

RECEIVED

By: OAH on April 7, 2020

ORDINANCE NO. _____

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER
APPROXIMATELY 5.42 ACRES OF LAND LOCATED ON THE
SOUTH SIDE OF 50TH STREET SE, EAST OF ST BRIDGET ROAD
SE.

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 Olmsted County 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 36 Township 106 North, Range 14 West, Olmsted County, Minnesota described as follows:

Commencing at the northwest corner of said Northwest Quarter of the Northwest Quarter; thence on an assumed bearing of South 00°01'52" West, along the west line of said Northwest Quarter of the Northwest Quarter, 100.00 feet; thence South 89°57'10" East, along the south line of the north 100.00 feet of said Northwest Quarter of the Northwest Quarter, 908.42 feet to the point of beginning of the parcel to be described; thence South 00°01'08" East, 587.50 feet; thence North 89°58'52" East, 402.39 feet to the east line of said Northwest Quarter of the Northwest Quarter; thence North 00°01'08" West, along said east line, 587.03 feet to said south line of the north 100.00 feet of the Northwest Quarter of the Northwest Quarter; thence North 89°57'10" West, along said south line, 402.39 feet to the point of beginning.

Section 2. On October 21, 2019, 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 3. 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 4. Following the public hearing, the Common Council of the City of Rochester determined that the land abuts the City limits and is 120 acres or less and otherwise meets the criteria of Minn. Stat. §414.033, subd. 2(3).

Section 5. As provided in Minn. Stat. §414.036, the City shall pay the Township the equivalent of three years' taxes in two years.

Section 6. As provided in Minn. Stat. §414.033, subd. 13, the City has provided notice to the petitioner as to the potential electric utility service rate changes.

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. Upon annexation the land described in Section 1 above will be zoned R-1X.

Section 10. 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 Office of Administrative Hearings – Municipal Boundary Adjustments, the Rochester Township Clerk, the County Auditor and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 16th DAY OF March, 2020

ATTEST:


CITY CLERK

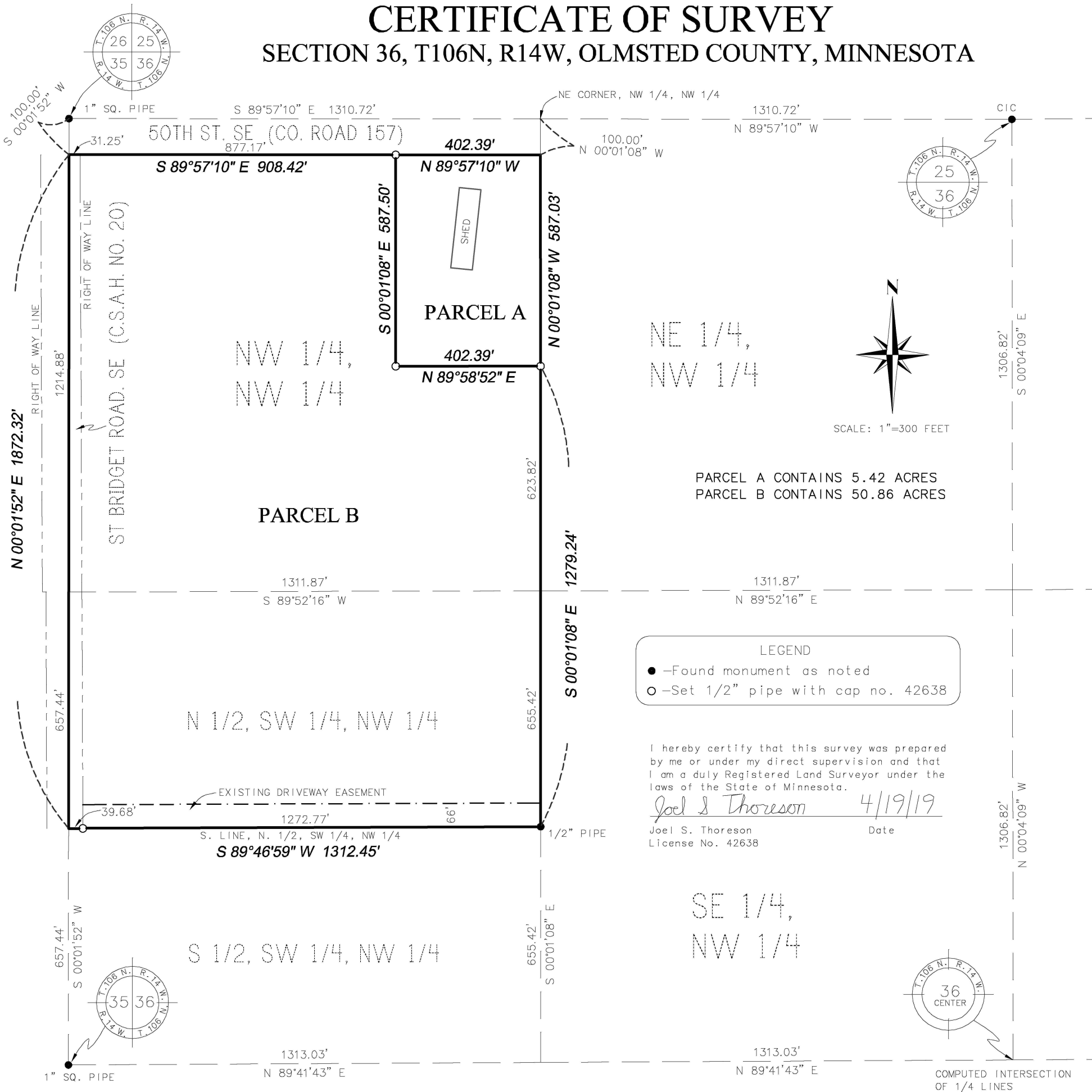

PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS 18th DAY OF March, 2020.




MAYOR OF SAID CITY

CERTIFICATE OF SURVEY
SECTION 36, T106N, R14W, OLMSTED COUNTY, MINNESOTA



PROPOSED LEGAL DESCRIPTION - PARCEL A

That part of the Northwest Quarter of the Northwest Quarter of Section 36, Township 106 North, Range 14 West, Olmsted County, Minnesota described as follows:
Commencing at the northwest corner of said Northwest Quarter of the Northwest Quarter; thence on an assumed bearing of South 00°01'52" West, along the west line of said Northwest Quarter of the Northwest Quarter, 100.00 feet; thence South 89°57'10" East, along the south line of the north 100.00 feet of said Northwest Quarter of the Northwest Quarter, 908.42 feet to the point of beginning of the parcel to be described; thence South 00°01'08" East, 587.50 feet; thence North 89°58'52" East, 402.39 feet to the east line of said Northwest Quarter of the Northwest Quarter; thence North 00°01'08" West, along said east line, 587.03 feet to said south line of the north 100.00 feet of the Northwest Quarter of the Northwest Quarter; thence North 89°57'10" West, along said south line, 402.39 feet to the point of beginning.

PROPOSED LEGAL DESCRIPTION - PARCEL B

That part of the Northwest Quarter of the Northwest Quarter and part of the Southwest Quarter of the Northwest Quarter of Section 36, Township 106 North, Range 14 West, Olmsted County, Minnesota described as follows:
Commencing at the northwest corner of said Northwest Quarter of the Northwest Quarter; thence on an assumed bearing of South 00°01'52" West, along the west line of said Northwest Quarter of the Northwest Quarter, 100.00 feet to the point of beginning of the parcel to be described; thence South 89°57'10" East, along the south line of the north 100.00 feet of said Northwest Quarter of the Northwest Quarter, 908.42 feet; thence South 00°01'08" East, 587.50 feet; thence North 89°58'52" East, 402.39 feet to the east line of said Northwest Quarter of the Northwest Quarter; thence South 00°01'08" East, 1279.24 feet to the southeast corner of the North Half of the Southwest Quarter of the Northwest Quarter of said Section 36; thence South 89°46'59" West, 1312.45 feet to the southwest corner of said North Half of the Southwest Quarter of the Northwest Quarter; thence North 00°01'52" East, 1872.32 feet to the point of beginning.

Subject to an existing driveway easement across the south 66.00 feet of the above described parcel and also subject to the right of way of Olmsted CSAH 20.

Survey For: <u>Seneca Foods</u>	JOEL THORESON LAND SURVEYING
Date of Survey: <u>April 19, 2019</u>	467 St. Martin Ave.
File No.: <u>19-012</u>	St. Charles, MN 55972
	Phone: 507-951-4513