7:00 p.m. on Monday, April 2, 2012, in the Council Chambers at the Rochester / Olmsted County Government Center.

**COUNCIL ACTION:** Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ to: \_\_\_\_\_



Notification Area of proposed Annexation  
of land located in the NW 1/2 of the NW 1/4  
of Section 24 Cascade Township.

REC'D BY  
MEA MAY 21 2012



Annexation #R2012-001ANX  
by the City of Rochester  
PIN: 74.24.22.031108  
less the easterly 40ft  
Ward: 5 - Randy Staver  
Neighborhood Assoc: NA  
2/21/2012  
Addl. Notified: RNRC,  
Cascade Town Board

0 125 250 500 Feet



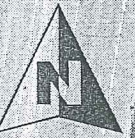


REC'D BY  
MEA

MAY 21 2012

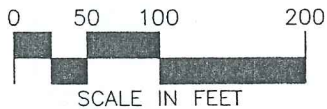
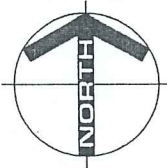
ANNEXATION AREA

63 HWY NE





REC'D BY  
MBA



CERTIFICATE OF SURVEY  
PART OF THE NW1/4, NW1/4  
SEC.24, T107N, R14W  
OLMSTED COUNTY, MINNESOTA

## BEARINGS

Bearings are Minnesota State Plane Grid Azimuths measured to the right from grid north. NAD83(1996)

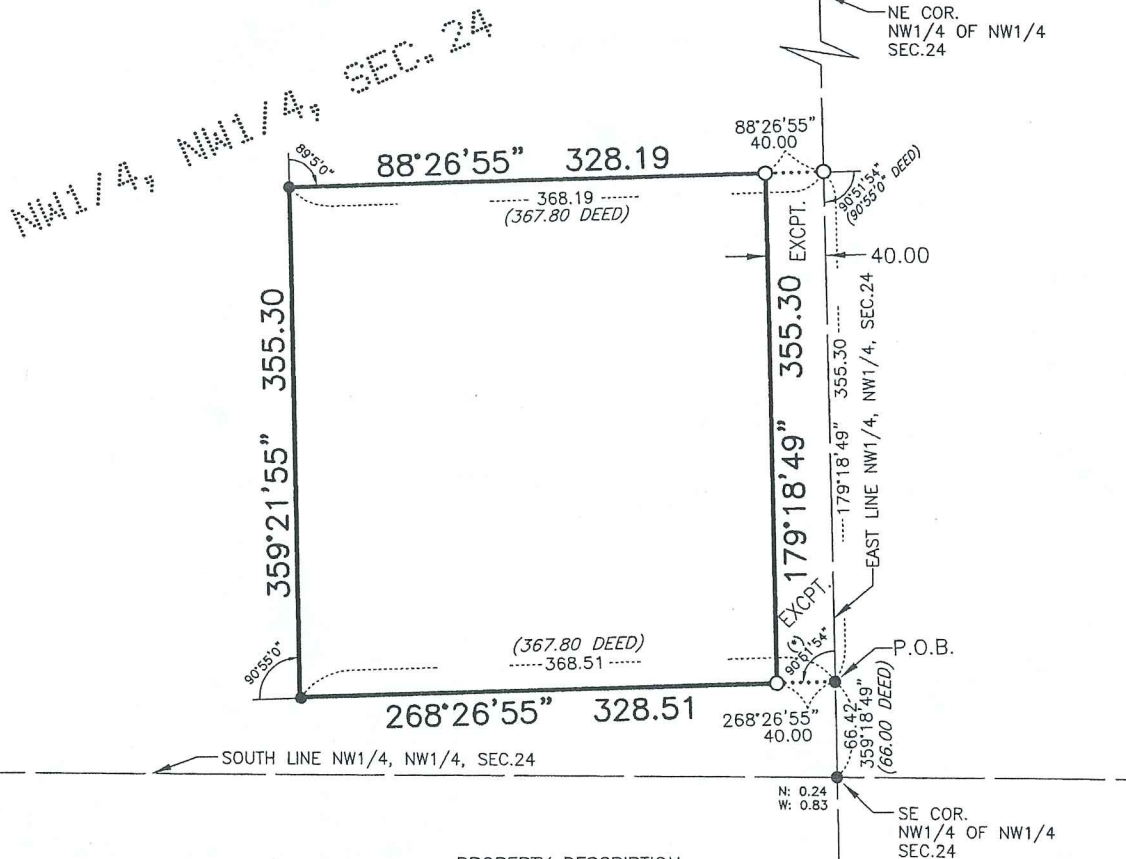
ABBREVIATIONS:

EXCPT. = EXCEPT  
P.O.B. = POINT OF BEGINNING  
(\* ) = (90°55'00" PER DEED)

## MONUMENTS

- Set 3/4" Iron Pipes
- Found Monuments  
(Pipe, Rod, Etc.)

All monuments set have a plastic cap stamped L.S. 22422.



## PROPERTY DESCRIPTION

That part of the Northwest Quarter of the Northwest Quarter of Section 24, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southeast corner of said Northwest Quarter of the Northwest Quarter; thence northerly on a Minnesota State Plane Grid Azimuth from north of 359 degrees 18 minutes 49 seconds along the east line of said Northwest Quarter of the Northwest Quarter 66.42 feet to the point of beginning; thence westerly 268 degrees 26 minutes 55 seconds azimuth 368.51 feet; thence northerly 359 degrees 21 minutes 55 seconds azimuth 355.30 feet; thence easterly 88 degrees 26 minutes 55 seconds azimuth 368.19 feet to the east line of said Northwest Quarter of the Northwest Quarter; thence southerly 179 degrees 18 minutes 49 seconds azimuth along said east line 355.30 feet to the point of beginning.

EXCEPT the easterly 40.00 feet thereof.

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PROJECT NUMBER 11454  
11454Cert01.DWG

DATE OF SURVEY 5/9/2011

DRAFTED BY \_\_\_\_\_ PO \_\_\_\_\_

SURVEYED BY \_\_\_\_\_ TR \_\_\_\_\_

SURVEYED FOR

ROCH. PUBLIC UTILITIES

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR  
REPORT WAS PREPARED BY ME OR UNDER MY  
DIRECT SUPERVISION AND THAT I AM A DULY  
LICENSED LAND SURVEYOR UNDER THE LAWS  
OF THE STATE OF MINNESOTA.

DOUGLAS G. RUDE, PLS

5-12-2011

DATE \_\_\_\_\_

22422

NUMBER

ENGINEERS

SURVEYORS • PLANNERS  
LANDSCAPE ARCHITECTS

717 THIRD AVE. S.E.  
ROCHESTER, MN  
507-288-6464  
FAX 507-288-5058  
E-MAIL: [INFO@YAGGY.COM](mailto:INFO@YAGGY.COM)

