

REC'D. BY
MMB DEC 14 1988

RESOLUTION

WHEREAS, the Planning and Zoning Commission at the request of the owner of the property located in the Town of Cascade, County of Olmsted, State of Minnesota, described as:

That part of the Southeast Quarter of the Northwest Quarter, Section Nine (9), Township One Hundred Seven (107), Range Fourteen (14). Olmsted County, Minnesota, described as follows: Commencing for a place of beginning at the Southeast corner of said Northwest Quarter, thence North along the East line of said Northwest Quarter 629.0 feet, thence West parallel with the South line of said Northwest Quarter, 447.36 feet to the East right of way line of Trunk Highway No. 52, thence Southerly along said East right of way 631.58 feet to the South line of said Northwest Quarter, thence East 383.56 feet to the place of beginning.

The South four (4) feet of the following described property: That part of the Southeast Quarter of the Northwest Quarter of Section 9, Township 107, Range 14, described as follows: Commencing at the Southeast corner of the Northwest Quarter and running thence North along the East line thereof a distance of 629 feet for a place of beginning, thence West parallel with the South line thereof a distance of 447.56 feet to the East right of way line of U.S. Trunk Highway No. 52, thence Northerly along said right of way line a distance of 191.34 feet, thence East parallel with said South lien a distance of 466.95 feet to the East line thereof, thence South along said East line a distance of 190.56 feet to the place of beginning.

has recommended that the Common Council of the City of Rochester initiate proceedings for annexation of said property to the City of Rochester; and,

WHEREAS, said property is subject to a joint resolution for orderly annexation adopted by the Common Council on May 17, 1976, and approved by the Board of the Town of Cascade on May 5, 1976, which resolution was subsequently amended by a resolution approved by the Common Council on February 23, 1977 and the Board of the Town of Cascade on April 4, 1977; and,

WHEREAS, information has been presented to the Common Council which indicated that said property is urban or suburban in nature and that the City of Rochester is fully capable of providing municipal sewer and water and other services required by said property within reasonable time.

WHEREAS, on the 7th day of November 1988, the Town Board of the Town of Cascade executed a written stipulation that said orderly annexation agreement may be amended, in this instance, to provide, in relevant part, as follows:

Both the Town and the City agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no consideration by the Board is necessary. Upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order the annexation of the following described property in accordance with the terms of the joint resolution;

and,

WHEREAS such an amendment of the orderly agreement in this instance is agreeable to the City.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Rochester that the Minnesota Municipal Board is hereby requested to process the annexation of the lands hereinbefore described pursuant to the orderly annexation agreement, as amended, between the City of Rochester and the Town of Cascade.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to forward a certified copy of this resolution, along with the stipulation of the Town Board or filing as the case may be with the Secretary of the Minnesota Municipal Board, the Cascade Town Clerk, the Olmsted County Planning and Zoning Commission, and the Consolidated Planning and Zoning Departments of Olmsted County..

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 3RD DAY OF OCTOBER, 1988.

Dee Dee B. Selby
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

Walter G. Gumm
CITY CLERK

APPROVED THIS 4TH DAY OF OCTOBER, 1988.

Dee Dee B. Selby
Acting MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

DEC 14 1988

IN MATTER OF THE AMENDMENT TO THE JOINT RESOLUTION
FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF CASCADE
AND THE CITY OF ROCHESTER, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.0325, SUBD. 1

TO: Minnesota Municipal Board
165 Metro Square Building
St. Paul, MN 55101

The Township of Cascade and the City of Rochester hereby jointly agree that the area designated for orderly annexation in the Joint Resolution Between the Town of Cascade and the City of Rochester Designating an Area for Orderly Annexation by joint resolution passed and adopted by the Rochester Common Council on May 17, 1976, and by its Mayor on May 20, 1976, and the Town of Cascade, Olmsted County, Minnesota by its Townboard on May 5, 1976, be amended to include the following:

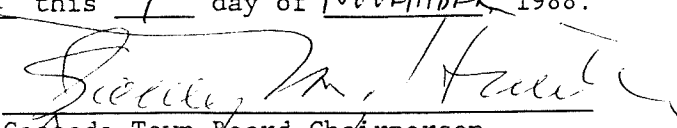
Both the Town and the City agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no consideration by the Board is necessary. Upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order the annexation of the following-described property in accordance with the terms of the joint resolution.

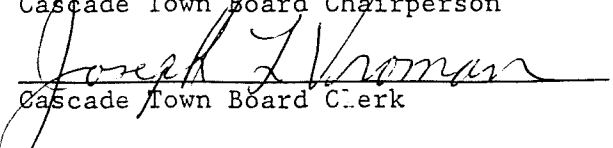
ANNEXATION DESCRIPTION

That part of the Southeast Quarter of the Northwest Quarter, Section Nine (9), Township One Hundred Seven (107), Range Fourteen (14), Olmsted County, Minnesota, described as follows: Commencing for a place of beginning at the Southeast corner of said Northwest Quarter, thence North along the East line of said Northwest Quarter 629.0 feet, thence West parallel with the South line of said Northwest Quarter, 447.36 feet to the East right of way line of Trunk Highway No. 52, thence Southerly along said East right of way 631.58 feet to the South line of said Northwest Quarter, thence East 383.56 feet to the place of beginning.

The South four (4) feet of the following described property:
That part of the Southeast Quarter of the Northwest Quarter of Section 9, Township 107, Range 14, described as follows: Commencing at the Southeast corner of the Northwest Quarter and running thence North along the East line thereof a distance of 629 feet for a place of beginning, thence West parallel with the South line thereof a distance of 447.56 feet to the East right of way line of U.S. Trunk Highway No. 52, thence Northerly along said right of way line a distance of 191.34 feet, thence East parallel with said South line a distance of 466.95 feet to the East line thereof, thence South along said East line a distance of 190.56 feet to the place of beginning.

Approved by the Town of CASCADE this 7 day of NOVEMBER 1988.


Cascade Town Board Chairperson


Cascade Town Board Clerk

Approved by the City of Rochester this 3RD day of OCTOBER, 1988.

Deane B Selby
Mayor of Said City (ACTING)

Charles A. Sumner
City Clerk

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AREA PROPOSED TO
BE ANNEXED

NORTH
1" = 600'

SE CORNER NW 1/4 SEC. 9 CASCADE TWP

447.36'

631.58'

629'

383.56'

CASCADE

RIDGE

CORDUL

PENNINGTON

COMMERCIAL

PARK

TONGEN 2

10 11 12