

**RECEIVED**

By: OAH on December 4, 2020

ORDINANCE NO. 4415

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER  
APPROXIMATELY 2.22 ACRES OF LAND LOCATED ON THE EAST  
SIDE OF 11TH AVENUE SW AND SOUTH OF 40TH STREET SW.

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 Northeast Quarter of Section 27, Township 106 North, Range 14 West, Olmsted County, Minnesota, being described as follows:

Commencing at the northeast corner of the Northeast Quarter of said Section 27; thence South 00 degrees 40 minutes 00 seconds East ( Note: All bearings are in relationship with the Olmsted County Coordinate System NAD '83, Adjusted 1996) along the east line of said Northeast Quarter, 50.00 feet to right of way monument B26 on Minnesota Transportation Right of Way Plat No 55-48 (the next 4 courses are along said Plat No. 55-48) and to the POINT OF BEGINNING; South 89 degrees 47 minutes 59 seconds West, 50.41 feet to the right of way monument B27; thence South 31 degrees 29 minutes 28 seconds West, 117.75 feet to right of way monument B28; thence South 04 degrees 03 minutes 29 seconds West, 551.45 feet to right of way monument B29; thence South 00 degrees 06 minutes 06 seconds East, 86.00 feet; then North 89 degrees 53 minutes 58 seconds East, 159.36 feet to the east line of said Northeast Quarter; thence North 00 degrees 40 minutes 00 seconds West, along said east line 736.42 feet to the POINT OF BEGINNING. Said parcel contains 96,560 square feet more or less.

Section 2. On June 15, 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 Rochester Township officers, and the adjacent property owners. The subject public hearing was tabled at the June 15, 2020 meeting to a future date uncertain. On September 21, 2020, the Common Council took the issue off the table and continued the public hearing to consider this annexation petition after written notice of the September 21, 2020 continuation of the hearing was provided, 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 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 R-2.

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.

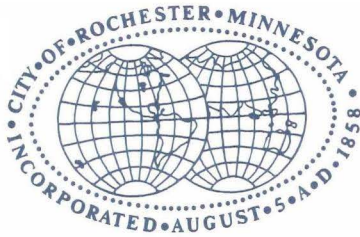
PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF  
ROCHESTER, MINNESOTA, THIS 9th DAY OF November, 2020.

ATTEST:

  
CITY CLERK

  
PRESIDENT OF SAID COMMON COUNCIL

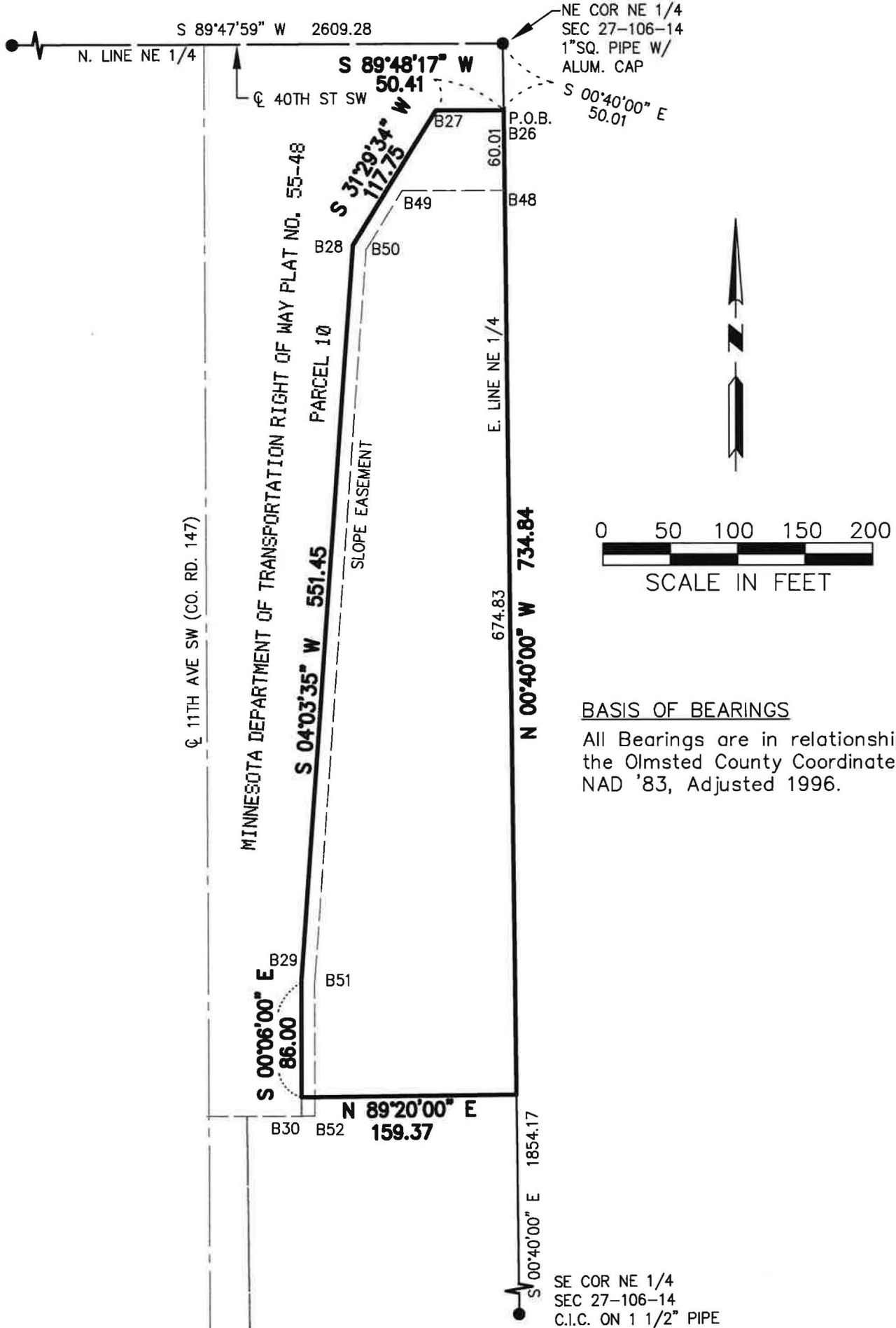
APPROVED THIS 10th DAY OF November, 2020.



  
MAYOR OF SAID CITY

Ord20/CD2020-001ANX

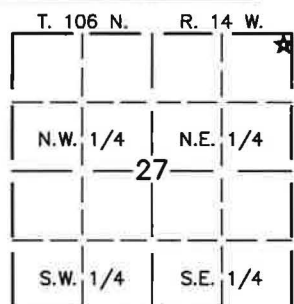
ANNEXATION EXHIBIT  
PART OF THE NE 1/4 SECTION 27, T 106 N, R 16 W,  
OLMSTED COUNTY, MINNESOTA



BASIS OF BEARINGS

All Bearings are in relationship with  
the Olmsted County Coordinate System  
NAD '83, Adjusted 1996.

PROPERTY LOCATION MAP



No Scale

**WSE MASSEY**

ENGINEERING & LAND SURVEYING

P.O. BOX 100, KASSON, MN 55944  
PH. NO. 507-634-4505, EMAIL SURVEY@WSE.ENGINEERING

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.

Date 8-11-20

LIC. NO.: 41814

Richard J. Massey

THIS SURVEY AND DRAWING  
WAS PREPARED FOR THE  
EXCLUSIVE USE OF:

FRANK KOTTSCHADE  
ROCHESTER, MN

MONUMENTS

- FOUND (AS INDICATED)
- SET (5/8" PIPE UNLESS  
NOTED OTHERWISE)

DATE: 7/28/2020

DWG NO. 3315SC01 JOB NO. 3315

DRAWN BY: R.J.M. SHEET 1 OF 2

ANNEXATION EXHIBIT  
PART OF THE NE 1/4 SECTION 27, T 106 N, R 16 W,  
OLMSTED COUNTY, MINNESOTA

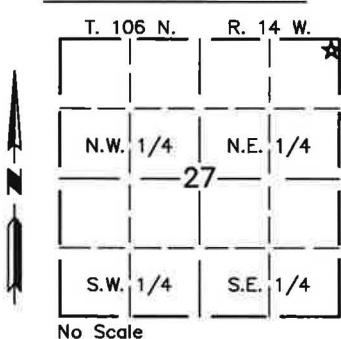
PROPOSED ANNEXATION DESCRIPTION

That part of the Northeast Quarter of Section 27, Township 106 North, Range 14 West, Olmsted County, Minnesota, being described as follows:

Commencing at the northeast corner of the Northeast Quarter of said Section 27; thence South 00 degrees 40 minutes 00 seconds East (Note: All bearings are in relationship with the Olmsted County Coordinate System NAD '83, Adjusted 1996) along the east line of said Northeast Quarter, 50.01 feet to right of way monument B26 on Minnesota Department of Transportation Right of Way Plat No. 55-48 (the next 4 courses are along said Plat No. 55-48) and to the POINT OF BEGINNING; thence South 89 degrees 48 minutes 17 seconds West, 50.41 feet to right of way monument B27; thence South 31 degrees 29 minutes 34 seconds West, 117.75 feet to right of way monument B28; thence South 04 degrees 03 minutes 35 seconds West, 551.45 feet to right of way monument B29; thence South 00 degrees 06 minutes 00 seconds East, 86.00 feet; thence North 89 degrees 20 minutes 00 seconds East, 159.37 feet to the east line of said Northeast Quarter; thence North 00 degrees 40 minutes 00 seconds West, along said east line, 734.84 feet to the POINT OF BEGINNING.

Said parcel contains 96,440 square feet more or less.

PROPERTY LOCATION MAP



**WSE MASSEY**  
ENGINEERING & LAND SURVEYING  
P.O. BOX 100, KASSON, MN 55944  
PH. NO. 507-634-4505, EMAIL SURVEY@WSE.ENGINEERING

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.

Date \_\_\_\_\_

LIC. NO.: 41814

Richard J. Massey

THIS SURVEY AND DRAWING  
WAS PREPARED FOR THE  
EXCLUSIVE USE OF:

FRANK KOTTSCHADE  
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MONUMENTS

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DATE: 7/28/2020

DWG NO. 3315SC01 JOB NO. 3315

DRAWN BY: R.J.M. SHEET 2 OF 2

# Kottschade Annexation 2.22 ac.

Olmsted County

Olmsted County

City of Rochester

← Current City Boundary

Site  
2.22 ac

← Current City Boundary

City of Rochester

Willow Creek

