

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 South Half (S 1/2) of the Southeast Quarter (SE 1/4), Section 33, Township 107 North, Range 14 West lying South of the centerline of Trunk Highway No. 14, described as follows: Commencing for a place of beginning at a point in the South line of said Section which is 1397.8 feet West of the Southeast corner thereof and running thence North 89°8' West 401.07 feet, thence North 13°43'30" East 740.35 feet to the centerline of Trunk Highway No. 14, thence South 65°55' East along said centerline 401.7 feet, thence South 14°8' West 578.43 feet to the place of beginning, subject to the rights of the State of Minnesota in the northerly 50 feet thereof

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 3rd day of October 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 19 DAY OF Dec, 1988.

Nancy B. Selby
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Carol A. Gustin
CITY CLERK

APPROVED THIS 20 DAY OF Dec, 1988.
Chuck Hays
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

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

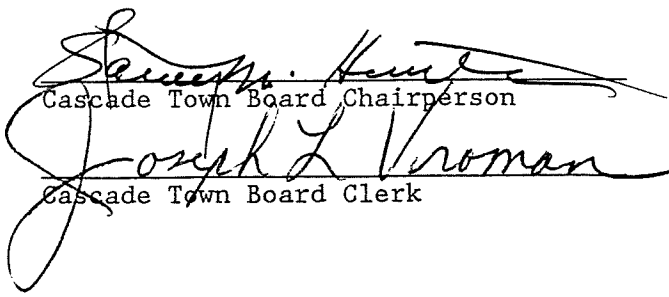
The Township of Cascade and the City of Rochester hereby jointly agree that the area designated for orderly annexation in the Joint Resolution Between the Town of Cascade and the City of Rochester Designating an Area for Orderly Annexation by joint resolution passed and adopted by the Rochester Common 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:

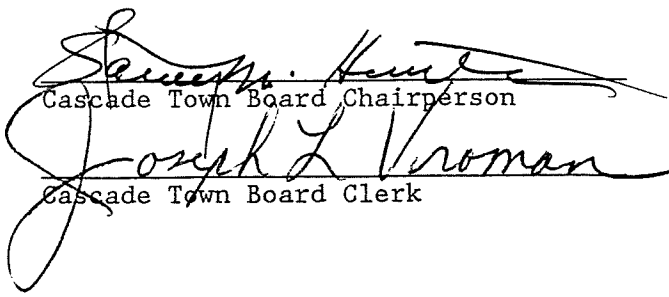
Both the Town and the City agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no consideration by the Board is necessary. Upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order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

ANNEXATION DESCRIPTION

That part of the South Half (S 1/2) of the Southeast Quarter (SE 1/4), Section 33, Township 107 North, Range 14 West lying South of the center line of County State Aid Highway 34, formerly TH No. 14, described as follows: Commencing for a place of beginning at a point in the South line of said Section which is 1397.8 feet West of the Southeast corner thereof and running thence North 89°08' West 401.07 feet, thence North 13°43'30" East 740.35 feet to the center line of Trunk Highway No. 34, thence South 65°55' East along said center line 401.7 feet, thence South 14°08' West 578.43 feet to the place of beginning, subject to the rights of the State of Minnesota in the northerly 50 feet thereof.

Approved by the Town of CASCADE this 3 day of OCTOBER, 1988.


Cascade Town Board Chairperson


Joseph L. Vroman
Cascade Town Board Clerk

REC'D. BY
FAMB DEC 27 1988

CLUB MANOR

33

NO. 1481

AREA PROPOSED TO BE ANNEXED
REZONED TO R-2
AND CONCEPT PLANNED UNIT DEVELOPMENT

COUNTRY CLUB ROAD

WIMBLEDON
HILLS

CSAH 34

NORTH

HILLCREST

SUB.

3RD ST
23 AVE SW
8 21 AVE SW

