

RECEIVED

By: OAH on April 7, 2020

ORDINANCE NO. 4405

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER
APPROXIMATELY 2.65 ACRES OF LAND ON THE SOUTH SIDE OF
HWY 14, WEST of 40th AVE 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:

Lot 1, Block 1, Kelly's First Subdivision, and also the West 20 feet of Lot 2, block 1, Kelly's First Subdivision, Olmsted County, Minnesota

The above described parcel contains 2.65 acres and is subject to any easements, covenants, and restrictions of record.

Section 2. On February 3, 2020, 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 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 to be annexed is unincorporated, abuts the municipality, consists of 120 acres or less, is not presently served by public wastewater facilities 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 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 M-1.

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 Marion 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

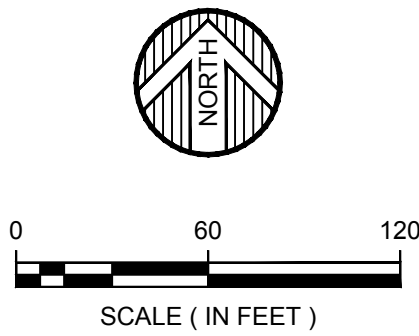


PROPERTY ANNEXATION EXHIBIT

LEGEND

	DENOTES PROPERTY SECTION LINE
	DENOTES PROPERTY QUARTER-QUARTER LINE
	DENOTES PROPERTY RIGHT OF WAY LINE
	DENOTES PROPERTY PLAT LINE
	DENOTES PROPERTY LOT LINE
	DENOTES ROAD CENTERLINE
	DENOTES EXISTING CITY LIMIT LINE
	DENOTES PROPERTY TO BE ANNEXED

LEGAL DESCRIPTION OF ANNEXED PROPERTY:
LOT 1, BLOCK1, KELLY'S FIRST SUBDIVISION, AND ALSO
THE WEST 20 FEET OF LOT 2, BLOCK 1, KELLY'S FIRST
SUBDIVISION, OLMSTED COUNTY, MINNESOTA



PARCEL #035555

PARCEL #035549

PID 037389 & 037391
M-1 DISTRICT
2.64 ACRES
LOT 1 BLOCK 1

LOT 2 BLOCK 1
PARCEL #037390

TRUNK HIGHWAY 14

KELLY LN SE

GOLFERS CT SE



WIDSETH SMITH NOLTING
Engineering | Architecture | Surveying | Environmental