

RECEIVED

By: OAH on October 2, 2023

ORDINANCE NO. 4499

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER
APPROXIMATELY 47.43 ACRES, LOCATED SOUTH OF SCENIC
POINT DRIVE SW AND WEST OF SCENIC VIEW DRIVE SW.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. Whereas the subject property abuts the City of Rochester, is less than 120 acres in size, and is not served by a wastewater facility other than the City of Rochester.

Section 2. The City of Rochester Community Development Department has requested that the Common Council annex said land to pursuant to Minn. Stat. §414.033 Subd.2(3). The land described in the annexation request is described as follows:

That part of the North Half of the South Half of the Northeast Quarter of Section 33, Township 106 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southeast corner of said Northeast Quarter; thence North 00°14'19" East, along the east line of said Northeast Quarter, 658.65 feet to the southeast corner of said North Half of the South Half of the Northeast Quarter and to the point of beginning; thence continuing North 00°14'19" East, along said east line, 658.65 feet to the northeast corner of said North Half of the South Half of the Northeast Quarter; thence South 89°54'20" West, along the north line of said North Half of the South Half of the Northeast Quarter, 1407.34 feet; thence South 02°06'43" East 658.69 feet to the south line of said North Half of the South Half of the Northeast Quarter; thence North 89°55'13" East, along said south line, 1380.32 feet to the point of beginning.

AND

That part of the East Half of Section 33, Township 106 North, Range 14 West, Olmsted County, Minnesota, being described as follows:

Commencing at the northwest corner of the East Half of said Section 33; thence South

00 degrees 36 minutes 53 seconds East, assumed bearing, along the west line of said East Half, 1974.03 feet to the northwest corner of the South Half of the South Half of the Northeast Quarter of said Section 33; thence North 89 degrees 09 minutes 43 seconds East, along the north line of said South Half of the South Half of the Northeast Quarter, 1175.00 feet for the point of beginning; thence South 00 degrees 36 minutes 53 seconds East, parallel with the west line of the East Half of said Section 33, a distance of 1180.72 feet; thence North 89 degrees 09 minutes 43 seconds East, parallel with the north line of said South Half of the South Half of the Northeast Quarter, 1470.49 feet to a point on the east line of the Southeast Quarter of said Section 33, distant 794.52 feet northerly of the southeast corner of the North Half of said Southeast Quarter; thence North 00 degrees 22 minutes 25 seconds West along said east line, 522.09 feet to the northeast corner of said Southeast Quarter; thence North 00 degrees 31 minutes 36 seconds West, along the east line of the Northeast Quarter of said Section 33, a distance of 658.65 feet to the northeast corner of the South Half of the South Half of said Northeast Quarter; thence South 89 degrees 09 minutes 43 seconds West, along the north line of said South Half of the South Half of said Northeast Quarter, 1473.70 feet to the point of beginning.

EXCEPT

The West 500.00 feet of the above described parcel.

The above described parcel contains 47.43 acres and is subject to any easements, covenants, and restrictions of record.

Section 3. On July 10, 2023, the Common Council held a public hearing and considered annexation of the subject property.

Section 4. The City provided notification of said public hearing, pursuant to Minn. Stat. §414.033, subd. 2b, by giving 30 days' written notice by certified mail to the Rochester Township and to all landowners within and contiguous to the area to be annexed.

Section 5. Following the public hearing, the Common Council of the City of Rochester determined that the land abuts the City of Rochester, is less than 120 acres in size, and is not served by a wastewater facility other than the City of Rochester.

Section 6. As provided in Minn. Stat. §414.036, the City shall pay the Township the equivalent of three years' taxes in two years.

Section 7. Therefore, pursuant to Minn. Stat. §414.033, subd. 2(3), the land described in Section 2 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.

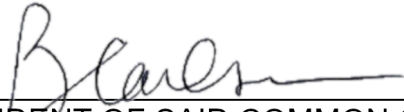
Section 9. Upon annexation the land described in Section 2 above will be zoned R-1 (mixed-single family). See Exhibit 'A'.

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 21 DAY OF August, 2023.

ATTEST: 
CITY CLERK


PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS 22 DAY OF August, 2023.




MAYOR OF SAID CITY

EXHIBIT "A"

CERTIFICATE OF SURVEY
SECTION 33
T. 106 N., R. 14 W.

LAND DESCRIPTION:

That part of the North Half of the South Half of the Northeast Quarter of Section 33, Township 106 North, Range 14 West, Olmsted County, Minnesota, described as follows:
Commencing at the southeast corner of said Northeast Quarter; thence North 00°14'19" East, along the east line of said Northeast Quarter, 658.65 feet to the southeast corner of said North Half of the South Half of the Northeast Quarter and to the point of beginning; thence continuing North 00°14'19" East, along said east line, 658.65 feet to the northeast corner of said North Half of the South Half of the Northeast Quarter; thence South 89°54'20" West, along the north line of said North Half of the South Half of the Northeast Quarter, 1407.34 feet; thence South 02°06'43" East 658.69 feet to the south line of said North Half of the South Half of the Northeast Quarter; thence North 89°55'13" East, along said south line, 1380.32 feet to the point of beginning.

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- IRON PIPE WITH PLASTIC CAP
STAMPED LS 21940 SET
- FOUND MONUMENT



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

Geoffrey G. Griffin
Geoffrey G. Griffin
DATE 2/14/23 REG. NO. 21940

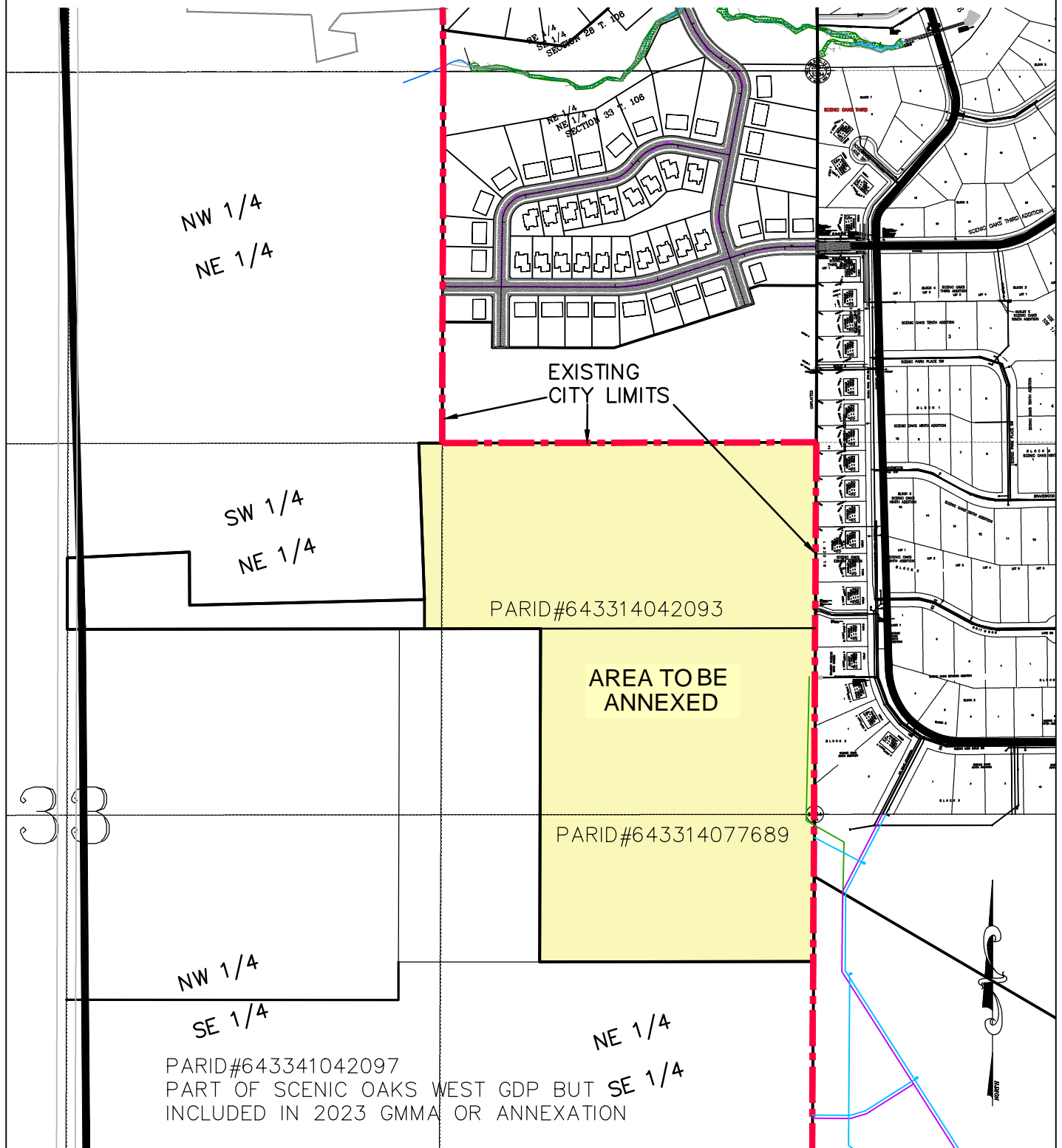
G³
G-Cubed
14070 Hwy 52 S.E.
Chatfield, MN 55923

**ENGINEERING
SURVEYING
PLANNING**
Ph. 507-867-1666
Fax 507-867-1665
www.ggg.to

DATE OF SURVEY: 2-14-23
Prepared For:
YH DEE LLC
2314 SCENIC PARK PL SW
ROCHESTER, MN 55902
SHEET 1 OF 1 FILE NO:16-008

ANNEXATION EXHIBIT

ROCHESTER TOWNSHIP, SEC. 33, T. 106 N., R. 14 W.



PARID#643341042097
PART OF SCENIC OAKS WEST GDP BUT INCLUDED IN 2023 GMMA OR ANNEXATION

0 500'
SCALE

G³

G-Cubed

14070 Hwy 52 S.E.
Chatfield, MN 55923

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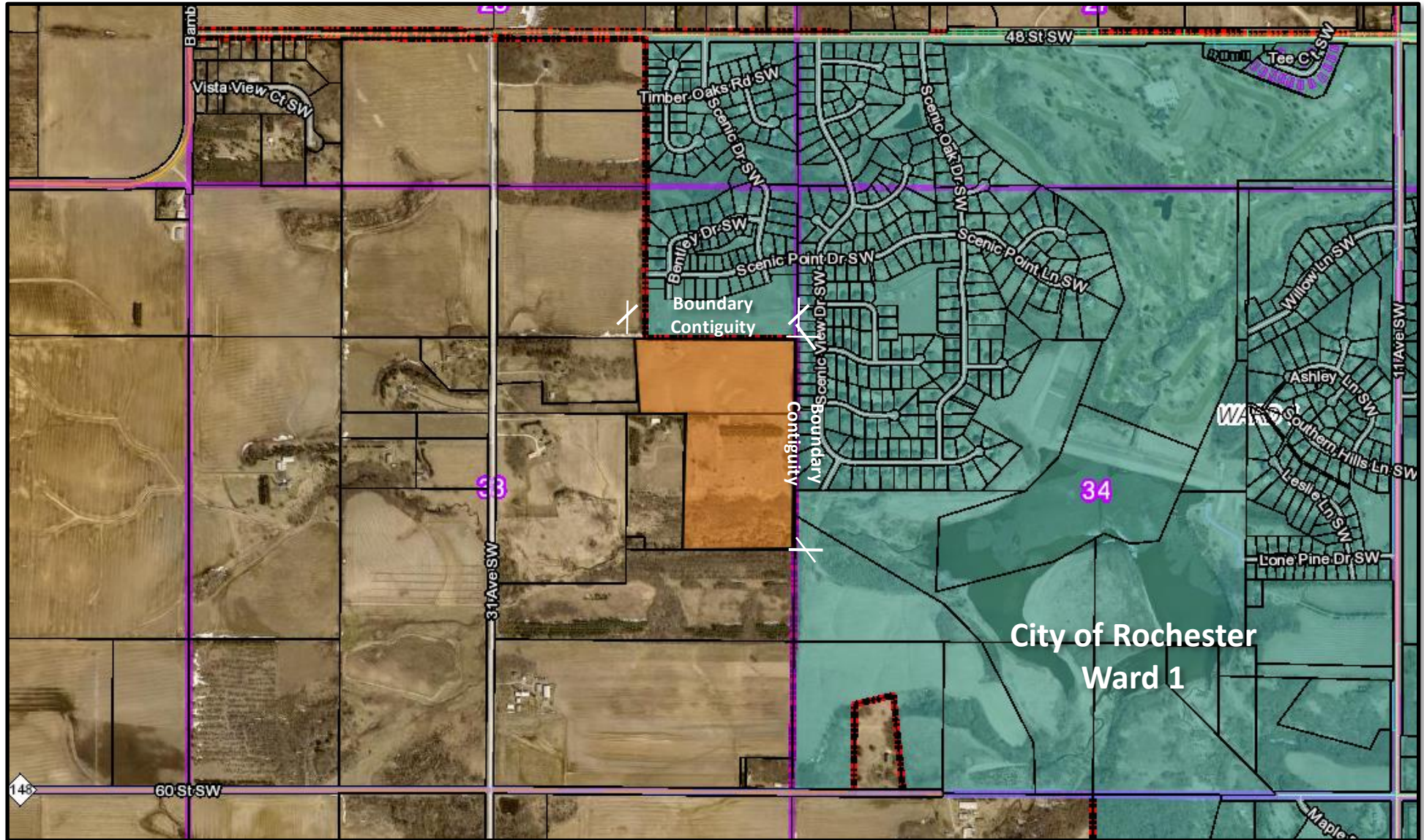
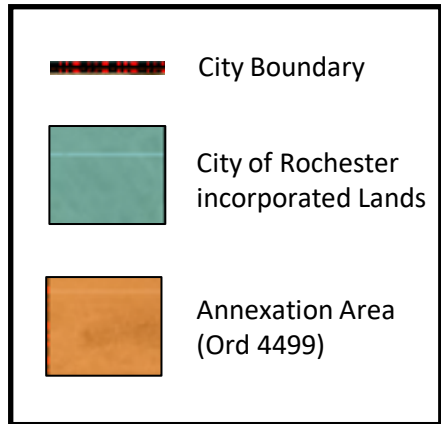
DATE OF SURVEY: 9/28/2023

Prepared For:
YH DEE, LLC

2314 Scenic Park Place SW

Rochester, MN 55902

FILE NO: 16-008 GDP GMMA.DWG



Annexation Site City Boundary Contiguity Map (Ord 4499)