

**RECEIVED**

By: OAH on October 6, 2023

ORDINANCE NO. 4502

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER  
APPROXIMATELY 47.94 ACRES, LOCATED DIRECTLY NORTH OF  
SILVER CREEK ROAD NE.

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:

Part of Sections 29 and 32, Township 107 North, Range 13 West, Olmsted County, Minnesota, being part of the Southeast Quarter of the Southwest Quarter of Section 29, and part of the Southwest Quarter of the Southeast Quarter of said Section 29, together with part of the Northeast Quarter of the Northwest Quarter of Section 32, and part of the Northwest Quarter of the Northeast Quarter of said Section 32, described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 32; thence North 89 degrees 53 minutes 42 seconds East along the north line of said Northwest Quarter 1904.25 feet to the point of beginning; thence South 47 degrees 45 minutes 15 seconds East 115.92 feet; thence South 10 degrees 58 minutes 45 seconds East 130.41 feet; thence South 00 degrees 50 minutes 05 seconds East 129.49 feet; thence South 12 degrees 11 minutes 13 seconds West 129.49 feet; thence South 25 degrees 12 minutes 32 seconds West 129.50 feet; thence South 38 degrees 13 minutes 50 seconds West 129.49 feet; thence South 50 degrees 33 minutes 10 seconds West 119.76 feet; thence South 56 degrees 03 minutes 56 seconds East 89.58 feet to the most northerly corner of that certain public drainage easement, recorded July 22, 2022, in Olmsted County records as Document No. A-1570306; thence South 33 degrees 05 minutes 00 seconds West along said drainage easement 283.00 feet; thence North 89 degrees 52 minutes 45 seconds West along said drainage easement 209.00 feet; thence South 00 degrees 07 minutes 15 seconds West along said drainage easement 30.00 feet; thence South 89 degrees

52 minutes 45 seconds East along said drainage easement 199.00 feet; thence South 62 degrees 19 minutes 00 seconds East along said drainage easement 320.00 feet; thence South 25 degrees 19 minutes 55 seconds East along said drainage easement 53.00 feet to the northerly right of way line of Silver Creek Road NE; thence North 88 degrees 02 minutes 04 seconds along said northerly right of way line 1345.99 feet to the east line of that certain parkland easement, recorded August 06, 2021, in Olmsted County records as Document No. A-1543201; thence North 24 degrees 09 minutes 42 seconds East along said east line 900.91 feet to the northeast corner of said parkland easement; thence South 89 degrees 58 minutes 25 seconds West along the north line of said parkland easement 339.75 feet; thence North 27 degrees 45 minutes 06 seconds West 736.34 feet; thence South 49 degrees 20 minutes 59 seconds West 204.76 feet; thence North 53 degrees 48 minutes 05 seconds West 848.19 feet to the east line of Block 1 of CENTURY VALLEY THIRD, according to the plat thereof, on file and of record in the office of the County Recorder, Olmsted County, Minnesota; thence South 00 degrees 06 minutes 03 seconds East along said east line 105.81 feet to the southeast corner of Lot 8, in said Block 1; thence South 42 degrees 52 minutes 38 seconds East 695.07 feet to the northeast corner of the Northwest Quarter of said Section 32; thence South 89 degrees 53 minutes 42 seconds West along the north line of said Northwest Quarter 737.90 feet to the point of beginning.

Said tract contains 47.94 Acres, more or less.

The above described parcel contains 47.94 acres and is subject to any easements, covenants, and restrictions of record.

Section 3. On August 7, 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 Haverhill 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.

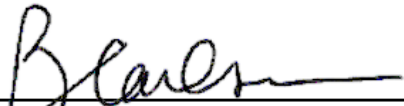
Section 8. Present and future owners of the lands annexed by this ordinance are hereby notified that in addition to the usual assessments, it is the intention of the Common Council to assess against benefited property all or a portion of the cost of any storm sewer, water tower, pumping station, and 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-2 (Low Density Small Lot). 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 Haverhill Township Clerk, the County Auditor and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF  
ROCHESTER, MINNESOTA, THIS 18th DAY OF September, 2023.

  
\_\_\_\_\_  
PRESIDENT OF SAID COMMON COUNCIL

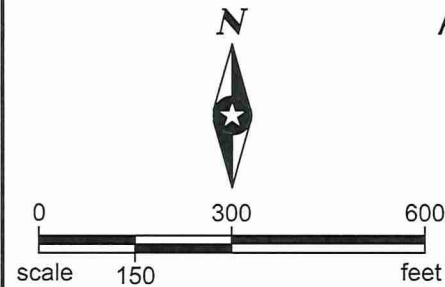
ATTEST:   
\_\_\_\_\_  
CITY CLERK

APPROVED THIS 22nd DAY OF September, 2023.

  
\_\_\_\_\_  
MAYOR OF SAID CITY



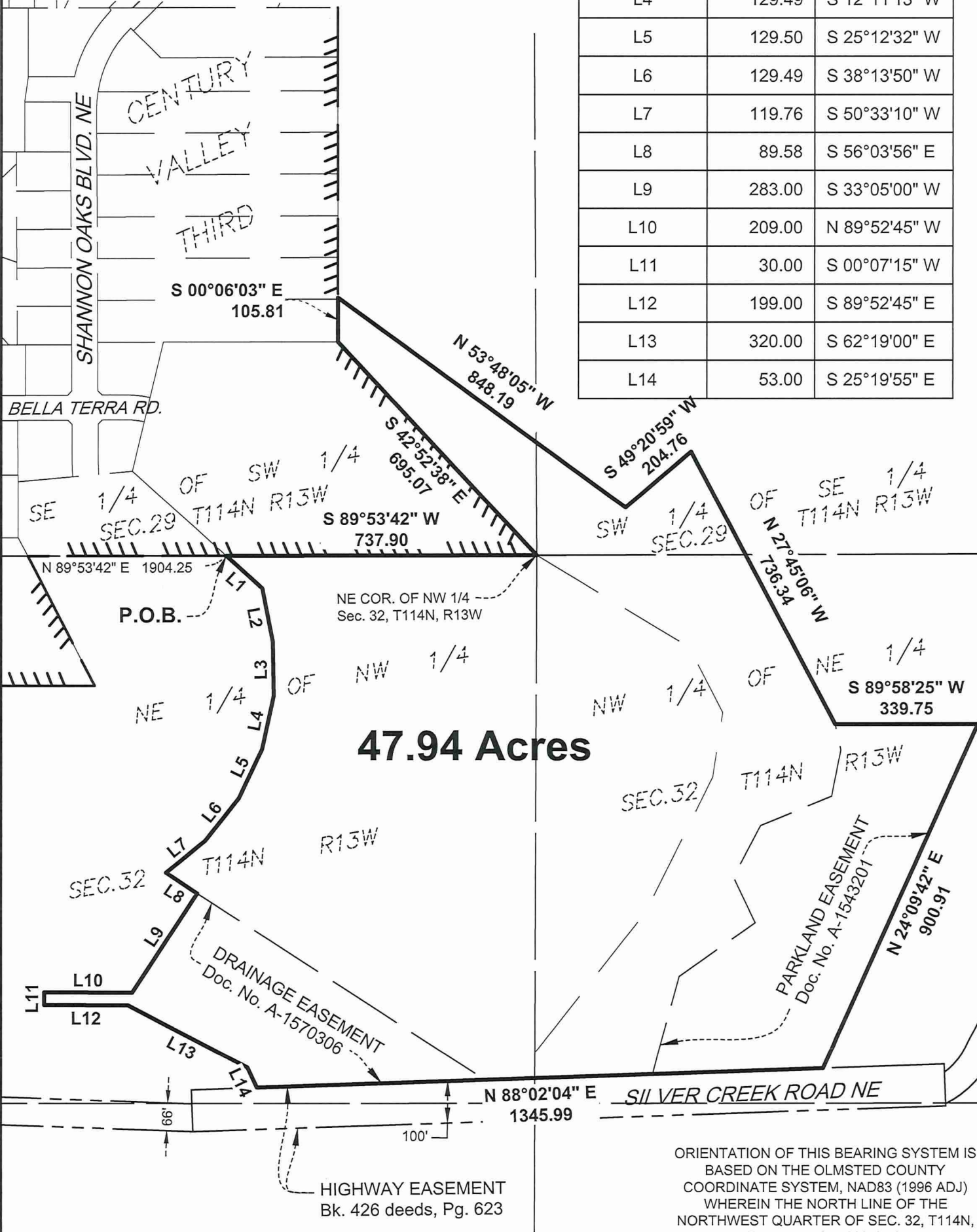
Save: 4/13/2023 10:17 AM mhaselius Plot: 4/13/2023 2:56 PM X:\AE\BELLT171967\19-survey\92-CAD\15-dwg\BE 171967 Annex Sketch.dwg



ANNEXATION EXHIBIT  
Pt. of S 1/2 of Sec. 29  
Pt. of N 1/2 of Sec. 32  
T114N, R13W  
OLMSTED COUNTY, MN

| PARCEL LINE DATA |        |               |
|------------------|--------|---------------|
| SEGMENT          | LENGTH | DIRECTION     |
| L1               | 115.92 | S 47°45'15" E |
| L2               | 130.41 | S 10°58'45" E |
| L3               | 129.49 | S 00°50'05" E |
| L4               | 129.49 | S 12°11'13" W |
| L5               | 129.50 | S 25°12'32" W |
| L6               | 129.49 | S 38°13'50" W |
| L7               | 119.76 | S 50°33'10" W |
| L8               | 89.58  | S 56°03'56" E |
| L9               | 283.00 | S 33°05'00" W |
| L10              | 209.00 | N 89°52'45" W |
| L11              | 30.00  | S 00°07'15" W |
| L12              | 199.00 | S 89°52'45" E |
| L13              | 320.00 | S 62°19'00" E |
| L14              | 53.00  | S 25°19'55" E |

////// DENOTES CURRENT CITY LIMITS



SURVEYED FOR: BELLA TERRA LLC

ROCHESTER,  
MINNESOTA

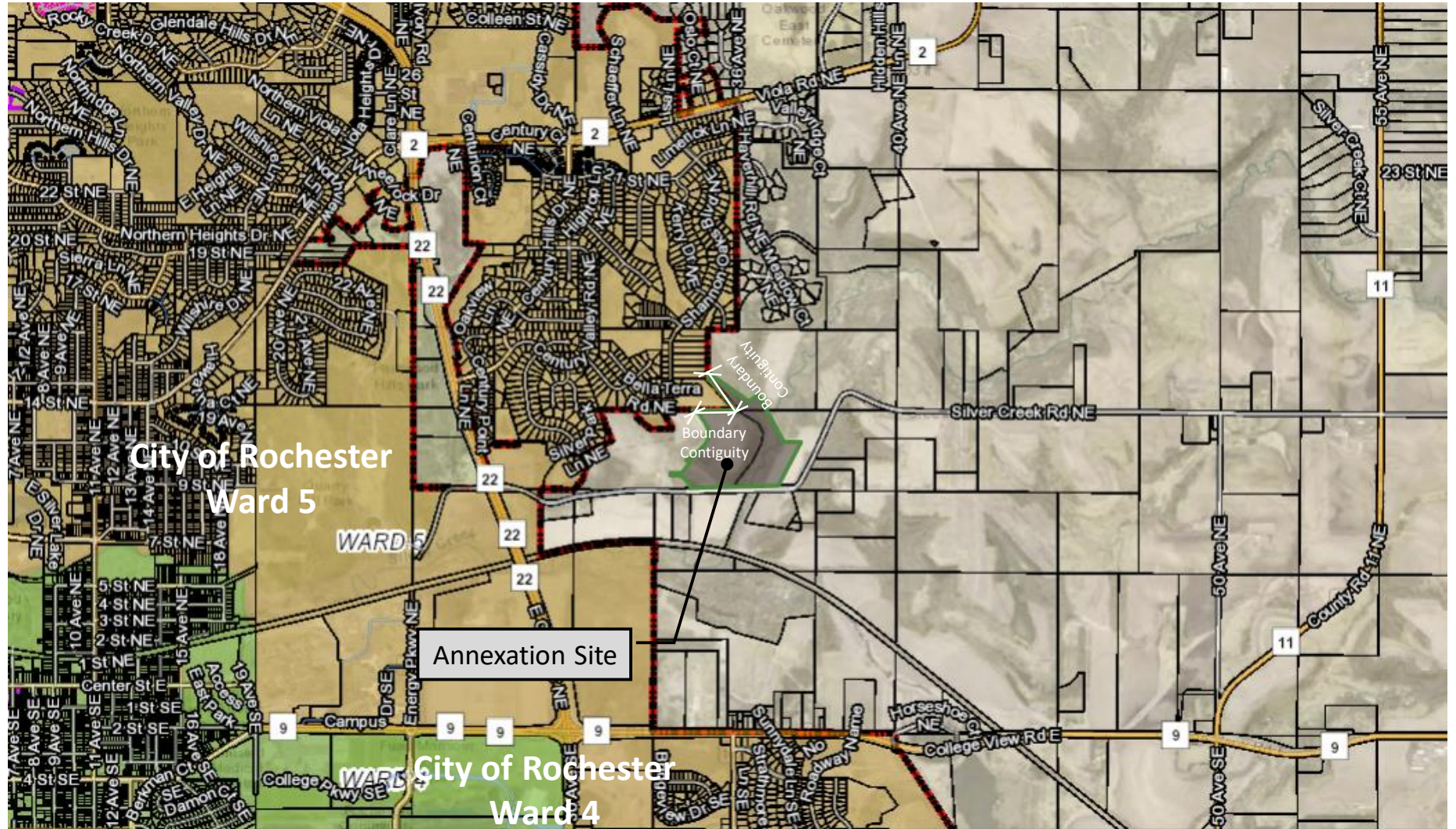
SEH Project BELLT 171967  
Drawn By MJH  
Surveyed By EWZ  
Checked By MJH

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Mark J. Haselius*  
MARK J. HASELIUS, PLS  
DATE 04/13/2023

ORIENTATION OF THIS BEARING SYSTEM IS  
BASED ON THE OLMSTED COUNTY  
COORDINATE SYSTEM, NAD83 (1996 ADJ)  
WHEREIN THE NORTH LINE OF THE  
NORTHWEST QUARTER OF SEC. 32, T114N,  
R13W BEARS N 89°53'42" E.





Annexation Site City Boundary Contiguity Map (Ord 4502)