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By: OAH on June 14, 2021

ORDINANCE NO. 4429

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 31.75 ACRES OF LAND LOCATED ALONG THE NORTH SIDE OF OVERLAND DRIVE NW AND APPROXIMATELY 700 FEET EAST OF CLARKIA DRIVE.

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 East Half of the Southeast Quarter of Section 4, Township 107 North, Range 14 West, Olmsted County, Minnesota, which lies southerly and westerly of HIDDEN OAKS VALLEY.

ALSO:

That part of the Northeast Quarter of the Northeast Quarter of Section 9, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said Quarter Quarter Section; thence South 88 degrees 41 minutes 11 seconds West, assumed bearing, along the north line thereof, 713.79 feet to the northwest corner of Lot 6, Block 1, OVERLAND POINTE for the point of beginning; thence continue South 88 degrees 41 minutes 11 seconds West along said north line, 596.18 feet to the northeast corner of OUTLOT 'B', BANDEL NORTH FIRST; thence South 00 degrees 51 minutes 48 seconds East, along the east line thereof, 83.60 feet to the southeast thereof; thence South 70 degrees 00 minutes 00 seconds East 368.36 feet; thence easterly 203.08 feet along a tangential curve, concave to the south, central angle of 15 degrees 18 minutes 35 seconds and a radius of 760.00 feet to the most westerly corner of Lot 7, Block 1, OVERLAND POINTE (the next two courses are along the westerly line of said OVERLAND POINTE); thence North 23 degrees 29 minutes 52 seconds East, 182.39 feet; thence North 01 degree 18 minutes 49 seconds West, 150.00

feet to the point of beginning.

Section 2. On April 19, 2021, 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 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 Cascade Township Clerk, the County Auditor and the Secretary of State.

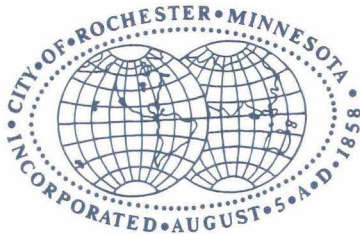
PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 7th DAY OF June, 2021.

ATTEST: *Kelly G. Giatt*
CITY CLERK

Blair
PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS 14th DAY OF June, 2021.

Kim Norton
MAYOR OF SAID CITY



**“The Lodge”
Annexation Request**

CD2021-002ANX

